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Minimum Lot Sizes [Ordinance 24-060](#) (ECAF 2024-1413)

Hearing Date: Wednesday, August 14, 2024 @ 10:30 a.m.

Council Staff: Ryan Countryman

DPA: Laura Kisielius

Click on exhibit number to view document

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<i>*Contact the Clerk of the Council for copies of part 2 Exhibits - 425-388-3494 or contact.council@snoco.org</i>					

1 ADOPTED: [REDACTED]
2 EFFECTIVE: [REDACTED]

3 SNOHOMISH COUNTY COUNCIL
4 Snohomish County, Washington

5
6 ORDINANCE NO. 24-060

7
8 RELATING TO GROWTH MANAGEMENT;
9 REDUCING MINIMUM LOT SIZE REQUIREMENTS IN THE LDMR AND MR ZONES;
10 AMENDING SECTION 30.23.032 OF THE SNOHOMISH COUNTY CODE

11
12 WHEREAS, the Growth Management Act (GMA), chapter 36.70A RCW,
13 establishes planning goals to guide development and adoption of comprehensive plans
14 and development regulations for those counties and cities planning under the GMA,
15 including Goal 4 related to housing (RCW 36.70A.020(4)); and

16
17 WHEREAS, the Washington State Legislature substantially amended the GMA
18 housing goal by passing Engrossed Second Substitute House Bill 1220, effective July
19 25, 2021, and which among other changes strengthened the goal from “Encourage the
20 availability of affordable housing to all economic segments of the population” to “Plan for
21 and accommodate housing affordable to all economic segments of the population”; and

22
23 Whereas, in 2023, the Legislature passed Engrossed Second Substitute House
24 Bill 1110 (ESSB 1110), effective July 23, 2023, which, among other things, included a
25 finding that states:

26
27 Washington is facing an unprecedented housing crisis for its current
28 population and a lack of housing choices, and is not likely to meet the
29 affordability goals for future populations [...] innovative housing policies
30 will need to be adopted.

31
32 WHEREAS, prior to these legislative changes, the Housing Affordability
33 Taskforce (HART) published a report and five-year action plan in January 2020 for
34 Snohomish County; and

35
36 WHEREAS, the HART report discusses the need for more “missing middle”
37 housing which includes housing that is denser than traditional detached single-family
38 homes but less dense than mid-rise apartments; and

39
40 WHEREAS, the GMA requires Snohomish County (the “County”) to adopt a
41 comprehensive plan and implementing codes and regulations related to land use and
42 development within the County’s jurisdiction that are consistent with the comprehensive
43 plan; and

1 WHEREAS, the County’s Growth Management Act Comprehensive Plan
2 (GMACP) includes the General Policy Plan (GPP) which contains policies that guide the
3 codes and regulations adopted in Title 30 of Snohomish County Code (“Title 30 SCC”);
4 and
5

6 WHEREAS, the minimum lot size for Multiple Residential (MR) zoning has been
7 7,200 square feet since January 31, 1966, when Zoning Resolution VIII reduced it from
8 8,400 square feet; and
9

10 WHEREAS, the minimum lot size for Low Density Residential (LDMR) zoning has
11 been 7,200 square feet since July 15, 1968, when an amendment to Zoning Resolution
12 VIII established LDMR zoning; and
13

14 WHEREAS, although bonus densities may apply, the base density for LDMR
15 zoning is one unit per 4,000 square feet (SCC 30.23.040(4)) and for MR zoning it is one
16 unit per 2,000 square feet (SCC 30.23.040(5)); and
17

18 WHEREAS, County Code allows development of single family detached units at
19 the base densities for LDMR and MR zoning but does not allow subdivision of such
20 development in chapter 30.41F SCC, which means that sale of such units must be as
21 condominiums; and
22

23 WHEREAS, the Snohomish County Council held a series of panel discussions
24 titled “Opening Doors to Home Ownership” on January 17, February 21, March 21, and
25 April 18, 2023, and during the fourth session discussed allowing smaller lots and more
26 lots per acre for new development as one possible part of the solution to the problem of
27 housing availability and affordability; and
28

29 WHEREAS, reducing the minimum lot size in LDMR and MR zoning would
30 provide more of the missing middle housing identified in the Hart report, provide more of
31 the smaller lots discussed during the panel discussions, and increase ownership options
32 by making subdivision possible; and
33

34 WHEREAS, the County Council concurs with the findings of the Legislature that
35 Snohomish County is experiencing a housing affordability crisis and that code
36 amendments to allow smaller lots can be part of the solution; and
37

