

**Eco, Debbie**

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**From:** Doug Trumm <doug@theurbanist.org>  
**Sent:** Monday, April 5, 2021 10:52 AM  
**To:** Contact Council  
**Cc:** editor  
**Subject:** Suggested Amendments to ADU Legislation

Hello Snohomish County Councilmembers,

Attached are our recommended amendments to the ADU legislation the county is considering. We strongly support this bill but believe these refinements will make it even better and limit sprawl from occurring in rural areas.

Thanks,

**Douglas Trumm**, *Executive Director*

Pronouns: *he, him*

[The Urbanist](#) | 320.237.4771





# The Urbanist

Examining urban policy to improve cities and quality of life  
[theurbanist.org](http://theurbanist.org) | [info@theurbanist.org](mailto:info@theurbanist.org)

April 4, 2021

Snohomish County Council  
3000 Rockefeller Avenue  
Everett, Washington 98201

RE: Ordinance 21-018, Relating to Accessory Dwelling Unit Reform

Dear Councilmembers:

On behalf of The Urbanist, I am writing to urge your support of the [proposed accessory dwelling unit \(ADU\) amendments](#) and Amendment Sheet 1.

Allowing ADUs to be processed administratively, increasing their allowed size, and permitting up to two ADUs in urban areas will provide more affordable housing options and encourage more housing production. Since Seattle reformed ADU regulations in mid-2019, [ADU production has increased significantly](#) and California's experience with loosening ADU restrictions [has seen similar results](#).

We, however, believe that some areas of the proposed ordinance should be further refined as follows:

- In urban zones, ADUs should benefit from increased lot coverage allowances by 10% and reduced side and rear setbacks from abutting lot lines (generally 5 feet) as an incentive to build;
- In urban zones, parking should not be required for any ADUs;
- In urban zones, one ADU should be authorized for each single-family attached, duplex, and townhouse dwelling unit at least as attached to such unit;
- In urban zones, two ADUs should be permitted as attached to the principal single-family residence as an alternative to one attached and one detached;
- In rural, resource, and other zone, an ADU should be no more than 50 feet from the principal single-family residence to promote clustering and protect the environment; and
- In rural, resource, and other zones, the gross floor area exemption for attached garages to an ADU should be limited to preempt applicants from circumventing the garage size limitation and permitting processes under SCC 30.22.110 and 30.22.120.

For the latter, we suggest an attached garage size limitation of 400 square feet, except for conversions of existing garages in which case the current garage size could be maintained if exceeding 400 square feet and excluding separated storage and utility spaces.

Therefore, we urge your support of the Planning Commission-recommended ADU amendments and Amendment Sheet 1 with the above refinements. Thank you for your consideration.

Sincerely,

Doug Trumm  
Executive Director  
The Urbanist

*The Urbanist is a grassroots Puget Sound organization dedicated to advocacy and journalism. We promote urban policy to improve transportation, housing, social and environmental justice, economic opportunity, and quality of life in our region and state.*

**Eco, Debbie**

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**From:** Britton Kavanaugh <brittonkavanaugh@gmail.com>  
**Sent:** Tuesday, April 13, 2021 10:19 AM  
**To:** Contact Council  
**Subject:** This Wednesday's Meeting Re: ADU Zoning Changes

First of all I want to say I appreciate and am excited about the changes to ADU coding as it impacts me and my family in a very real way. My parents own 4.56 acres in an R5 area and for the past 5 years my husband and I have been living with them while we get our finances together and grow our incomes to a point where we're financially compatible with living in this area and we're getting close. We both love gardening, farming, etc and my dream was always to build our own little place on their property but last year when I was ready to start researching the process to begin, I discovered that our lot is substandard...currently by about .04 acers if I understand correctly. So you can imagine my relief when one of the permit techs I was probing for info via "ask a permit tech" told me about the upcoming proposal for changes. I've been doing my best to follow it ever since and am mostly very happy with the changes however have one item I would like to address and hopefully see changed.

**I don't feel that the "prohibition on detached ADUs" for substandard lots (now increased to 5 acres?) is #1 beneficial to homeowners or #2 particularly effective in maintaining rural character.**

**Here are some thoughts on why:**

- **For established homes, an addition of an attached unit could be unsightly resulting in something that is obviously not part of the original home or possibly beginning to look somewhat like a duplex**
- **For those living in the main house or ADU it certainly will not have a rural "feel" to it. I've shared walls before and it just never quite feels like your own place. Whether housing renters or extended family; living in a home in a "rural" community should feel as such whenever possible.**
- **You're proposing no more than 100 feet away anyway which isn't all that much distance - I would think a minimum distance would be key to keeping rural character. For example some properties may not be able to accomodate a detached unit that maintains a certain amount of space so in that case attached seems more appropriate but in many cases the R5 properties are plenty big enough to accomodate a small second unit while still keeping with a rural appearance.**

Again I am happy for the changes and appreciate the extensive work that has been done on this project but I really encourage the council's consideration of this protest. I know we are not the only family who holds this opinion. Snohomish (and my parents property in particular) has always been my home and the place I want to live and maybe one day start my own family but I have been priced out of this rural lifestyle. Being able to build a detached ADU on a 4.56 acre property would be an immediate pathway to the beginning of a new chapter for us. I'm not even sure an attached unit is possible with the house that is already here and frankly we're ready for and want our very own walls :-)

I look forward to watching the progress of these changes.

Thank you!

Britton Kavanaugh  
Snohomish born and raised!

**Eco, Debbie**

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**From:** Matthew Jackson <matthew.jackson87@gmail.com>  
**Sent:** Wednesday, April 14, 2021 2:57 PM  
**To:** Contact Council  
**Subject:** RE:Ordinance No. 21-018 ADU regulations

Hello,

My name is Matthew Jackson, I live in Snohomish and have for the last 30 or so years of my life. This ordinance would be a huge boon for my family and many other people and families. The inventory of new affordable housing is almost non-existent, especially in the Monroe/Snohomish rural areas. Even rentals for a family of 6 like mine are almost impossible to find. I fully support this ordinance and would like to see it adopted ASAP. I would also suggest that while a 1600 square feet maximum may be a bit big, 1200 square feet is somewhat restrictive if you consider larger families. I'd like a happy medium of 1400 square feet being the maximum.

Thank you for your consideration,

Matthew J

**Eco, Debbie**

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**From:** Michael and Heather Bruce <abi8@msn.com>  
**Sent:** Tuesday, April 27, 2021 12:43 AM  
**To:** Eco, Debbie  
**Subject:** Re: Proposed Ordinance re Accessory Apartments  
**Attachments:** ADU letter to Council Members April 27 2021.docx

**CAUTION :** This email originated from outside of this organization. Please exercise caution with links and attachments.

Hello, Debbie,

I just realized that my recent letter to the Council is not in there in the record of submittals in the "correspondents, comments and testimony" section re the ADU proposal..which is fine, but I would like this most recent one included in the hearing packet and NOT the old one. Can you add the attached letter to that section in the hearing packet?

Please advise. Thank you for your time!

Heather Bruce  
360 668 7415

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**From:** Eco, Debbie <Debbie.Eco@snoco.org>  
**Sent:** Thursday, April 8, 2021 1:15 PM  
**To:** abi8@msn.com <abi8@msn.com>  
**Subject:** Proposed Ordinance re Accessory Apartments

Hi Heather, nice to talk to you today.

