

SNOHOMISH COUNTY COUNCIL  
PUBLIC HEARING PACKET

**ORDINANCE 23-032**    **RELATING TO THE GROWTH MANAGEMENT ACT;  
CONCERNING BUILDING SEPARATION, AMENDING  
SECTION 30.23.300 OF THE SNOHOMISH COUNTY  
CODE**

ECAF:                    2023-0319

Date/Time:            Wednesday, June 7, 2023, at 10:30 a.m.

Staff:                    Ryan Countryman, Council  
                              Michael Saponaro, PDS

DPA:                     Jessica Kraft-Klehm

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Hearing Date: Wednesday, June 7, 2023 @ 10:30 a.m.					
Council Staff: Ryan Countryman		PDS Staff: Michael Saponaro		DPA: Jessica Kraft-Klehm	
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1 Adopted:  
2 Effective:

3 SNOHOMISH COUNTY COUNCIL  
4 Snohomish County, Washington

5  
6 ORDINANCE NO. 23-032

7  
8 RELATING TO THE GROWTH MANAGEMENT ACT; CONCERNING BUILDING  
9 SEPARATION, AMENDING SECTION 30.23.300 OF THE SNOHOMISH COUNTY CODE

10  
11 WHEREAS, Revised Code of Washington (RCW) 36.70A.130 directs counties planning  
12 under the Growth Management Act (GMA) to consider amendments and revisions to the GMA  
13 Comprehensive Plan (GMACP) or development regulations on a regular basis; and

14  
15 WHEREAS, the Snohomish County Council ("County Council") has determined that the  
16 consideration of the proposed amendments and revisions to the development regulations in title  
17 30 of the Snohomish County Code (SCC) related to building separation would be consistent  
18 with the GMA planning goals in RCW 36.70A.020 and the County GMACP.

19  
20 WHEREAS, amendments to SCC 30.23.300 to clarify the building separation  
21 requirements for one-, two- and three-story single-family and duplex structures in the Multiple  
22 Residential (MR) and Low Density Multiple Residential (LDMR) zones will improve fire safety  
23 and emergency response to those homes; and

24  
25 WHEREAS, on December 13, 2022, the Snohomish County Planning Commission  
26 ("Planning Commission") was briefed by Snohomish County Planning and Development  
27 Services (PDS) staff about the proposed code amendments contained in this ordinance; and

28  
29 WHEREAS, the Planning Commission held a public hearing on January 24, 2023, to  
30 receive public testimony concerning the proposed code amendments and recommend adoption  
31 of the amendments contained in this ordinance, as shown in its approval letter dated February  
32 10, 2023; and

33  
34 WHEREAS, on \_\_\_\_\_, 2023, the County Council held a public hearing after  
35 proper notice to receive public testimony and consider the entire record related to the code  
36 amendments contained in this ordinance; and

37  
38 WHEREAS, following the public hearing, the County Council deliberated on the code  
39 amendments contained in this ordinance.

40  
41 NOW, THEREFORE, BE IT ORDAINED:

42  
43 Section 1. The County Council adopts the following findings in support of this ordinance:

44  
45 A. The foregoing recitals are adopted as findings as if set forth in full herein.

1 B. This ordinance amends SCC 30.23.300 to clarify the building separation requirements in the  
2 LDMR and MR zones. In particular, the amendments will:

- 3
- 4 1. Clarify that a minimum building separation of 10 feet is required for one-story and  
5 two-story single-family detached, single-family attached, and duplex structures in the  
6 LDMR and MR zones through the creation of a new subsection that is inclusive of  
7 those structures.  
8
- 9 2. Describe when a reduction in the 15-foot building separation requirement for three-  
10 story single-family detached, single-family attached, and duplex structures in the  
11 LDMR and MR zones with side yard ingress/egress is allowed by rearranging the  
12 section and repealing one subsection.  
13
- 14 3. Include an oxford comma separating the list of residential structures in the title and  
15 code section to improve readability.  
16