38 WHEREAS, County Council staff briefed the Planning Commission on January
39 23, 2024, and
40

1 WHEREAS, on February 27, 2024, the Planning Commission held a public
2 hearing to receive public testimony concerning the code amendments contained in this
3 ordinance; and
4

5 WHEREAS, at the conclusion of the Planning Commission’s public hearing, the
6 Planning Commission recommended adoption of the code amendments contained in
7 this ordinance; and
8

9 WHEREAS, on [REDACTED], 2024, the County Council held a public hearing after
10 proper notice, and considered public comment and the entire record related to the code
11 amendments contained in this ordinance; and
12

13 WHEREAS, following the public hearing, the County Council deliberated on the
14 code amendments contained in this ordinance;
15

16 NOW, THEREFORE, BE IT ORDAINED:
17

18 **Section 1.** The County Council adopts the following findings in support of this
19 ordinance:
20

- 21 A. The foregoing recitals are adopted as findings as if set forth in full herein.
22
- 23 B. This ordinance will amend SCC 30.23.032 to reduce the minimum lot size
24 requirements for LDMR and MR zoning so that the minimum lot sizes in both zones
25 match the base densities for those zones. These amendments will allow creation of
26 subdivided lots in urban zones where code allows those physical configurations but
27 without subdivision.
28
- 29 C. In considering the proposed amendments, the county evaluated factors including the
30 need to meet GMA mandates to provide housing for all economic segments of the
31 population.
32
 - 33 1. Snohomish County is facing an affordable housing crisis and housing stock
34 shortage. The purpose of the proposed amendments is to provide additional
35 means to diversify the County’s urban housing stock.
36
 - 37 2. The housing authorized by this ordinance would be generally attainable to middle
38 income households interested in owning a single family home and where
39 opportunities to expand the Urban Growth Area to provide ownership
40 opportunities are limited.

1
2 D. In considering the proposed amendments, the County considered the goals and
3 standards of the GMA. The proposed amendments are consistent with:

- 4
5 1. GMA Goal 2 – Reduce sprawl. Reduce the inappropriate conversion of
6 undeveloped land into sprawling, low-density development.

7
8 This ordinance provides for infill development on sites in urban areas, thereby
9 increasing urban residential capacity and reducing pressure to convert rural
10 lands to housing. It provides for smaller lots in multifamily zones, allowing
11 subdivision of units in those zones. This may also increase financing options
12 available to developers and thereby help increase overall housing production.
13

- 14 2. GMA Goal 4 – Housing. Encourage the availability of affordable housing to all
15 economic segments of the population of this state, promote a variety of
16 residential densities and housing types....

17
18 Subdivision of homes on small lots will help diversify the housing stock and
19 promote housing ownership that is affordable to middle income households.
20

21 E. The proposed amendments will better achieve, comply with, and implement the
22 goals and policies of the Puget Sound Regional Council’s Multicounty Planning
23 Policies (MPPs), including the following goals and policies:

- 24
25 1. MPP Housing Goal – The region will preserve, improve, and expand its housing
26 stock to provide a range of affordable, healthy, and safe housing choices to every
27 resident. The region will continue to promote fair and equal access to housing for
28 all people.

29
30 The proposed amendments will help to expand and improve the diversity of the
31 housing stock by reducing regulatory barriers to the construction of housing on
32 small lots.
33

- 34 2. MPP-H-1 – Provide a range of housing types and choices to meet the housing
35 needs of all income levels and demographic groups within the region.

36
37 MPP-H-2 – Achieve and sustain — through preservation, rehabilitation, and new
38 development — a sufficient supply of housing to meet the needs of low-income,
39 moderate-income, middle-income, and special needs individuals and households
40 that is equitably and rationally distributed throughout the region.

1
2 The proposed amendments will support MPP-H-1 and MPP-H-2 by allowing for
3 the construction of homes on smaller subdivided lots that will be generally
4 affordable to middle-income households. These amendments do not inhibit
5 development of other types of necessary housing.
6

7 F. The proposed amendments will better achieve, comply with, and implement the
8 Housing Goal of the Countywide Planning Policies (CPPs), which provides:
9 “Snohomish County and its cities will promote an affordable lifestyle where residents
10 have access to safe, affordable, and diverse housing options near their jobs and
11 transportation options.” The proposed amendments will support the housing goal in
12 the CPPs by reducing the regulatory barriers to the construction of attached single
13 family dwellings and detached dwellings on smaller lots. These changes will help to
14 diversify the housing options in urban areas that are close to employment and
15 transportation options.
16