Ordinance 21-018 related to Accessory Apartments is scheduled for next week, April 14<sup>th</sup> to schedule public hearing date only. The Council will most likely have no discussion about this at that time, only set a hearing date, it will go by quickly. Please confirm the hearing date after the 14<sup>th</sup>.

I tried the link you sent and it appears that it is the same as the one I am linking below. But, it may be opening up different for the two of us because it does not bring me directly to the ordinance. I have written some notes for you, just in case you want to share.

Here is a link to [Proposed Ordinance 21-018 packet](#).

1. Click on the link
2. A webpage for this ordinance will open
3. You will see Attachments listed at the top portion of the page with royal blue links. The Proposed Ordinance is one of those attachments
4. Click on Proposed Ordinance 21-018, or any other desired attachment

5. The document will appear in the bottom left part of your screen in .pdf – Click to open

I have also attached the .pdf of the ordinance just in case you are able to get that to work better for you.

If anyone has testimony they would like to send to councilmembers please have them send to [contact.council@snoco.org](mailto:contact.council@snoco.org). Have them reference Ordinance No. 21-018. I will make sure that the councilmembers get the testimony and I will add it to the record.

*Please note that any information, including names, e-mail addresses, street addresses, and phone numbers, included in public testimony and submitted to Council are public record, are not redacted, and are posted online.*

The public hearing, along with most of our Council meetings, will be via Zoom.

**ZOOM WEBINAR REMOTE PARTICIPATION INFORMATION**

Attendees can participate remotely by clicking on the link or calling into the meeting with the phone numbers listed below.

Zoom Webinar link: <https://zoom.us/j/94846850772>

Dial in: +1 253 215 8782 or +1 301 715 8592

Meeting ID: 948 4685 0772

[Zoom Webinar Instructions](#)

I agree with you wholeheartedly, I didn't think it was broken either. But the County is always looking to improve, so I am hoping after time that we all get used to this and it proves to provide a better service internally and for the public. Bear with us and thanks for your friendliness and patience. Let me know if there is anything else I can do to help.

Debbie

***Debbie Eco, CMC***  
Clerk of the Council  
Snohomish County Council  
425-388-7038

Please be advised: All e-mail correspondence sent to and from this e-mail address is subject to the State of Washington's Public Records Act (chapter 42.56 RCW).

E-mail and data attached to e-mail (including metadata) sent to and from this e-mail address may be monitored and archived, and may be disclosed to third parties pursuant to state law.

April 27<sup>th</sup>, 2021

To The Snohomish County Council Members:

I am in my 75th year and have lived on 5+ acres in R-5 zoned Clearview for 34 years. I am seriously considering adding an ADU to help offset the rising taxes, increased living expenses and to have help with maintaining this property in my senior years. I was very glad to see that the proposal states that we are not required to live on the property to have an ADU, in case (heaven forbid) I have to go into assisted living and need the income to support me. My intention is to live out my life here, but as you know, life is what happens when you're making other plans.

*I want to be clear that what I am suggesting specifically pertains to properties that are larger than 1.5 acres and are in the R5 zoning. My initial and largest concern (at the moment) is the suggested limitation of 100 feet maximum from the primary residence. There has been a suggestion by a non-county organization to limit the distance to 50 feet, which is an extremely short-sighted distance for a rural property...both in fact and psychologically.*

Having literally measured 100 feet from my primary residence, it became clear to me that being within 100 feet REALLY restricts my options. In my case, our barn, chicken house, garden areas, well, septic and drain field are ALL within that 100 foot radius, and as such considerably limits our options. In fact to use the one area that is available, we'd have to add a road, which is not allowed according to the current proposal, plus it would be in the wrong direction from our 2nd septic system we thankfully installed decades ago. **We suggest allowing the distance from the primary home to be at least DOUBLE that amount: 200 feet or more.**

I am living on **acreage** purchased years ago, because of our desire to have some elbow room for gardens, orchards, pasture, livestock and a barn at the same time as appreciating forest canopy and nature. Most importantly, we are here because we value quietude and privacy. To insist that we be forced to only put an ADU with 100 feet of a primary residence would totally change the dynamic of this property and it's use. If people want to put their ADU closer, that should be their option, but for those of us that don't want to have children leaping and yelling and being kids within 100 feet of our living space in our senior years, it would be good to have the option of at least twice that much.

Adding ONE living unit to an acreage property over 100 feet from the primary home is not "urban sprawl". Perhaps there are ways to mitigate the concerns of those that are worried about that while allowing the rest of us that WANT to have an ADU at further distance from our homes to be able to do so.

We hope we can call upon you to support the increase of the distance from the primary residence.

Most sincerely,

Heather Bruce  
Clearview, WA.  
GAD (Give a Darn!)  
360 668 7415

**Eco, Debbie**

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**From:** Carol Matthew <cscsm@comcast.net>  
**Sent:** Thursday, April 29, 2021 4:50 PM  
**To:** Contact Council  
**Subject:** FW: Accessory Dwelling Units in Rural Areas-- County meeting Wednesday May 5 via ZOOM!

**CAUTION :** This email originated from outside of this organization. Please exercise caution with links and attachments.

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**From:** Carol Matthew <cscsm@comcast.net>  
**Sent:** Thursday, April 29, 2021 3:51 PM  
**To:** 'jared.mead@snoco.org' <jared.mead@snoco.org>  
**Subject:** FW: Accessory Dwelling Units in Rural Areas-- County meeting Wednesday May 5 via ZOOM!

Hello Jared and Snohomish County Council,

I'm with a lot of folks opinion in that ADU's should be allowed but at a greater distance from the main home. Not 100 feet and that's it. I guessing that the Ballard group thinks 100 feet is a huge distance as they live in denser housing situations. Many of us also have the issue with septic tanks and drain fields, wells, propane tanks to consider. It all needs to be thought out and planned appropriately for each property. I am for allowing more space between home and ADU and being respectful of ADU planning in relation to nearby neighbors so that they don't have to live with an ADU they don't have, want or need on their own property.

Sincerely,

Carol Matthew

Clearview

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**From:** [clearview-gad@googlegroups.com](mailto:clearview-gad@googlegroups.com) <[clearview-gad@googlegroups.com](mailto:clearview-gad@googlegroups.com)> **On Behalf Of** Lori McConnell  
**Sent:** Thursday, April 29, 2021 11:03 AM  
**To:** [clearview-gad@googlegroups.com](mailto:clearview-gad@googlegroups.com)  
**Subject:** Accessory Dwelling Units in Rural Areas-- County meeting Wednesday May 5 via ZOOM!

To all GAD members-- Apologies to anyone receiving this email twice!



For everyone following the County Council's decisions regarding ADU's in our area, there is a public hearing planned for THIS COMING WEDNESDAY (May 5th). Here's the information from Debbie Eco, Clerk of the County Council:

Please see attached hearing notice for [Ordinance No. 21-018](#), amending Snohomish County Code relating to revising accessory apartment regulations.

**The hearing date has been set for Wednesday, May 5, 2021, @ 10:30 a.m. It'll be held on Zoom.**

**NOTE:** The agenda will be posted Friday preceding the public hearing on the Council's new [Meetings Calendar](#) page. The Hearing Packet is available now on the Council's [Hearings Calendar](#) page.