17 C. This ordinance is consistent with the record.

- 18
- 19 1. Prior to 2012, there was a minimum building separation for developments of all  
20 stories. Amended Ordinance No. 12-049 added SCC 30.23.300 to include the  
21 building separation requirements for single-family detached, single-family attached,  
22 and duplex structures in the LDMR and MR zones, but only for three-story buildings  
23 with side yard ingress/egress, which has resulted in unclear building separation  
24 requirements for one-story and two-story homes.  
25
- 26 2. The amendments to SCC 30.23.300 create two sections to clarify that all single-  
27 family detached, single-family attached, and duplex structures in the LDMR and MR  
28 zones, regardless of story size, will require a minimum building separation of 10 feet  
29 except that certain three-story structures require separation of 15 feet under SCC  
30 30.23.300(2).  
31
- 32 3. SCC 30.23.300(2) currently includes an allowance to reduce building separation for  
33 three-story buildings if the topography allows firefighters to reach ladders at a safe  
34 angle that has proven to be impractical because fences allowed on such lots up to  
35 eight feet high without a permit can hinder the safe placement of a fire ladder  
36 regardless of site topography.  
37
- 38 4. The amendment to SCC 30.23.300(2)(b) repeals the reduced building separation  
39 allowance for three-story buildings when the site topography can provide the  
40 necessary geometric prism for firefighters to set a ladder reaching the third-story side  
41 yard window at no greater than a 75-degree angle.  
42
- 43 5. Clarification on the building height separation requirements for three-story structures  
44 in the LDMR and MR zones will increase the ease and safety of window access by  
45 firefighters in emergency response and slow the spread of fire during a fire event.  
46

1 D. The proposed amendments are consistent with and supportive of the following GMA  
2 provisions:

- 3
- 4 1. GMA Planning Goal 1 (RCW 36.70A.020(1)): "Urban growth. Encourage  
5 development in urban areas where adequate public facilities and services exist or  
6 can be provided in an efficient manner." The proposed building separation  
7 amendments are supportive of this goal by ensuring better fire safety standards.  
8
- 9 2. GMA Planning Goal 7 (RCW 36.70A.020(7)): "Permits. Applications for both state  
10 and local government permits should be processed in a timely and fair manner to  
11 ensure predictability." The proposed building separation amendments are supportive  
12 of this goal by ensuring more cohesive and clear building separation requirements  
13 for development applications.  
14

15 E. The proposed amendments maintain consistency with the Snohomish County Growth  
16 Management Act Comprehensive Plan (GMACP) General Policy Plan (GPP), specifically  
17 with the following goals, objectives, and policies within the Economic Development (ED)  
18 chapter by encouraging predictable and consistent development regulations:

- 19
- 20 1. GPP Goal ED 1 "Maintain and enhance a healthy economy."
- 21
- 22 2. GPP Goal ED 2 "Provide a planning and regulatory environment which facilitates  
23 growth of the local economy."
- 24
- 25 3. GPP Objective ED 2.A "develop and maintain a regulatory system that is fair,  
26 understandable, coordinated and timely."
- 27
- 28 4. GPP ED Policy 2.A.1 "Snohomish County shall work to ensure that the Snohomish  
29 County Code is an understandable, accessible, and user friendly document."  
30
- 31 5. GPP ED Policy 2.A.2 "Snohomish County should stress predictability but maintain  
32 enough flexibility in the Comprehensive Plan and development codes to allow for  
33 timely response to unanticipated and desirable developments."  
34

35 F. Procedural requirements.

- 36
- 37 1. This proposal is a Type 3 legislative action under SCC 30.73.010.  
38
- 39 2. As required by RCW 30.70A.106(1), a notice of intent to adopt the proposed code  
40 amendments was transmitted to the Washington State Department of Commerce for  
41 distribution to state agencies on December 6, 2022.  
42
- 43 3. State Environmental Policy Act (SEPA), chapter 43.21C RCW, requirements with  
44 respect to this non-project action have been satisfied through the completion of an  
45 environmental checklist and the issuance of a determination of non-significance on  
46 December 5, 2022.



- 1  
2 4. The public participation process used in the adoption of this ordinance complies with  
3 all applicable requirements of the GMA and the SCC.  
4  
5 5. The Washington State Attorney General last issued an advisory memorandum, as  
6 required by RCW 36.70A.370, in September of 2018 entitled Advisory Memorandum  
7 and Recommended Process for Evaluating Proposed Regulatory and Administrative  
8 Actions to Avoid the Unconstitutional Takings of Private Property to help local  
9 governments avoid the unconstitutional taking of private property. The process  
10 outlined in the State Attorney General's 2018 advisory memorandum was used by  
11 the County in objectively evaluating the regulatory changes proposed by this  
12 ordinance.