17 G. In considering the proposed amendments, the county considered the goals,
18 objectives, and policies of the Snohomish County GMA Comprehensive Plan
19 (GMACP) – General Policy Plan (GPP). The proposed amendments will work to
20 support, implement, and balance the following goals, objectives, and policies in the
21 GPP:
22

23 1. Goal LU 1 – Establish and maintain compact, clearly defined, well designed
24 UGAs.
25

26 Objective LU 1.A – Establish UGAs with sufficient capacity to accommodate the
27 majority of the county’s projected population, employment, and housing growth
28 over the next 20 years.
29

30 Policy LU 1.A.9 – Ensure the efficient use of urban land by adopting reasonable
31 measures to increase residential, commercial and industrial capacity within urban
32 growth areas prior to expanding urban growth boundaries. The County Council
33 will use the list of reasonable measures in accordance with the guidelines for
34 review contained in Appendix D of the Countywide Planning Policies to evaluate
35 all UGA boundary expansions.
36

37 The amendments proposed by this ordinance would reduce regulatory barriers to
38 the construction of housing in urban areas. This is a reasonable measure that
39 increases residential capacity in UGAs thereby helping accommodate growth and
40 the maintenance of compact UGAs.

- 1
2 2. Objective HO 1.B – Ensure that a broad range of housing types and affordability
3 levels is available in urban and rural areas.
4

5 The proposed amendments reduce regulatory barriers to the development of
6 housing in urban areas, supporting the development of a broad range of housing
7 types and affordability. The development of housing on smaller lots will provide
8 different housing types and affordability levels in areas with a lack of affordability.
9

- 10 H. The proposed amendments implement action Item 1.A.4 in the HART report. Action
11 Item 1.A.4 provides: “Facilitate more efficient deal assembly and development
12 timelines / promote cost effectiveness through consolidation, coordination, and
13 simplification.” By allowing subdivision for housing on smaller lots, the proposed
14 amendments will facilitate more deal assembly and development site consolidation
15 by making more financing options available to the developer.
16

17 I. Procedural requirements.
18

- 19 1. State Environmental Policy Act (SEPA), chapter 43.21C RCW, requirements with
20 respect to this non-project action have been satisfied through the completion of
21 an environmental checklist and the issuance on February 6, 2024, of a
22 Determination of Non-Significance (DNS) for this non-project proposal to Amend
23 Title 30 Snohomish County Code (SCC).
24
- 25 2. The proposal is a Type 3 legislative action pursuant to SCC 30.73.010.
26
- 27 3. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance was
28 transmitted to the Washington State Department of Commerce for distribution to
29 state agencies on February 6, 2024, and assigned material number 2024-S-
30 6858.
31
- 32 4. The public participation process used in the adoption of this ordinance complies
33 with all applicable requirements of the GMA and the SCC.
34
- 35 5. The Washington State Attorney General last issued an advisory memorandum,
36 as required by RCW 36.70A.370, in September of 2018 entitled “Advisory
37 Memorandum: Avoiding Unconstitutional Takings of Private Property” to help
38 local governments avoid the unconstitutional taking of private property. The
39 process outlined in the State Attorney General’s 2018 advisory memorandum

1 was used by the County in objectively evaluating the regulatory changes
 2 proposed by this ordinance.

3
 4 Section 2. The County Council makes the following conclusions:
 5

- 6 1. The proposed amendments are consistent with the goals, policies, and objectives
 7 of the MPPs, CPPs, and GPPs.
- 8
- 9 2. The proposed amendments are consistent with applicable federal, state, and
 10 local laws and regulations.
- 11
- 12 3. The County has complied with all SEPA requirements with respect to this non-
 13 project action.
- 14
- 15 4. The regulations proposed by this ordinance do not result in an unconstitutional
 16 taking of private property for a public purpose.
- 17

18 **Section 3.** The County Council bases its findings and conclusions on the entire
 19 legislative record, including all testimony and exhibits. Any finding which should be
 20 deemed a conclusion, and any conclusion that should be a finding, is hereby adopted
 21 as such.