You can attend the public hearing remotely by Zoom, the meeting information is as follows:

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Zoom Webinar link: <https://zoom.us/j/94846850772>

Dial in: +1 253 215 8782 or +1 301 715 8592

Meeting ID: 948 4685 0772

[Zoom Webinar Instructions](#)

**There is also lots of interesting information at this**

**link:** <https://snohomish.legistar.com/LegislationDetail.aspx?ID=4891948&GUID=68B63BD3-2DOC-46E2-ABCB-730A0BD757B6&Options=ID%7CText%7C&Search=21-0033>

In particular, under Attachments: Hearing Packet, click the link and it goes to the Index of Records. If you scroll down to section 3.3: Correspondence, Comments, Testimony, you'll see there are two emails: One from a local resident and one from an organization called The Urbanist, headquartered in Ballard (of all places). I always try not to editorialize on this list, but I personally feel a strong mission to make sure that the residents of this area have the most influence in what happens here! I know that we have a large diversity of opinion in our area and it tweaks me a bit when I see people from a densely crowded urban area trying this hard to affect how we use our properties and how to love our rural environment.

I believe these words from a different local person's letter to the council speaks for many in this area:

I am living on **acreage** purchased years ago, because of our desire to have some elbow room for gardens, orchards, pasture, livestock and a barn at the same time as appreciating forest canopy and nature. Most importantly, we are here because we value quietude and privacy. To insist that we be forced to only put an ADU with 100 feet of a primary residence would totally change the dynamic of this property and its use. If people want to put their ADU closer, that should be their option, but for those of us that don't want to have children leaping and yelling and being kids within 100 feet of our living space in our senior years, it would be good to have the option of at least twice that much.

Adding ONE living unit to an acreage property over 100 feet from the primary home is not "urban sprawl". Perhaps there are ways to mitigate the concerns of those that are worried about that while allowing the rest of us that WANT to have an ADU at further distance from our homes to be able to do so.

Don't get me wrong.... I love our rural and natural environment. I just think we all are capable of saying what happens next in Clearview without much outside help!

You are receiving this email because you expressed interest in knowing about Planning and Zoning issues in Clearview. To be removed from the list, please reply directly to me -

**Lori McConnell**

**Secretary, Give A Darn in Clearview**

Attachments area

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You received this message because you are subscribed to the Google Groups "Clearview GAD Group" group.

To unsubscribe from this group and stop receiving emails from it, send an email to [clearview-gad+unsubscribe@googlegroups.com](mailto:clearview-gad+unsubscribe@googlegroups.com).

To post to this group, send email to [clearview-gad@googlegroups.com](mailto:clearview-gad@googlegroups.com).

To view this discussion on the web visit [https://groups.google.com/d/msgid/clearview-gad/CANtBjkzu\\_72JbhV2VLk%3D0M-puwTjSDpaRCFwWf-wvp%3DP\\_pDztg%40mail.gmail.com](https://groups.google.com/d/msgid/clearview-gad/CANtBjkzu_72JbhV2VLk%3D0M-puwTjSDpaRCFwWf-wvp%3DP_pDztg%40mail.gmail.com).

For more options, visit <https://groups.google.com/d/optout>.

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**Lori McConnell**

[lorimcco@gmail.com](mailto:lorimcco@gmail.com)

**425 422 2806**

*Respect science, respect nature, respect each other.*

**Eco, Debbie**

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**From:** Kimberly Leckner <kdleckner@hotmail.com>  
**Sent:** Saturday, May 1, 2021 3:24 PM  
**To:** Eco, Debbie  
**Cc:** Kimberly Leckner  
**Subject:** Re: Public Hearing Notice/Ordinance 21-018 re Accessory Apt Regs

**CAUTION :** This email originated from outside of this organization. Please exercise caution with links and attachments.

Thank you for your email, I would like to add my comments for the record at the hearing please.

As a Resident of Snohomish County for my entire 59 years, our children and us like many are being financially squeezed out of being able to continue to live in our beloved areas.

In order for us all to live affordably our son and his family have purchased a home with us on 10 acres in Arlington. By being able to have an ADU on the property we will be able to retire without worry now. The cost of construction is exorbitant and we have elected to place a more affordable option of a mobile home on our property.

There are very few options for mobile homes in the 800 or less square footage range. Increasing this to 1200 square feet will help alleviate this problem tremendously.

The equally challenging issue however is the maximum distance between dwellings of 100ft. There are many obstacles such as drain fields, wells, propane tanks, proximity to driveways, shops, out buildings, and PRIVACY! I could go on. Increasing this to at least 150-200 feet would go a long ways to making this a viable option. Maybe a calculation of distance by amount of land square footage like you do with the 40% of main house square footage on home size would be appropriate. Please consider this in your decision as well.

I want to leave you with one last thought. By Snohomish County making it easier by having less restrictions to have an ADU there would maybe be less homelessness in our area. There would also be less people having illegal ADUs on their properties which cause more restrictions for those who want to do things properly.

Respectfully,  
Kimberly Leckner  
18002 12th Ave NW  
Arlington, WA. 98223  
(206) 353-1672

On Apr 14, 2021, at 1:34 PM, Eco, Debbie <Debbie.Eco@snoco.org> wrote:

Please see attached hearing notice for [Ordinance No. 21-018](#), amending Snohomish County Code relating to revising accessory apartment regulations.

The hearing date has been set for Wednesday, May 5, 2021, @ 10:30 a.m.

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Dial in: +1 253 215 8782 or +1 301 715 8592

Meeting ID: 948 4685 0772

[Zoom Webinar Instructions](#)

***Debbie Eco, CMC***

Clerk of the Council

Snohomish County Council

425-388-7038

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<Summary Notice.pdf>

SNOHOMISH COUNTY COUNCIL

RECEIVED \_\_\_\_\_ TIME \_\_\_\_\_

May 20, 2021

MAY 24 2021

Snohomish County Council  
3000 Rockefeller Avenue  
Everett, Washington 98201

CC'D TO	CF	GOT
JLM	DIST 1	DLE
JDG	DIST 2	ALC
YSW	DIST 3	ELL
HCB	DIST 4	CMF
NAG	DIST 5	

Dear Councilmembers,


Thank you for your service to our community and for looking into the Snohomish codes around ADUs. The ordinance number 21-018 addressing the 100 feet citing criteria between ADU and primary dwelling greatly affects my family and I.

My wife and I have been Snohomish County residents for over 40 years. We recently bought over 20 acres of land in unincorporated Snohomish county. We have been looking for over a year at homes and properties where we can live on the same land with my daughter and son-in-law and help watch and raise their children while they're still in the workforce. We are retired from law enforcement and the medical field, and wanted to move out of Bothell, and find a private setting surrounded by trees to call our home. We wanted security in knowing our family were our neighbors if we needed anything as we get older. With the steady increase in costs of homes, land and living, we found that this land may be the best fit for us combining incomes and resources.

With this ADU and primary dwelling distance restriction it feels like our freedom on our own land is hindered, as well as facing premises liability. The majority of our land is wetland and wooded, and there's also a natural pond and stream we're responsible for. Building two dwellings within 100ft of each other limits our building locations, as well as strategically positioning the dwellings so that we can have eyes on the property. We then cannot protect the land from trespassers or other persons from suffering injury or accidents while we are protecting the wildlife and environment. These are just a few of the limitations ordinance number 21-018 presents. We're asking for this restriction to be removed.

Thank you for your service to our community. We appreciate your attention in this matter.