13  
14 Section 2. The County Council makes the following conclusions:

- 15  
16 A. The amendments proposed by this ordinance comply with the GMA.  
17  
18 B. The amendments proposed by this ordinance comply with the GMACP.  
19  
20 C. The County has complied with all SEPA requirements with respect to this non-project action.  
21  
22 D. The public participation process used in the adoption of this ordinance complies with all  
23 applicable requirements of the GMA and title 30 SCC.  
24  
25 E. The amendments proposed by this ordinance do not result in an unconstitutional taking of  
26 private property for a public purpose.  
27

28 Section 3. The Snohomish County Council bases its findings and conclusions on the  
29 entire record of the County Council, including all testimony and exhibits. Any finding, which  
30 should be deemed a conclusion, and any conclusion which should be deemed a finding, is  
31 hereby adopted as such.  
32

33 Section 4. Snohomish County Code Section 30.23.300, added by Amended Ordinance  
34 No. 12-049 on October 3, 2012, is amended to read:

35  
36 **30.23.300 Building separation for single-family detached, single-family attached, and**  
37 **duplex structures constructed in the LDMR and MR zones.**  
38

39 (1) Single-family detached, single-family attached, and duplex structures in the LDMR and MR  
40 zones shall have a minimum building separation of 10 feet except as otherwise required by SCC  
41 30.23.300(2).

42  
43 ~~((4))~~ (2) Single-family detached, single-family attached, and duplex structures in the LDMR  
44 and MR zones with a third-story side yard ingress/egress window ((in the MR and LDMR  
45 zones)) shall have a minimum of 15 feet building separation ((-)), provided that building  
46 separation may be reduced to 10 feet when:  
47

1 ~~((2) Building separation may be reduced to 10 feet when:))~~  
2

3 (a) The dwelling units are equipped with approved NFPA 13D automatic sprinkler  
4 systems; or  
5

6 (b) ~~((The topography of the particular site can provide the necessary geometric prism for  
7 firefighters to set a ladder reaching the third-story side yard ingress/egress window at no greater  
8 than a 75-degree angle; or))~~  
9

10 ~~((c))~~ The dwelling unit boundaries are drawn with a "zero lot line" on one side of the  
11 unit.  
12

13 Section 5. Severability and Savings. If any section, sentence, clause, or phrase of this  
14 ordinance shall be held to be invalid by the Growth Management Hearings Board (Board), or  
15 unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall  
16 not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this  
17 ordinance. Provided, however, that if any section, sentence, clause, or phrase of this ordinance  
18 is held to be invalid by the Board or court of competent jurisdiction, then the section, sentence,  
19 clause, or phrase in effect prior to the effective date of this ordinance shall be in full force and  
20 effect for that individual section, sentence, clause, or phrase as if this ordinance had never been  
21 adopted.  
22