22
 23 **Section 4.** Snohomish County Code Section 30.23.032, last amended by
 24 Amended Ordinance No. 23-033 on June 7, 2023, is amended to read:
 25

26 **30.23.032 Urban Residential Zone categories – bulk matrix.**
 27

28 **Table 30.23.032 Urban Residential Zones Bulk Matrix**

Category	Zone	Lot Dimension (feet) ⁵⁴			Minimum Setback Requirements From (feet) ^{11, 33}						Maximum Lot Coverage ⁸	
		Minimum Lot Area ²⁹ (square feet)	Minimum Lot Width	Maximum Building Height (feet) ^{16, 27, 64}	Side and Rear Lot Lines Adjacent to:				Resource Lands			Seismic Hazards
					Commercial and Industrial Zones	R-9,600, R-8,400, and R-7,200 Zones	Other Urban Residential Zones	Rural Zones	Agriculture	Forest		
Urban Residential	R-9,600	9,600 ²³	70	30	10	5	5	5	See SCC 30.32B.130	See SCC 30.32A.110	See chapters 30.51A and 30.62B SCC	35%
	R-8,400	8,400 ²³	65	30	10	5	5	5				35%

Category	Zone	Lot Dimension (feet) ⁵⁴			Minimum Setback Requirements From (feet) ^{11, 33}							Maximum Lot Coverage ⁸
		Minimum Lot Area ²⁹ (square feet)	Minimum Lot Width	Maximum Building Height (feet) ^{16, 27, 64}	Side and Rear Lot Lines Adjacent to:				Resource Lands		Seismic Hazards	
					Commercial and Industrial Zones	R-9,600, R-8,400, and R-7,200 Zones	Other Urban Residential Zones	Rural Zones	Agriculture	Forest		
	R-7,200 (buildings ≤ 30 feet high)	7,200 ^{23, 65}	60	35	10	5	5	5				35%
	R-7,200 (buildings > 30 feet high) ⁶⁷					10	10	10				
	T (buildings ≤ 20 feet high) ⁵⁹	See SCC 30.31E.050		35	10	10	5	25				See SCC 30.31E.050
	T (buildings > 20 feet high) ⁵⁹				15	20	10					
	LDMR (buildings ≤ 20 feet high) <small>15, 59, 61, 62</small>	(7,200) 4,000 ^{4, 65}	60	45	10	10	5	25				50% ⁶⁶
	LDMR (buildings 20 - 30 feet high) <small>15, 59, 61, 62</small>				10	20	10					
	LDMR (buildings > 30 feet high) <small>15, 59, 61, 62</small>				15	25	15					
	MR (buildings ≤ 20 feet high) ⁵ , <small>15, 59, 61, 62</small>	(7,200) 2,000 ^{5, 9, 65}	60 ⁹	45 ¹⁴	10	10	5	25				50% ^{9, 66}
	MR (buildings 20 - 30 feet high) ^{5, 15, 59, 61, 62}				10	20	10					
	MR (buildings > 30 feet high) ⁵ , <small>15, 59, 61, 62</small>				15	25 ⁶⁰	15					
	MHP	⁵⁵	None	25	See SCC 30.42E.100(5)(a)							50%

- 1
- 2 See SCC 30.23.040 for reference notes listed in Table 30.23.032.
- 3

ORDINANCE NO. 24-060

RELATING TO GROWTH MANAGEMENT; REDUCING MINIMUM LOT SIZE REQUIREMENTS IN THE LDMR AND MR ZONES; AMENDING SECTION 30.23.032 OF THE SNOHOMISH COUNTY CODE



Planning and Community Development

Ryan Countryman

Council Initiated:

Yes

No

SNOHOMISH COUNTY COUNCIL

ECAF: 2024-1413

Ordinance: 24-060

Type:

Contract

Board Appt.

Code Amendment

Budget Action

Other

Requested Handling:

Normal

Expedite

Urgent

Fund Source:

General Fund

Other

N/A

Executive Rec:

Approve

Do Not Approve

N/A

Approved as to

Form:

Yes

No

N/A

Subject: Code Amendment – Minimum Lot Size in LDMR and MR zoning. **EXHIBIT #** 3.2.001

Scope: Ordinance 24-060 would amend SCC 30.23.032 to reduce the minimum lot size in Low Density Multiple Residential (LDMR) and Multiple Residential (MR) zoning. **FILE** Ord 24-060

Duration: N/A

Fiscal Impact: Current Year Multi-Year **N/A**

Authority Granted: None

Background: Ordinance 24-060 contains recommendations from the Planning Commission and Executive Branch on an ordinance referred to them by Council Motion 23-542. Councilmember Nehring proposed changes to minimum lot size provisions for LDMR and MR zoning in an ordinance attached to Motion 23-540. The Council discussed these on December 5, 2023, in Planning and Community Development Committee, and again on December 13, 2023, and January 3, 2024, in General Legislative Session. Apart from some minor rephrasing for technical reasons, Ordinance 24-060 is substantively the same as what the Council referred to the Planning Commission.