Sincerely,



Peter Ng and Mary Ng

**Eco, Debbie**

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**From:** Pete Ng <PNG4P@msn.com>  
**Sent:** Thursday, May 20, 2021 9:01 AM  
**To:** Contact Council  
**Subject:** Attention to Ordinance Number 21-018 ADU citing criteria

**CAUTION :** This email originated from outside of this organization. Please exercise caution with links and attachments.

May 20, 2021  
Snohomish County Council  
3000 Rockefeller Avenue  
Everett, Washington 98201

Dear Councilmembers,

Thank you for your service to our community and for looking into the Snohomish codes around ADUs. The ordinance number 21-018 addressing the 100 feet citing criteria between ADU and primary dwelling greatly affects my family and me.

My wife and I have been Snohomish County residents for over 40 years. We recently bought over 20 acres of land in unincorporated Snohomish county. We have been looking for over a year at homes and properties where we can live on the same land with my daughter and son-in-law and help watch and raise their children while they're still in the workforce. We are retired from law enforcement and the medical field, and wanted to move out of Bothell, and find a private setting surrounded by trees to call our home. We wanted security in knowing our family were our neighbors if we needed anything as we get older. With the steady increase in costs of homes, land and living, we found that this land may be the best fit for us combining incomes and resources. With this ADU and primary dwelling distance restriction it feels like our freedom on our own land is hindered, as well as facing premises liability. The majority of our land is wetland and wooded, and there's also a natural pond and stream we're responsible for. Building two dwellings within 100ft of each other limits our building locations, as well as strategically positioning the dwellings so that we can have eyes on the property. We then cannot protect the land from trespassers or other persons from suffering injury or accidents while we are protecting the wildlife and environment. These are just a few of the limitations ordinance number 21-018 presents. We're asking for this restriction to be removed.

Thank you for your service to our community. We appreciate your attention in this matter.

Sincerely,

Peter Ng and Mary Ng



**SNOHOMISH COUNTY COUNCIL**

**EXHIBIT #** 3.3.9

**FILE** ORD 21-018

May 3, 2020

Snohomish County Council  
3000 Rockefeller Avenue, M/S 604  
Everett, WA 98201

Re: Ordinance 20-018 Related to Accessory Dwelling Units

Dear Councilmembers,

On behalf of the approximately 2700 member companies of the Master Builders Association of King and Snohomish Counties I am writing to urge your support of Ordinance 20-018 and the related amendments 1-3.

Accessory dwelling units (ADU's) provide much needed affordable housing for our growing community. They also help families stay together in addition to providing a financial benefit not otherwise available.

ADU's are an extremely efficient use of land, helping make better use of scarce buildable land supply.

This ordinance is carefully crafted to make certain new ADU's are compatible within their neighborhoods, and thoughtfully sized to balance the needs of families who will occupy them and aesthetics.

Ordinance 20-018 provides housing and financial security for Snohomish County families. This is a rare opportunity to make a significant difference on both of these issues.

Thank you for your consideration.

Sincerely,

*Mike Pattison*

Mike Pattison  
Snohomish County Manager



**Eco, Debbie**

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**From:** Tim Trohimovich <Tim@futurewise.org>  
**Sent:** Tuesday, May 4, 2021 4:20 PM  
**To:** Contact Council; Thomas, Geoffrey; Brouse, Mitchell  
**Subject:** RE: Comments on proposed Ordinance No. 21-018 Re ADUs  
**Attachments:** FW Comments to CC on Ord No 21-018 ADUs May 4 2021 Corrected.pdf

**CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.**

Dear County Council Members and Staff:

I just notice a typo in the letter, please use this version. The link is unchanged.

I apologize for any confusion.

Tim Trohimovich  
Director of Planning & Law  
Futurewise  
816 Second Ave., Suite 200  
Seattle, WA 98104  
tim@futurewise.org  
(206) 343-0681 Ext. 102

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**From:** [Tim Trohimovich](#)  
**Sent:** Tuesday, May 4, 2021 3:38 PM  
**To:** [contact.council@snoco.org](mailto:contact.council@snoco.org); [Geoffrey.Thomas@co.snohomish.wa.us](mailto:Geoffrey.Thomas@co.snohomish.wa.us); [Mitchell.Brouse@snoco.org](mailto:Mitchell.Brouse@snoco.org)  
**Subject:** Comments on proposed Ordinance No. 21-018 Re ADUs

Dear County Council Members and Staff:

Enclosed please find Futurewise's comments on proposed Ordinance No. 21-018 Relating to Growth Management; Revising Accessory Apartment Regulations; Amending Sections in Chapters 30.22, 30.23, 30.24, 30.25, 30.26, 30.28, 30.31A, 30.35A, 30.41G, 30.66C and Subtitle 30.9 of the Snohomish County Code. The referenced documents can be found at this Dropbox link: <https://www.dropbox.com/sh/t2bu6rqjfgqpgsn/AADzvAq2-IFklv-CpflrJFKca?dl=0>

The link is also on the last page of the letter. Please contact me if you require anything else.

Tim Trohimovich  
Director of Planning & Law  
Futurewise  
816 Second Ave., Suite 200  
Seattle, WA 98104  
tim@futurewise.org  
(206) 343-0681 Ext. 102





816 Second Ave, Suite 200, Seattle, WA 98104  
p. (206) 343-0681  
futurewise.org

May 4, 2021

The Honorable Nate Nehring  
The Honorable Megan Dunn  
The Honorable Stephanie Wright  
The Honorable Jared Mead  
The Honorable Sam Low  
Snohomish County Council  
Robert J. Drewel Building  
Eighth floor  
3000 Rockefeller Ave., M/S 609  
Everett, WA 9820

Dear Council Chair Wright and County Council Members Nehring, Dunn, Mead, and Low:

**Subject: Comments on proposed Ordinance No. 21-018 Relating to Growth Management; Revising Accessory Apartment Regulations; Amending Sections in Chapters 30.22, 30.23, 30.24, 30.25, 30.26, 30.28, 30.31A, 30.35A, 30.41G, 30.66C and Subtitle 30.9 of the Snohomish County Code**  
Sent via email to: [contact.council@snoco.org](mailto:contact.council@snoco.org); [Geoffrey.Thomas@co.snohomish.wa.us](mailto:Geoffrey.Thomas@co.snohomish.wa.us); [Mitchell.Brouse@snoco.org](mailto:Mitchell.Brouse@snoco.org).

Thank you for the opportunity to comment on proposed Ordinance No. 21-018 modifying the requirements for Accessory Dwelling Units (ADUs) in urban and rural areas. In short, Futurewise supports the amendments for the urban growth areas, however new detached ADUs need to count as a dwelling unit for the purpose of calculating density and must be required to meet the minimum lot size requirements. These requirements are necessary to protect rural character, the rural environment including water quality and water quantity, and to comply with VISION 2050 and the Growth Management Act (GMA).

Futurewise works throughout Washington State to support land-use policies that encourage healthy, equitable, and opportunity-rich communities, that protect our most valuable farmlands, forests, and water resources, and encourage growth in urban growth areas to prevent poorly planned sprawl. Futurewise has members across Washington State including Snohomish County.