23 PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.  
24

25 SNOHOMISH COUNTY COUNCIL  
26 Snohomish County, Washington  
27

28 \_\_\_\_\_  
29 Council Chair

30 ATTEST:  
31

32 \_\_\_\_\_  
33 Deputy Clerk of the Council  
34

35 ( ) APPROVED  
36 ( ) EMERGENCY  
37 ( ) VETOED  
38

DATE:  
39

\_\_\_\_\_  
County Executive  
40

41 ATTEST:  
42

43 \_\_\_\_\_  
44 Approved as to form only:  
45

46  03/23/2023  
47 Deputy Prosecuting Attorney



## Snohomish County Council

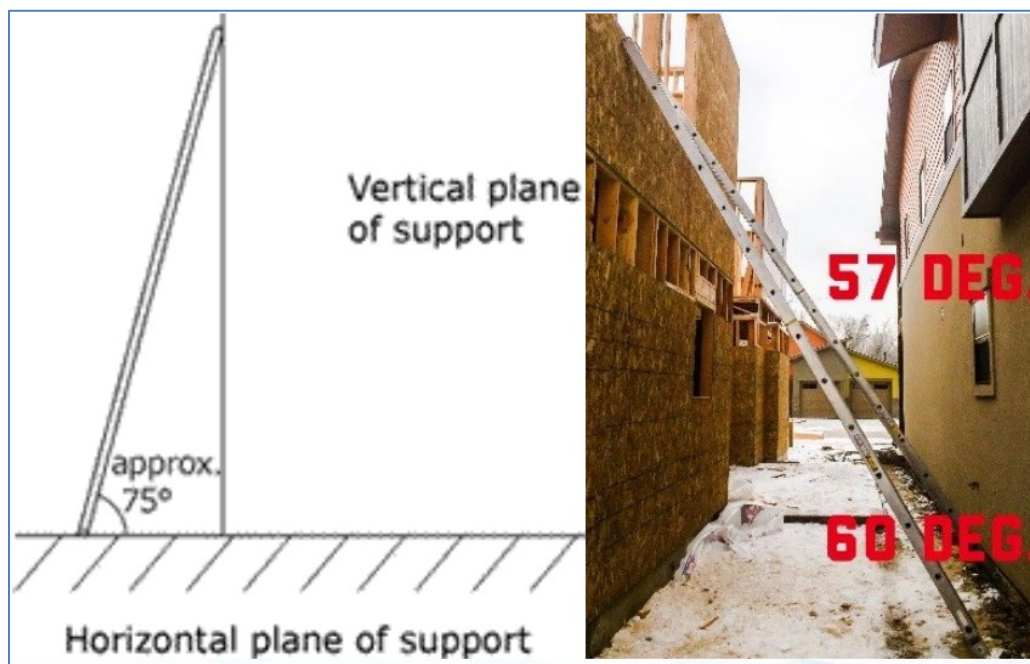
**Committee:** Planning & Community Development      **Analyst:** Ryan Countryman  
**ECAF:** 2023-0319  
**Proposal:** Ordinance 23-032      **Date:** April 18, 2023

### Consideration

Proposed Ordinance 23-032 would amend Snohomish County Code (SCC) 30.23.300 relating to building separation requirements.

### Background and Analysis

Ordinance 23-032 seeks to improve fire safety and emergency response to three-story homes. To meet fire code requirements, one- and two-story single family and duplex structures must be at least 10 feet apart. Firefighters can safely place ladders to a second story window even if there is a fence in the middle (or five feet from buildings separated by 10 feet) because the maximum safe angle is 75 degrees. See Illustration below.



### ***Angle Illustration by Planning and Development Services***

*(December 13, 2022 Presentation Materials to the Snohomish County Planning Commission)*

For three-story buildings that are 10 feet apart, a fence or other obstruction such as a rockery wall can hinder placement of ladders at a safe angle to third story windows. Dwelling units equipped with approved NFPA 13D automatic sprinkler systems can still meet fire code requirements without guaranteed ladder access to third story windows.

Most fences do not require buildings permits. If three story dwelling units receive approval without sprinkler systems and the buildings are only 10 feet apart, the addition of a fence between buildings may mean that they no longer meet fire safety standards. There would be no permit to notify the Fire Marshal of the potential issue.

SCC 30.23.300 currently says that three story buildings should normally have 15 feet of separation (which is enough to safely place a ladder even if there is a fence). It allows reduction to 10 feet of separation if the buildings have either approved automatic sprinkler systems (subsection (2)(a)) or topography that allows ladders to reach the third story (subsection (2)(b)). The topography subsection is confusing and meaningless if residents build a fence. Ordinance 23-032 would strike the topography section (and make other non-substantive stylistic changes). This would leave as standard a 15-foot separation for three story buildings without sprinklers and continue to allow for a 10-foot separation if the buildings have automatic sprinkler systems. Striking the topography subsection eliminates the scenario where homes can only maintain safe third story window access by not building any fences.

**Current Proposal**

*Scope and Summary:* Ordinance 23-032 would amend SCC 30.23.300 as described above to improve fire safety and emergency response to three-story homes.

*Fiscal Implications:* None

**Handling:** Normal

**Planning Commission:** Approve

**Risk Management:** Approve

**Finance:** Approve

**Approved-as-to-form:** Yes

**Executive Recommendation:** Approve

**Request:** Move to General Legislative Session on April 26th to set time and date for a public hearing. (Suggested hearing date is May 17 at 10:30 am.)