LDMR and MR zoning both have a current minimum lot size of 7,200 square feet. Yet, LDMR allows a base density of one unit per 4,000 square feet and MR allows a base of one unit per 2,000 square feet. A result of this mis-match between density and lot size is that much of the development in these zones relies on the Single Family Detached Unit (SFDU) process which is not a subdivision process and typically results in detached condominiums.

Ordinance 24-060 would amend SCC 30.23.032 to reduce the minimum lot size requirements in LDMR and MR zoning to 4,000 square feet and 2,000 square feet, respectively. This would enable subdivision of at current SFDU densities. This staff report does not show the amendments verbatim because the effected section is in a table spanning several pages. Details are in the [council staff report to the Planning Commission dated January 8, 2024](#), available at the link and in the agenda package.

Request: Move Ordinance 24-060 to General Legislative Session to set date and time for a hearing. Suggested: August 14, 2024, at 10:30 am.



Snohomish County Council

To: Snohomish County Planning Commission

From: Snohomish County Council
Ryan Countryman, Senior Legislative Analyst

Report Date: January 8, 2024

Briefing Date: January 23, 2024

Subject: Staff Report on Proposal to Reduce Minimum Lot Sizes in Low Density Multiple Residential (LDMR) and Multiple Residential (MR) Zoning

Introduction

By [Motion 23-540](#), the Snohomish County Council is requesting review and recommendation by the Planning Commission on proposed code amendments to reduce the minimum lot size requirements in LDMR and MR zoning. County Council staff is providing this staff report to the Planning Commission for a briefing on January 23, 2024. The Planning Commission could potentially hold its public hearing on February 27, 2024.

Background

The proposed ordinance would reduce minimum lot sizes in LDMR and MR zoning to match the basic density of both zones. This would facilitate subdivision on sites where similar development must currently become condominiums. Financing for construction and for purchasing of condos is more complicated than financing for homes that have their own lot. Complications with financing can increase the eventual cost of housing.

Snohomish County Code (SCC) [30.21.025\(1\)\(b\)](#) classifies both Low Density Multiple Residential (LDMR) and Multiple Residential (MR) zoning as “multiple family residential” zones. This classification does not mean that housing must be in attached multiple family configurations. Instead, it is common for development in these zones to result in single family detached housing. However, development of such housing is generally as “Single Family Detached Units” (SFDUs) under [Chapter 30.41F SCC](#) which specifically prohibits subdivision at [SCC 30.41F.010\(1\)](#). Even before adoption of Chapter 30.41F in 2007, detached unit developments in LDMR and MR could have a unit count that exceeds what was possible through a subdivision process. This is because both zones have a minimum lot size requirements of 7,200 square feet for new lots but allow higher base densities. LDMR allows a base density of one unit per 4,000 square feet and MR allows a base of one unit per 2,000 square feet.

The proposed ordinance would amend [SCC 30.23.032](#) to reduce the minimum lot size in LDMR and MR zoning to 4,000 square feet and 2,000 square feet, respectively. This would enable subdivision into new lots rather than development using the SFDU condominium process. Subdivisions could use lot size averaging provisions in [SCC 30.23.210](#) or a separate but related proposal regarding attached single-family dwelling provisions in Council [Motion 23-539](#). This motion was concurrently referred to the Planning Commission and the relevant code section would be at SCC 30.23.270. Note that [Amended Council Motion 23-542 \(Motion 23-542\)](#) includes a third proposal that is before the Planning Commission. The proposed ordinance with Motion 23-542 would revise SCC 30.23.210 in part to discontinue use of lot size averaging in MR zoning. If the ordinance from Motion 23-539 were to pass, then SCC 30.23.270 would allow attached single family dwellings in both LDMR and MR zoning with many of the design benefits currently available to developments using SCC 30.23.210.

The idea to reduce minimum lot sizes in LDMR and MR zoning comes from the “Opening Doors to Home Ownership” housing panel discussions sponsored by County Councilmember Nate Nehring from January 17, 2023, to April 18, 2023. The County Council passed Motion 23-540 referring the proposed amendments to the Planning Commission on January 3, 2024.

Proposed Ordinance

This ordinance would increase options to subdivide property. Subdivision lot yields including at SCC 30.23.210 and the separately proposed SCC 30.23.270 rely on minimum lot size to determine the number of allowed lots. When there is a difference between lot yield and allowed units, as is currently the case in LDMR and MR zoning, most applicants will choose to develop the higher number of units and develop as an SFDU/condominium rather than as a subdivision.

Ordinance Sections 1 to 3 include findings and conclusions to support the substantive changes in Section 4.