Internal and attached accessory dwelling units (ADUs) may be allowed in rural areas without being counted towards the maximum allowed residential density. These are ADUs located inside or attached to a house or in an existing accessory building, such as a garage, located close to the house. Detached or freestanding ADUs count towards and must comply with the maximum allowed density. Detached or freestanding refers to separate dwelling units constructed on the same lot a primary dwelling.<sup>1</sup> This is because of the adverse impacts of the additional housing units on water

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<sup>1</sup> *Pierce County Neighborhood Association v. Pierce County (PNA II)*, CPSGMHB Case No. 95-3-0071, Final Decision and Order (March 20, 1996), at \*18 – 19 last accessed on May 4, 2021 at:

resources, rural character, and natural resource lands. A county may need to analyze existing conditions, future projections, the need for ADUs, the impacts of future ADUs on public facilities and services, and the impacts of future ADUs on shorelines, critical areas, and resource lands before adopting development regulations that authorize ADUs.<sup>2</sup>

These rules are necessary to conserve the limited water outside of UGAs in Snohomish County.

From 2005 through 2018, 992 permit-exempt wells have been developed in the Stillaguamish Groundwater Reserve, and 174 of those wells have been developed since 2014. The well development limits of the reserve are set for the mainstem, North Fork and South Fork Stillaguamish River sub-basins. This potentially allows small tributary basins within the larger sub-basins to be impacted by permit-exempt well development before the larger sub-basins has reached their well limits.<sup>3</sup>

In 1999, water users in five separate small tributaries within the larger Stillaguamish sub-basins were found to be over consuming groundwater at a rate five percent or more above the average annual groundwater recharge.<sup>4</sup>

In the Snohomish River Basin “[s]ince 2015, nearly 30% of all groundwater well development in the Snohomish River watershed has occurred in tributary basins that have been closed to permitted water withdrawal since the 1950s.”<sup>5</sup> In the two years since the Streamflow Restoration Act was passed in January of 2018, “an estimated 238 wells have been drilled in the Snohomish River basin, and 71 (30%) of those wells were drilled in the seven tributaries watersheds that were previously closed.”<sup>6</sup> In 1999, the *Snohomish River Basin Conditions and Issues Report* documented adverse impacts of rural development on stream flows:

In rural areas, residential development is supported by local well withdrawals, which can have significant impacts on flows in small streams. Low flows in Quilceda and Allen creeks have diminished due to past development, and small streams such as

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<http://www.gmhb.wa.gov/Global/RenderPDF?source=casedocument&id=1923>; *Friends of the San Juans, Lynn Babrych and Joe Symons, et al. v. San Juan County*, WWGMHB Case No. 03-2-0003c Corrected Final Decision and Order and Compliance Order p.\*1, 2003 WL 1950153 p. \*1 (April 17, 2003). “The Thurston County Superior Court upheld the Board's ruling regarding the requirement that a freestanding ADU must be counted as a dwelling unit for the purposes of calculating density on a resource parcel. See *Friends of the San Juans v. Western Washington Hearings Board*, Thurston County Cause No. 03-2-00672-3 (Jan. 9, 2004) at 10 and 11.” *Friends of the San Juans, Lynn Babrych and Joe Symons v. San Juan County*, WWGMHB Case No. 03-2-0003c, Compliance Order 2005 (July 21, 2005), at 12 of 22, 2005 WL 2288088, at 7 last accessed on May 4, 2021 at: <http://www.gmhb.wa.gov/Global/RenderPDF?source=casedocument&id=277>.

<sup>2</sup> *Friends of the San Juans, Lynn Babrych and Joe Symons, et al., v. San Juan County*, WWGMHB Case No.: 03-2-0003c Corrected Final Decision and Order and Compliance Order (April 17, 2003), at p.\*1, 2003 WL 1950153 p. \*1.

<sup>3</sup> *2020 State of Our Watersheds State of Our Watersheds: A Report by the Treaty Tribes in Western Washington* p. 301 last accessed on May 3, 2021 at: <https://nwifc.org/publications/state-of-our-watersheds/>. and at the Dropbox link in the email transmitting this letter with the filename: “state-of-our-watersheds-sow-2020-final-web.pdf.”

<sup>4</sup> *2020 State of Our Watersheds State of Our Watersheds: A Report by the Treaty Tribes in Western Washington* p. 305.

<sup>5</sup> *2020 State of Our Watersheds State of Our Watersheds: A Report by the Treaty Tribes in Western Washington* p. 353.

<sup>6</sup> *2020 State of Our Watersheds State of Our Watersheds: A Report by the Treaty Tribes in Western Washington* p. 360.

Dubuque, Star, Patterson, Tuck, and Cherry creeks and the Raging River are at risk for summer low-flow reduction due to future development.<sup>7</sup>

The available data shows that rural residences use over half of total water use outdoors and 90 percent of the consumptive water use outdoors.<sup>8</sup> Ecology estimates that irrigating a half-acre “of non-commercial lawn or garden can use from 2,000 to 4,500 gallons per day in the month of July, depending on your location. Most of that water use is consumptive, meaning it does not return to the aquifer.”<sup>9</sup> And summer and fall are the times of year when stream flows are lowest and the high water uses by detached ADUs will be the highest.<sup>10</sup>

So when an internal or attached ADU is built, the net increase in lawn area or garden area is unlikely to increase or increase by very much. So the additional water used is for indoor use, an average of 131 gallons per day (gpd) in one study.<sup>11</sup> Adding a new detached ADU will lead to more lawn and gardens doubling the water consumption to 265 gpd (131 gpd indoor plus 134 gpd outdoor).<sup>12</sup> And Ecology estimates it could be as much as 2,000 to 4,500 gpd in July, 15 to 34 times the water consumed by an internal or attached ADU.<sup>13</sup> And 80 to 90 percent of the water used outside is consumptive, it does not return to the aquifer.<sup>14</sup>

While esthetics and lifestyle play a role in decisions by rural residents to install and water lawns and gardens, that is not the only reason rural residences have lawns and irrigated landscaping. The Firewise program recommends that residences have a landscaped zone that extends from 100 to 200 feet around the home and other structures.<sup>15</sup> With internal and attached ADUs, this zone extends just from one building. With the addition of detached ADUs, the landscaped zone must extend out from two buildings. More if one or both houses have detached garages. Wildfire is a hazard in all of

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<sup>7</sup> Pentec Environmental, Inc. and NW GIS, *Snohomish River Basin Conditions and Issues Report Project No. 293-001 Executive Summary* p. 5 (Dec. 17, 1999) last accessed on May 4, 2021 at: <https://snohomishcountywa.gov/Archive/ViewFile/Item/2098> and at the Dropbox link in the email transmitting this letter with the filename: “Executive Summary.pdf.”

<sup>8</sup> Tom Culhane and Dave Nazy, *Permit-Exempt Domestic Well Use in Washington State* p. 19 (Washington State Department of Ecology Water Resources Program Olympia, WA: Feb. 2015 Publication no. 15-11-006) last accessed on May 3, 2021 at: <https://apps.ecology.wa.gov/publications/documents/1511006.pdf> and at the Dropbox link in the email transmitting this letter with the filename: “1511006.pdf.”

<sup>9</sup> Ann Wessel, *Mitigation Options for the Impacts of New Permit-Exempt Groundwater Withdrawals* Draft p. 19 (Water Resources Program Washington State Department of Ecology Olympia, WA: October 2015 Publication No. 15-11-017) last accessed on May 3, 2021 at: <https://celp.org/wp-content/uploads/Ecology-Draft-Mitigation-Alternatives-Report.pdf> and at the Dropbox link in the email transmitting this letter with the filename: “Ecology-Draft-Mitigation-Alternatives-Report.pdf.”