**Snohomish County**

**Planning and Development Services**

3000 Rockefeller Ave., M/S 604  
 Everett, WA 98201-4046  
 (425) 388-3311  
[www.snoco.org](http://www.snoco.org)

**MEMORANDUM**

**TO:** Snohomish County Planning Commission  
**FROM:** Michael Saponaro, Senior Planner  
**SUBJECT:** Proposed Amendments to SCC 30.23.300  
**DATE:** October 7, 2022

**Dave Somers**  
 County Executive

**INTRODUCTION**

The purpose of this staff report is to outline a proposed code amendment in the General Development Standards, chapter 30.23.300 of the Snohomish County Code (SCC), related to building separation.

The proposed amendments' objective is to:

- Address building separation for one-story or two-story buildings in the LDMR and MR Zones.

These objectives will be achieved with the following changes to the General Development Standards:

- Require 10' of building separation for one-story or two-story buildings in the LDMR and MR Zones.

**BACKGROUND**

The applicability of SCC 30.23.300 is unclear. It appears to be intended to apply only to three-story buildings with side yard ingress/egress windows. It does not specifically address one- or two-story buildings. Prior to the adoption of Ord. 12-049, minimum building separation was clear, regardless of the number of stories.

**PROPOSED CODE AMENDMENTS**

The following table provides an overview of the proposed changes to Snohomish County Code.

<b>TABLE 1: SUMMARY OF PROPOSED CODE CHANGES</b>	
<b>Proposed Language</b>	<b>Finding</b>
30.23.300 Building separation for single-family detached, single-family attached, and duplex structures constructed in the LDMR and MR zones.	Title needs an Oxford comma
<u>(1) Single-family detached, single-family attached, and duplex structures in the LDMR and MR zones shall have a minimum building separation of 10 feet except as otherwise required by SCC 30.23.300(2).</u>	Code needs to address non-three-story LDMR and MR zone buildings and require 10' of building separation

<p><del>(1)(2)</del> Single-family detached, single-family attached and duplex structures in the LDMR and MR zones with a third-story side yard ingress/egress window <del>((in the MR and LDMR zones))</del> shall have a minimum of 15 feet building separation <del>((-)), provided that building separation may be reduced to 10 feet when:</del></p> <p><del>((2) Building separation may be reduced to 10 feet when:))</del></p> <p>(a) The dwelling units are equipped with approved NFPA 13D automatic sprinkler systems; <u>or</u></p> <p>(b) <del>((The topography of the particular site can provide the necessary geometric prism for firefighters to set a ladder reaching the third-story side yard ingress/egress window at no greater than a 75-degree angle; or))</del></p> <p><del>((c))</del>The dwelling unit boundaries are drawn with a "zero lot line" on one side of the unit. (Added by Amended Ord. 12-049, Oct. 3, 2012, Eff date Jan. 1, 2013).</p>	<p>The original code regulations for three-story buildings have some redundancy and strange sentence organization. Also, subsection b is impractical to enforce. It's physically impossible to put a firefighter ladder at a 75° angle in a 5 ft. setback, which would be the case if a homeowner were to install a fence between the structures/dwelling units. Since a permit is not required for a fence, this condition puts the 10' exception in a tenuous position.</p>
---	---

**ANALYSIS**

The following analysis provides a summary of the proposed code amendments' compliance with state law, regional and countywide planning policies, and county comprehensive plan policies.

**Compliance with State Law**

The Growth Management Act (GMA) contains planning goals, contained in Revised Code of Washington (RCW) 36.70A.020, which guide the development of local comprehensive plans and development regulations. The following planning goals apply to these proposed code changes:

*GMA Goal 7- "Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability."*

Analysis: The proposed amendments would support the permitting goal by providing clarity to the permitting process by outlining expectations for all MR and LDMR houses by story size category.

**Compliance with the Multi-County Planning Policies**

The proposed amendments are consistent with the following multicounty planning policies (MPPs) from the Puget Sound Regional Council VISION 2050:

*Housing Goal: The region preserves, improves, and expands its housing stock to provide a range of affordable, accessible, healthy, and safe housing choices to every resident. The region continues to promote fair and equal access to housing for all people.*

Analysis: The proposed changes would ensure housing remains safe and amenable to fire ladders for residents in MR and LDRM zones.