Ordinance Section 4 amends the minimum lot size requirements for LDMR and MR in SCC 30.23.032. Both zones currently have a minimum lot size of 7,200 square feet. The proposal would amend SCC 30.23.032 to reduce the minimum lot size in LDMR and MR zoning to 4,000 square feet and 2,000 square feet, respectively.

This section is a large table which provides the Urban Residential Bulk Matrix provisions for all urban residential zones. It includes minimum lot area, minimum lot width, maximum building height, setbacks, and lot coverage requirements for the R-9,600, R-8,400, R-7,200, Townhouse, LDMR and MR zones. Reproducing the table from the ordinance in this staff report would take up several pages. The only changes in the ordinance are to the minimum lot size in the LDMR and MR zones.

Ordinance Section 5 is a standard severability and savings clause.

Examples of Possible Use

Reducing minimum lot size requirements in LDMR and MR zoning would address inconsistencies between the allowed density and lot size. One likely major effect would be more development of subdivisions with homes on individual lots instead of similar looking condominium development using the “Single Family Detached Units” (SFDUs) under [Chapter 30.41F SCC](#) which specifically prohibits subdivision at [SCC 30.41F.010\(1\)](#).

This section provides two examples of possible uses of the proposed ordinance. Both are duplex developments where sale of individual units was by condominium. Current provisions did not allow each duplex half to have its own lot. Both examples include identification of some minor design differences that would result from existing codes.

Example 1 – Single Family Units, Maximizing Density.

Survana Condominiums (Project File Number (PFN) 2017-107039 SPA) consists of four single family detached units on a 19,166 square foot site. Development followed the Single Family Detached Unit (SFDU) process. Survana Condominiums achieves the maximum base density allowed in the applicable zoning of LDMR. While configured much like a subdivision, the SFDU process and other requirements currently make this configuration ineligible for subdivision and fee-simple ownership.