<sup>10</sup> *Id.* at p. 10, p. 13.

<sup>11</sup> Tom Culhane and Dave Nazy, *Permit-Exempt Domestic Well Use in Washington State* p. 19 (Washington State Department of Ecology Water Resources Program Olympia, WA: Feb. 2015 Publication no. 15-11-006).

<sup>12</sup> Tom Culhane and Dave Nazy, *Permit-Exempt Domestic Well Use in Washington State* p. 19 (Washington State Department of Ecology Water Resources Program Olympia, WA: Feb. 2015 Publication no. 15-11-006).

<sup>13</sup> Ann Wessel, *Mitigation Options for the Impacts of New Permit-Exempt Groundwater Withdrawals* Draft p. 19 (Water Resources Program Washington State Department of Ecology Olympia, WA: October 2015 Publication No. 15-11-017).

<sup>14</sup> *Id.* p. 9.

<sup>15</sup> National Fire Protection Association, *Preparing Homes for Wildfire* last accessed on Jan. 22, 2021 at: <https://www.nfpa.org/Public-Education/Fire-causes-and-risks/Wildfire/Preparing-homes-for-wildfire> and at the Dropbox link in the email transmitting this letter with the filename: “NFPA - Preparing homes for wildfire.pdf.”

Washington State including Snohomish County.<sup>16</sup> The landscaped zone is necessary to protect the home, the residents, and firefighters. Many residents will chose to irrigate at least some of the landscaped zone to protect the home from wildfire and for esthetic purposes. This is part of the reason why detached ADUs use so much more water than internal and attached ADUs. While we appreciate that the proposed ADU regulations in SCC 30.28.010(1)(b) provide that development of accessory dwelling units shall be subject to physical and legal availability of water and the applicant must provide documentation that the water supply is potable and of adequate flow, these regulations do not address the problems of excess water withdrawals affecting the small basins tributary to the Stillaguamish River. Nor will it address the increase in permit-exempt wells in the closed parts of Snohomish River Basin that do not regulate permit-exempt domestic wells. This increased overconsumption of water will adversely impact salmon recovery.

The reduced availability of surface water can have a negative impact on all stages of the salmonid life cycle. Water quality (e.g. temperature, flows) is affected by decreased inputs from groundwater. Lessened groundwater input concentrates pollutants, increases temperature, and diminishing dissolved oxygen. This is detrimental to salmonid migration, spawning and rearing.

Wells are drilled without regard to aquifer sensitivity and stream recharge needs. As Puget Sound Region's freshwater demand increases, something has to change. Unchecked growth and its associated increased demand for groundwater must be addressed, if implementation of the Puget Sound Salmon Recovery plan is to successfully move forward.<sup>17</sup>

Allowing detached ADUs without requiring that they meet the minimum lot size and density requirements effectively doubles the number of allowed detached dwelling units in the rural area or on natural resource lands and will double the water use and will not protect surface and ground water quality and quantity as the Growth Management Act (GMA) requires in RCW 36.70A.070(1) and (5)(c)(iv).

The increased impervious surfaces allowed by freestanding ADUs that do not meet the minimum lot size and density requirements will effectively double the number of allowed detached dwelling units in the rural area and on natural resource lands and will harm water quality and fish and wildlife habitat because more trees and native vegetation will have to be removed to site an additional detached dwelling unit on the lot.

The Snohomish River Basin Salmon Conservation plan suggests impervious surface will have minor geomorphic, hydrologic, and biological impacts on streams if they are covering under 7% of the landscape at the sub-basin scale, but warns that watershed degradation is likely occurring at 12% impervious surface cover at the sub-

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<sup>16</sup> State of Washington Department of Natural Resources, *Washington State Wildland Fire Protection 10-Year Strategic Plan Solutions For A Prepared, Safe, Resilient Washington* p. 5 (Second Edition | Aug. 2019) last accessed on May 3, 2021 at: [https://www.dnr.wa.gov/publications/rp\\_wildfire\\_strategic\\_plan.pdf](https://www.dnr.wa.gov/publications/rp_wildfire_strategic_plan.pdf) and at the Dropbox link in the email transmitting this letter with the filename: "rp\_wildfire\_strategic\_plan.pdf."

<sup>17</sup> 2020 *State of Our Watersheds State of Our Watersheds: A Report by the Treaty Tribes in Western Washington* p. 40.

basin scale. The urban, mainstem and rural watersheds of the lower Snohomish River system are continuing to move away from conservation plan targets toward a worsening watershed condition. The intensification of impervious surface in urban watersheds, and the spread of impervious surface into adjacent mainstem and rural watersheds like the Pilchuck River, Patterson Creek and the Skykomish River are a concern and are continuations of a trend identified in the 2012 and 2016 State of the Watershed Reports.<sup>18</sup>

“As forest cover drops below 50% in a sub-basin because of forest clearing and development, water quality is more likely to decrease and biota is more likely to show negative impacts.”<sup>19</sup> The majority of lowland forest cover loss between 1992 and 2016 Snohomish River Watershed was in rural residential areas and the forest cover loss in rural residential areas continues.<sup>20</sup> RCW 36.70A.070(1) and (5)(c)(iv) of the GMA require protecting the of rural area and resource lands from these adverse impacts. Allowing detached ADUs that do not comply with the minimum lot size and density requirements will help continue the loss of forest cover and adversely impact water quality and fish habitat because more trees and native vegetation will have to be cleared to site and additional detached house on the lot.

Counties must comply with the Puget Sound Regional Council Multicounty Planning Policies.<sup>21</sup> Multicounty Planning Policy MPP-RGS-14 directs Snohomish County to “[m]anage and reduce rural growth rates over time, consistent with the Regional Growth Strategy, to maintain rural landscapes and lifestyles and protect resource lands and the environment.”<sup>22</sup> Most residents in the Stillaguamish watershed continue to live outside of incorporated towns and Urban Growth Areas (UGA) and the rural population is growing.<sup>23</sup> Allowing detached ADUs that do not comply with the minimum lot size requirements and the maximum density violates MPP-RGS-14 by effectively doubling the allowed detached dwelling units on rural lots.

For all of the reasons described above, while we support the ADU amendments within urban growth areas, we recommend that Snohomish County require that detached ADUs comply with both the minimum lot size and density requirements in rural areas and on natural resource lands. This is necessary to protect water quality and water quantity, protect salmon habitat, and comply with the Growth Management Act and VISION 2050.

Thank you for considering our comments. If you require additional information, please contact me at telephone 206-343-0681 Ext. 102 or email [tim@futurewise.org](mailto:tim@futurewise.org).

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<sup>18</sup> 2020 *State of Our Watersheds State of Our Watersheds: A Report by the Treaty Tribes in Western Washington* p. 361 footnotes omitted.

<sup>19</sup> 2020 *State of Our Watersheds State of Our Watersheds: A Report by the Treaty Tribes in Western Washington* p. 362.

<sup>20</sup> 2020 *State of Our Watersheds State of Our Watersheds: A Report by the Treaty Tribes in Western Washington* p. 362.

<sup>21</sup> *Stickney v. Cent. Puget Sound Growth Mgmt. Hearings Bd.*, 11 Wn. App. 2d 228, 244 – 45, 453 P.3d 25, 34 (2019).