**Compliance with the Countywide Planning Policies**

The proposed amendments are consistent with the following countywide planning policies:

*DP-7 The County and cities shall coordinate their comprehensive plans (RCW 36.70A.100).*

*Coordination in unincorporated territory planned by both the County and a city means that each plan should provide for the orderly transition of unincorporated to incorporated areas, including appropriate urban design provisions, by:*

- a. Creating a safe and attractive urban environment that enhances livability; and*
- b. Balancing actions necessary to meet the requirement of achieving urban uses and densities with the goal of respecting already established neighborhoods.*

Analysis: The proposed code changes encourage safe urban environments with accessible emergency response.

### **Compliance with the Snohomish County Comprehensive Plan**

The proposed amendments would be consistent with and help implement policies contained within the Snohomish County Growth Management Act Comprehensive Plan (GMACP) – General Policy Plan (GPP). The following policy applies to the code amendments as proposed in this report.

*GOAL HO 1 Ensure that all county residents have the opportunity to obtain safe, healthy, and affordable housing.*

Analysis: The proposed code amendments would encourage safe homes in the MR and LDMR zones.

### **Environmental Review**

Staff is in the process of completing a State Environmental Policy Act (SEPA) checklist for this proposed code amendment and will issue a Determination of Nonsignificance in prior to a public hearing. The fourteen-day public comment period will conclude prior to the Planning Commission public hearing.

### **Notification of State Agencies**

Pursuant to RCW 36.70A.106, a notice of intent to adopt the proposed regulations and standards will be transmitted to the Washington State Department of Commerce in 2022.

### **Staff Recommendation:**

Staff recommends approval of the proposed code amendments and findings contained in this staff report.

### **Action Requested**

The Planning Commission is requested to hold a public hearing, consider the proposed code amendments, and provide a recommendation to the County Council. The Planning Commission can recommend approval of the amendments with supporting findings of fact as proposed or modified, deny the proposal with findings, or amend the proposal with appropriate findings.

cc: David Killingstad, PDS Manager  
Michael Dobesh, PDS Manager



**SNOHOMISH COUNTY PLANNING COMMISSION**

February 10, 2023

Snohomish County Council  
County Administration Building  
3000 Rockefeller Avenue, M/S 609  
Everett, WA 98201-4046

SUBJECT: Planning Commission recommendation on proposed code amendments to building separation requirements in SCC 30.23.300

Dear Snohomish County Council:

On behalf of the Snohomish County Planning Commission, I am forwarding our recommendation to amend regulations for building separation. The Planning Commission had a briefing on this topic on December 13, 2022, and conducted a public hearing on January 24, 2023.

The proposed code amendments would amend code relating to building separation for single-family detached, single-family attached, and duplex structures constructed in the LDMR and MR zone. There were no public comments received prior to the December 13<sup>th</sup> briefing or January 24<sup>th</sup> public hearing.

**PLANNING COMMISSION RECOMMENDATION**

At the January 24 Planning Commission hearing, Commissioner Campbell made a motion, seconded by Commissioner Sheldon, recommending APPROVAL of code amendments to building separation as submitted by staff.

**VOTE (Motion):**

7 in favor (Ash, Brown, Busteed, Campbell, Eck, Larsen, Sheldon )

0 opposed

1 abstention Pedersen

**Motion PASSED**

This recommendation was made following the close of the public hearing and after due consideration of the information presented and is based on the findings and conclusions presented in the October 7, 2022 staff report, with which the Commission concurred.



During the deliberations, the topics of safety, technology, and ladders were discussed at length. The commissioners feel strongly that the county should pursue changes to the code that will cover building separation.