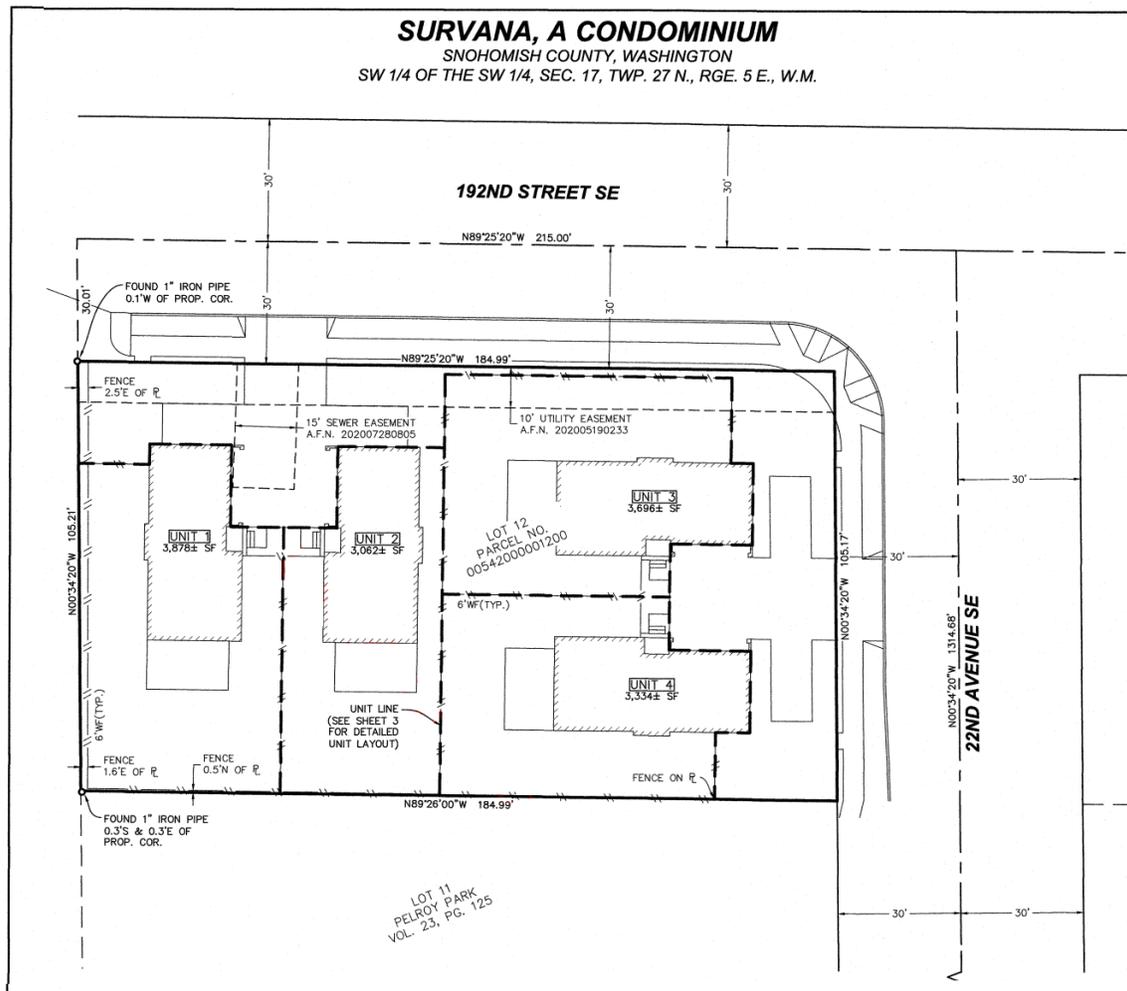


Figure 1 – Survana Condominium Site Plan (adapted from AFN 202009115005)

Effect of Ordinance: The minimum lot size reduction in LDMR would enable a site like Survana Condominium to subdivide into four lots to match the unit count. This would not be an exact match. The lot lines would likely be in different locations than the unit lines in the condo such that the common element for driveway and landscaping in the condo would become parts of the lots instead.

Subdivisions using the proposed lot sizes in LDMR zoning could use Lot Size Averaging (LSA) provisions in [SCC 30.23.210](#) because SCC 30.23.210(5) uses the minimum lot area requirement (in SCC 30.23.032) to determine the maximum number of lots.¹ The current 7,200 square foot minimum lot area in SCC 30.23.032 means that more units are approvable through the SFDU condominium process on a typical site. The proposed changes to the minimum lot area in SCC 30.23.032 would change this math by enabling the same number of lots under SCC 30.23.210(5)² as can result from using the SFDU provisions in Chapter 30.41F.³

Design Differences: Tree canopy and parking are two areas identified as having minor design differences between SFDU and subdivision requirements.

Tree canopy requirements in Table 30.25.016(3) SCC are based on the type of development and number of lots or units. Since Survana Condominiums is a 4-unit SFDU, the Table 30.25.016(3) required a 15% tree canopy. If Survana was a 4-lot short subdivision as would be possible combining the proposed amendments to lot sizes in SCC 30.23.032 with existing the lot size averaging provisions in SCC 30.23.210, then the tree canopy requirement would have been 20%.

Parking differs between SFDU development and subdivisions in two ways. First, is the number of spaces required by [SCC 30.26.030](#). This section requires:

- Two spaces per single family dwelling in a subdivision (plus driveway dimensions that can accommodate at least one more vehicle)
- Two spaces per dwelling unit in an SFDU, plus guest parking at one space per four units (in part to address that driveways can be too short to park on)

Single-family buildings in subdivisions thus have lower mandated parking than identical buildings in an SFDU. The second difference is that SFDUs can have guest parking that serves a neighborhood rather than individual houses in a subdivision with guest parking on the driveway.

¹ The same would also be true for MR zoning under the current provisions for LSA. However, one of the changes in a separately proposed ordinance referred to the Planning Commission by County Amended Motion 23-542 would revise LSA provisions to make MR zoning ineligible for continued use of LSA.

² The ordinance referred by Motion 23-542 would change this reference to SCC 30.23.210(2).

³ By combining proposed revisions to SCC 30.23.032 and the proposed new section SCC 30.23.270, an applicant could, in theory, achieve more attached single-family units than detached units under present-day regulations. Such lots could be as small as 1,500 square feet. Although this hypothetical combination may result in some projects with higher overall densities than what code currently allows, the seeming potential to double densities is not likely to be fully achievable. This is because in most cases these higher potential densities would require physically attaching homes in townhouse or multi-family configurations. It would be more realistic to anticipate a modest overall density increase but not one that would have significant impacts under [Chapter 43.21C RCW](#).

Example 2 – Combining Smaller Lot Sizes in LDMR with Single Family Attached

Harbour Cove SFDU (PFN 2021-108751 SPA) consists of 19 total units (11 detached and 8 attached). The gross site area is 81,878 square feet (1.88 acres). Under current codes, LDMR zoning would have allowed a maximum of 20 units but only 11 lots. This project recorded as condominiums after receiving approval as an SFDU.