<sup>22</sup> Puget Sound Regional Council, *Vision 2050: A Plan for the Central Puget Sound Region* p. 49 (Adopted Oct. 29, 2020) and last accessed on May 3, 2021 at: <https://www.psrc.org/sites/default/files/vision-2050-plan.pdf> and at the Dropbox link in the email transmitting this letter with the filename: “vision-2050-plan.pdf.”

<sup>23</sup> 2020 *State of Our Watersheds State of Our Watersheds: A Report by the Treaty Tribes in Western Washington* p. 303.

Snohomish County Council Re: Ordinance No. 21-018  
May 4, 2021  
Page 6

Very Truly Yours,



Tim Trohimovich, AICP  
**Director of Planning & Law**

Enclosures at this Dropbox link: <https://www.dropbox.com/sh/t2bu6rqjfgqpgsn/AADzvAq2-IFklv-CpfIrJFKca?dl=0>

**Eco, Debbie**

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**From:** EDITH BOWLER-LIND <Danelind@msn.com>  
**Sent:** Wednesday, May 5, 2021 2:53 AM  
**To:** Contact Council  
**Subject:** "PRO" COMMENT - Proposed Ordinance No. 21-018 - Accessory Dwelling Units

**CAUTION :** This email originated from outside of this organization. Please exercise caution with links and attachments.

Dear Councilmembers,

I'm writing in support of the proposed Section 8 change for Accessory Dwelling Units (ADUs) in the County – but WITH inclusion of “substandard” lots in “rural” areas.

Our home of 25 years is on a 2.3 acre lot just outside of Snohomish, in a Dutch Hill area zoned R-5. Although legal, our lot is still considered “substandard” as far as SCC 30.23.235 and SCC 30.28.010 is concerned, and so an ADU is prohibited.

My oldest sister is 80 years old and lives alone, with failing eyesight, in her south-end home. Our large (1,340 sf) garage has 3 bays plus a shop. By lifting the roof on the existing second-story garage “loft” area, and making the shop into a kitchen, we could easily have a comfortable 2-bedroom ADU – and still keep at least 2 garage bays. Such a unit would have no appreciable impact on our neighborhood, but it would allow my sister to move up here and live independently, but still within 100 feet of us, in case of need. But even though several other existing houses on our street are on lots as small as about one-quarter acre, the current Code treats adding an ADU to an existing structure, on our 2.3 acres, as too “dense” to allow.

Our situation is not unique. Because of the many permit exceptions, lot divisions and approvals over the years, there are many similar “substandard” properties. While “legally” too small, in reality they are more than large enough to support a detached ADU - without spoiling the semi-rural aspect of a neighborhood. At the very least, allowing **existing** structures on these nonconforming lots to become detached ADUs, with appropriate restrictions, should be permitted.

I appreciate the balance in growth and protection that the Council is working hard to attain. But I hope you will seriously reconsider the needs of residents who would still be blocked from reasonable and responsible use of their property by the current proposed changes.

Sincerely,  
Edith Bowler-Lind

**Eco, Debbie**

**From:** Valerie Carson <valerietcarson@gmail.com>  
**Sent:** Wednesday, May 19, 2021 12:08 AM  
**To:** Dunn, Megan; Contact Council; Wright, Stephanie; Mead, Jared; Low, Sam; Nehring, Nate  
**Subject:** Letter to Council members regarding SSC 30.28.010 (3) (b) Proposal Ordinance No. 21-018  
**Attachments:** Snohomish councilmembers ADU Letter.docx

**CAUTION :** This email originated from outside of this organization. Please exercise caution with links and attachments.

Dear Snohomish County Council members,

Thank you for your attention regarding accessory dwelling units for our county. We would like to address SCC 30.28.010(3)(b) code proposal which directly affects our family's future. We're specifically requesting a reconsideration of the restrictions in Proposed Amendment Sheet No. 2 in regard to Ordinance No. 21-018 Titled: Limited modification to 100' ADU citing criteria from primary dwelling in rural areas.

In March we purchased 22 acres of property off Dubuque Rd. after extensive feasibility studies, county pre-application meetings and coordination with the county. We gained assurance that a single-family residence (for my husband and I) and a detached accessory dwelling unit for my parents would be feasible. My husband and I could raise our two children, Lillian and James "over the river and through the woods" from grandmother's house! My parents could age in place, save money and we could all care for one another. One of our many goals of having a detached ADU was to build and provide privacy not only wall to wall but in the common outdoor living/yard space. Having the two dwellings not clustered together on such a large parcel would help maintain safety and surveillance on the property by preventing crime or unsolicited hunting or fishing.

I read the public hearing packet and watched the May 5<sup>th</sup> recorded meeting where Mitchell Brouse from planning and development spoke of the ADU distance restriction reasoning being to prevent sprawl, have a close association with the single-family residence and maintain a second and subordinate nature for the ADU. The written letter in the hearing packet from *The Urbanist* proposes ADUs be no more than 50 feet from the single-family residence to promote clustering and protect the environment.

In response, a fixed distance to apply to all rural parcels regardless of size or any other criteria is not a fair or equitable way to adopt code. The existing code of an ADU physically being smaller than the SFR already establishes association and accomplishes the subordinate and secondary nature that Mr. Brouse describes. Distance shouldn't be a factor. There is no correlation to what *The Urbanist* says to "protect the environment" with this proposal. This cluster idea is promoting urbanization which does not pertain to rural living and living off the land. There are already codes pertaining to energy, surface area, volume of disturbance, etc. that are limiting and mitigating impacts to aid in the protection of the environment. This such drafted code does not directly address the concerns *The Urbanist* nor Mr. Brouse mentions about protecting the environment and creating association among each other.

We're proposing that distance not be a factor between the single-family residence and a detached accessory dwelling unit on rural zoned parcels. Or the distance be modified to be an appropriate percentage based on overall parcel size. We'd propose per 5 acres, a 200' distance be acceptable if attainable.

Thank you for reconsidering this ordinance number 21-018 regarding ADU and SFR citing distance. I would like to attend the June 9<sup>th</sup> meeting or speak more on the phone regarding this. If you have any questions I look forward to the opportunity to discuss them. Thank you for committing yourselves to serve our community. We appreciate you!

Regards,

Valerie Carson (and family),  
Snohomish County Resident since 1986  
206-948-1538



**Eco, Debbie**

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**From:** Gabe N <sweetgabriel@gmail.com>  
**Sent:** Thursday, June 3, 2021 12:53 PM  
**To:** Dunn, Megan; Contact Council; Wright, Stephanie; Mead, Jared; Low, Sam; Nehring, Nate  
**Cc:** Gabe N  
**Subject:** 100' ADU Restriction

**CAUTION :** This email originated from outside of this organization. Please exercise caution with links and attachments.

Greeting Council members,

I'm writing you regarding SCC 30.28.010(3) code proposal, Amendment Sheet No. 4 in regard to Ordinance No. 21-018 Regarding; Limited modification to 100' ADU citing criteria from primary dwelling in rural areas.

PDS provided justification for their 100' restriction that is **unfounded, flawed, biased and not equitable** to the rural living character that this county and country were founded on.

With increases in the price of housing in many cities and suburbs in Snohomish county, increased awareness of the costs of low-density car-oriented development patterns, and an increased need to care for aging baby boomers, many other government entities and advocacy groups have increasingly supported ADUs. This 100' restriction or a variance opinion from the Director does not!