Respectfully submitted,



[Robert Larsen \(Feb 12, 2023 12:03 PST\)](#)

SNOHOMISH COUNTY PLANNING COMMISSION  
Robert Larson, Chairman

cc: Dave Somers, Snohomish County Executive  
Mike McCrary, Director, Planning and Development Services






# Planning Commission Recommendation Letter Building Separation

Final Audit Report

2023-02-12

Created:	2023-02-11
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## "Planning Commission Recommendation Letter Building Separation" History

-  Document created by Taylor Twiford (taylor.twiford@co.snohomish.wa.us)  
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**Executive/Council Action Form (ECAF)**

**ITEM TITLE:**

**..Title**

Ordinance 23-032, relating to the Growth Management Act; concerning building separation, amending Section 30.23.300 of the Snohomish County Code

**..body**

**DEPARTMENT:** PLANNING AND DEVELOPMENT SERVICES

**ORIGINATOR:** MICHAEL SAPONARO

**EXECUTIVE RECOMMENDATION:** Approved by Ken Klein 3/29/23

**PURPOSE:** BULIDING SEPARATION CODE AMENDMENT

**BACKGROUND:** CODE AMENDMENT TO SEPARATE ONE-STORY AND TWO-STORY LDNR AND MR ZONE SINGLE FAMILY HOMES DUE TO FIRE SAFETY AND LADDER ANGLE CONCERNS

**FISCAL IMPLICATIONS:**

EXPEND: FUND, AGY, ORG, ACTY, OBJ, AU	CURRENT YR	2ND YR	1ST 6 YRS
<b>TOTAL</b>			

REVENUE: FUND, AGY, ORG, REV, SOURCE	CURRENT YR	2ND YR	1ST 6 YRS
<b>TOTAL</b>			

**DEPARTMENT FISCAL IMPACT NOTES:** [Click or tap here to enter text.](#)

**CONTRACT INFORMATION:**

ORIGINAL \_\_\_\_\_ CONTRACT# \_\_\_\_\_ AMOUNT \_\_\_\_\_  
 AMENDMENT \_\_\_\_\_ CONTRACT# \_\_\_\_\_ AMOUNT \_\_\_\_\_

**Contract Period**

ORIGINAL START \_\_\_\_\_ END \_\_\_\_\_  
 AMENDMENT START \_\_\_\_\_ END \_\_\_\_\_

**OTHER DEPARTMENTAL REVIEW/COMMENTS:** Reviewed/approved by Risk – Shelia Barker 3/28/23 and Finance – Nathan Kennedy 3/28/23. Approved as to form by DPA Kraft-Klehm.

**ANALYSIS OF BUILDING AND LAND USE REGULATION EFFECTS ON HOUSING AND JOBS**

**Title** Ordinance No. 23-032,

**Description** This is non-project proposal to amend Snohomish County Code (SCC) Title 30 to clarify building separation requirements in 30.23.300 SCC for the purposes of fire safety and rescue.

**Date:** January 26, 2023

**Staff Contact:** Michael Saponaro, Senior Planner, michael.saponaro@snoco.org

	Place an "X" in the appropriate box				Comments
	Increase	Decrease	Neutral	Uncertain	
<b>Housing</b>					
Capacity/Targets			x		The proposed amendment is to clarify building separation in Chapter 30.23.300 SCC. As such, there should very little impact to housing, excluding a slightly higher site costs given the new 10' building separation in MR and LDMR zones for buildings of all story size.
Cost of Housing Development:			x		
• Infrastructure			x		
• Site	x				
• Building const.			x		
• Fees			x		
• Yield			x		
Timing			x		
<b>Jobs</b>					
Capacity/Targets			x		The proposed amendment will not affect jobs.
Cost of Commercial or Industrial Development:			x		
• Infrastructure			x		
• Site			x		
• Building const.			x		
• Fees			x		
• Yield			x		
Time to Create Jobs			x		
# Family Wage Jobs			x		

*This form is intended to provide a summary analysis of the impact changes to development regulation may have on Residential, Commercial or Industrial Development.*

**ANALYSIS OF BUILDING AND LAND USE REGULATION EFFECTS ON CAPITAL FACILITIES AND UTILITIES**

**Title** Ordinance No. 23-032

**Description** This is non-project proposal to amend Snohomish County Code (SCC) Title 30 to clarify building separation requirements in 30.23.300 SCC for the purposes of fire safety and rescue.