With our world still coming out of economic hardships due to the Covid-19 pandemic and construction prices going through the roof, the last thing we need to do is place hardships on rural communities by **unfounded restrictions that have shown no proof that relative distance plays any part in "protecting rural character and reducing sprawl."** It seems quite the opposite as ADUs are common in the rural small family farms of Washington State where they are used to support aging family members, friends or lower income families.

It is clearly an **unequitable approach** when the same proposal is opening up the restrictions on urban communities to ADUs and **allowing 2 ADUs on urban properties but providing a 100' restriction on rural communities** for their ADUs. This is a clear indication of urban favoritism and bias towards clustered city development for the upper and middle class.

PDS includes that this restriction was "modeled based on a code provision included in San Juan County's development standards." **Why would one of the largest counties in the state use the smallest county in the state as a "go-by?"** The geography, population and land use are not even

remotely the same! San Juan County has less than 10% of useable land than Snohomish County and has 2% of the population. If you run the numbers that's about 1 person for every 0.62 acres in Snohomish County to 1 person for every 0.14 acres in San Juan County. Please provide the "model" that this was based on, as the simple comparison in size, geology and populations proves what PDS is proposing is flawed.

If you're looking to what others are doing, have you considered what other larger counties or other states are doing? Several states have enacted legislation to promote accessory dwelling units. Some examples:

- In California, Government Code Sections 65852.150, 65852.2 & 65852.22 pertain to local regulation of ADUs.
- [41] SB 1069 and AB 2299 are California bills approved in 2016 and effective January 1, 2017, that limit local government authority to prohibit ADUs in certain cases (and also reduce cost and bureaucracy hurdles to construction).[42][43][44][45].
- In Jan 1st 2020 the state of California passed the most lenient ADU's laws in the country allowing not one but two accessory units.
- The states of Vermont [47][48] and New Hampshire [49][50] have also adopted a number of bills that promote accessory dwelling units and reduce regulatory barriers to ADU construction.

I'm still also unclear how PDA justifies the 100' restriction as a method to reduce sprawl, but in the same paragraph prove through your own county data that ADUs do not inappropriately convert undeveloped land into sprawl?

While I agree with your general approach to opening up ADU use throughout the county, I suggest you just stick with that, and remove adding any restrictions as these that are being proposed are biased and ill considered.

Feel free to reach out to me if you have any questions or clarifications.

Kind Regards,  
Gabriel Craig  
Sole bread winner & family of 5 children

**Eco, Debbie**

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**From:** Doug Trumm <doug@theurbanist.org>  
**Sent:** Wednesday, June 9, 2021 8:40 AM  
**To:** Contact Council  
**Subject:** ADU Amendments  
**Attachments:** Snohomish County - ADU Amendments - June 2021.pdf

**CAUTION :** This email originated from outside of this organization. Please exercise caution with links and attachments.

Hello Snohomish County Councilmembers,

Please see the attached letter with recommendations for tweaks to the accessory dwelling unit (ADU) legislation, such as eliminating the parking requirements for ADUs. We appreciate your advancement of ADU liberalization.

Thank you for your consideration,

**Douglas Trumm**, *Executive Director*

Pronouns: *he, him*

[The Urbanist](#) | 320.237.4771





# The Urbanist

Examining urban policy to improve cities and quality of life  
[theurbanist.org](http://theurbanist.org) | [info@theurbanist.org](mailto:info@theurbanist.org)

June 9, 2021

Snohomish County Council  
3000 Rockefeller Avenue  
Everett, Washington 98201

RE: Ordinance 21-018, Relating to Accessory Dwelling Unit Reform

Dear Councilmembers:

On behalf of The Urbanist, I am again writing to urge your support of the [proposed accessory dwelling unit \(ADU\) amendments](#). In April, we submitted testimony also in support of the legislation but with a variety of suggested changes to the legislation. We still believe those suggested changes would make the legislation better, but principally we believe that: 1) parking requirements for accessory dwelling units should be eliminated, 2) that the maximum size limit should be reduced, and 3) that detached accessory dwelling units should not and cannot be permitted on substandard lots in rural, resource, or other zones.

Parking requirements discourage and can often prevent the creation of accessory dwelling units on lots. They also encourage more driving, pollution, and other social and environmental costs. Parking requirements should not apply to accessory dwelling units in urban zones and consequently we would support any amendment that achieves this. We also support a more moderate accessory dwelling unit size and urge adoption of Amendment Sheet No. 1. Additionally, we oppose Amendment Sheet No. 4 that would allow detached accessory dwelling units on substandard lots in rural, resource, or other zones. This amendment would encourage sprawl in rural and resource areas of the county and put more strain on very limited water resources.

Ultimately though, we support the bulk of the legislation. Allowing ADUs to be processed administratively, increasing their allowed size, and permitting up to two ADUs in urban areas will provide more affordable housing options and encourage more housing production. Since Seattle reformed ADU regulations in mid-2019, [ADU production has increased significantly](#) and California's experience with loosening ADU restrictions [has seen similar results](#).

Therefore, we urge your support of the Planning Commission-recommended ADU amendments with above-noted requests. Thank you for your consideration.

Sincerely,

Doug Trumm  
Executive Director  
The Urbanist

*The Urbanist is a grassroots Puget Sound organization dedicated to advocacy and journalism. We promote urban policy to improve transportation, housing, social and environmental justice, economic opportunity, and quality of life in our region and state.*

**Eco, Debbie**

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**From:** Marta B <martajayne@gmail.com>  
**Sent:** Wednesday, June 9, 2021 8:56 AM  
**To:** Contact Council  
**Subject:** Public Comment on ADU Proposal

**CAUTION :** This email originated from outside of this organization. Please exercise caution with links and attachments.

Hello,

My name is Marta Baldwin and I live in unincorporated Snohomish County directly adjacent to the SW Urban Growth Area line on 43rd ave SE. As I understand it, the reasoning for this proposal is because recent statistics show that there is not enough room in the existing UGAs to support the anticipated growth between now and 2040 and that the GMA supports growth within the existing UGAs instead of changing the boundary lines.

While I understand why the council wants to allow the ADUs in Snohomish County, I am urging them not to approve this proposal until all the issues are resolved in areas like 43rd ave SE between 188th ave SE & Maltby Road. We are rurally zoned but are subject to high density urban growth all around us which has destroyed the rural nature of our neighborhood.

We have stood as a neighborhood before the council numerous times on this matter. We were supposed to be included into the SWUGA as far back as 2005 but have come up short on votes every time. Even though the council has admitted that a grave mistake has been made resulting in the mess that 43rd ave SE has become, they don't seem to care enough to correct their mistake. They use the GMA as an excuse. As a result, the residents along this road are now subject to condemnation by the county to forcefully take our land for the road widening project which will also remove the dead-end located at 188th & 43rd ave SE. This is the last bit of buffer we have as a rural area against the urban traffic.

The fact is, the 43rd ave SE project goes against the county's own policies. Page 7 of the 2023 Comprehensive Plan Background says "Maintaining rural character, according to the MPPs, should also call for avoiding the construction of new highways and major roads in rural areas."

Please take my testimony into consideration and vote no for ADUs until all issues in the areas around the existing UGAs are addressed.

Sincerely,

Marta Baldwin  
18823 43rd ave SE  
Bothell, WA 98012