**Date:** January 26, 2023

**Staff Contact:** Michael Saponaro, Senior Planner, michael.saponaro@snoco.org

	Place an "X" in the appropriate box			Comments
	Increase	Decrease	Neutral	
<b>County Provided</b>				
• Airport			x	The proposed amendment is to clarify building separation in Chapter 30.23.300 SCC. As such, there should be no impact on the Airport, General Government, Law and Justice, or Parks, Roads, Solid Waste, or Surface Water.
• General Government			x	
• Law and Justice			x	
• Parks			x	
• Roads			x	
• Solid Waste			x	
• Surface Water			x	
<b>Non-County Provided</b>				
• Electric Power			x	There could be a slight decrease in the demand for Fire Suppression, as the flames between homes would spread slower given a separation, although the focus of this code amendment is primarily on ladder placement between buildings. Other public facilities would not be affected.
• Fire Suppression			x	
• Public Water Supply			x	
• Sanitary Sewer			x	
• Telecommunications			x	

*This form is intended to provide a summary analysis of the impact changes to development regulation may have on county and non-county provided capital facilities and utilities.*

**ANALYSIS OF BUILDING AND LAND USE REGULATION EFFECTS ON LOW IMPACT DEVELOPMENT**

<b>Title</b>	Ordinance No. 23-032,
<b>Description</b>	This is non-project proposal to amend Snohomish County Code (SCC) Title 30 to clarify building separation requirements in 30.23.300 SCC for the purposes of fire safety and rescue.
<b>Date:</b>	January 26, 2023
<b>Staff Contact:</b>	Michael Saponaro, Senior Planner, michael.saponaro@snoco.org

**LID Evaluation:**

The proposed amendment is to clarify building separation in Chapter 30.23.300 SCC. As such, there will be no impact on LID because these amendments will not likely increase or decrease the creation housing projects in a substantive way.

**Directions:** In the following table, describe how the new policies or regulations support LID principles and facilities and prevent creation of barriers to LID implementation.

Low impact development (LID) principles and facilities are required to be the preferred and commonly used approach for stormwater management. **New policies and regulations must not directly or indirectly create barriers to use of LID.**

LID principles include: minimize disruption and removal of native vegetation and soils; utilize natural drainage channels and undisturbed soils to conduct and infiltrate stormwater; minimize impervious surfaces; and utilize LID facilities to replicate natural processes for stormwater management.

LID facilities include: flow dispersion and infiltration systems; rain gardens; soil amendments; bioretention; permeable pavement; tree retention and planting; vegetated roofs and walls; reverse slope sidewalks; minimum excavation foundations; rainwater harvesting; and preservation of native vegetation.

Use of LID principles and facilities requires consideration during site design and construction phases (stormwater pollution prevention plans, aka SWPPP), and special provisions for long term maintenance and inspections.

Does the new policy or regulation support Low Impact Development	Place an "X" in the appropriate box			If "yes" or "no", explain...
	Increase	Decrease	Neutral	
Retention of native vegetation			X	
Minimal disruption of native soils			X	
Preservation of natural drainage			X	
Minimization of impervious surface area			X	
Use of LID facilities			X	
Better site design – using LID principles			X	
Adherence to SWPPP and drainage plan requirements			X	
Provisions for long term maintenance			X	
Retention of native vegetation			X	
Minimal disruption of native soils			X	
Preservation of natural drainage			X	
Minimization of impervious surface area			X	



ECAF:  
RECEIVED:

**SNOHOMISH COUNTY COUNCIL**

**ORDINANCE  
INTRODUCTION SLIP**

**EXHIBIT #** 3.1.006

TO: Clerk of the Council

**FILE** ORD 23-032

TITLE OF PROPOSED ORDINANCE:

Introduced By:

N. Nehring  
Councilmember Date

Clerk's Action:

Proposed Ordinance No. \_\_\_\_\_

Assigned to: \_\_\_\_\_ Date: \_\_\_\_\_

**STANDING COMMITTEE RECOMMENDATION FORM**

On \_\_\_\_\_, the Committee considered the Ordinance by \_\_\_ Consensus /  
\_\_\_ Yeas and \_\_\_ Nays and made the following recommendation:

\_\_\_\_\_ Move to Council to schedule public hearing on: \_\_\_\_\_

\_\_\_\_\_ Other \_\_\_\_\_

**Regular Agenda** \_\_\_\_\_ **Administrative Matters** \_\_\_\_\_

**Public Hearing Date** \_\_\_\_\_ **at** \_\_\_\_\_

N. Nehring  
Committee Chair

EXHIBIT 3.2.002

Planning & Community Development Committee Meeting – 04/18/23

[Minutes](#) and [Video](#)