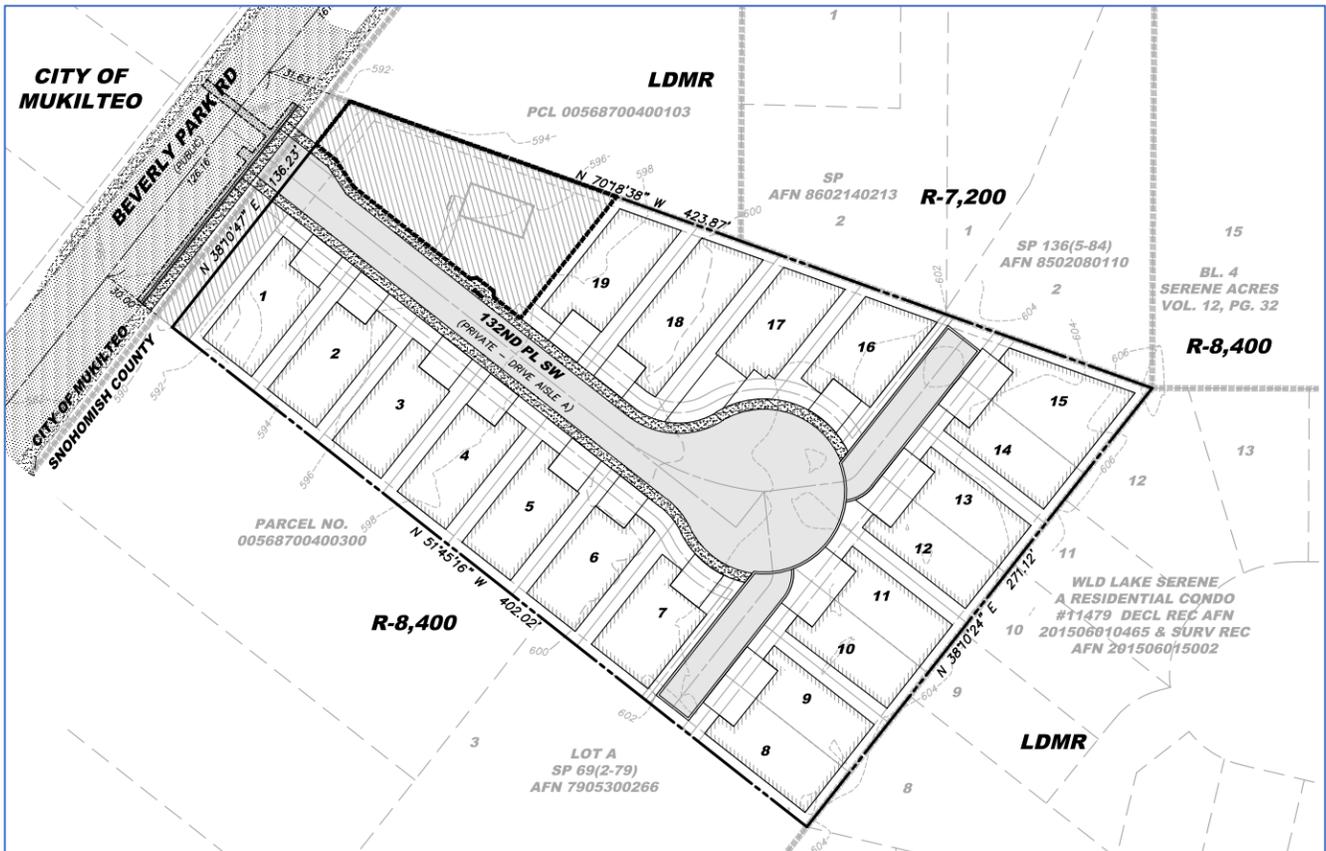


Figure 2 – Harbour Cove SFDU (from Sheet SP-01 of the approved site plan)

Effect of Combining Ordinances: The change in minimum lots size proposed in this ordinance (going to 4,000 square feet in LDMR zoning) would enable a subdivision with the same number of lots as the base density would have allowed (i.e., up to 20 lots). Since the detached condo unit have sizes ranging from 3,120 to 3,812 square feet, this part of the development would have needed to rely on the existing Lot Size Averaging (LSA) provisions in [SCC 30.23.210](#). These allows lots to be as small as 3,000 square feet. However, since the size of individual duplex condo units ranges from 2,366 square feet to 3,080 square feet, these units would still need to record as condos if this had been an LSA subdivision solely based on this lot size ordinance. If both this ordinance and the separate proposal for attached single family dwellings were to pass, then code would consider these duplex units as single-family attached units under the new section SCC 30.23.270 in the other ordinance. This would allow all of the condo unit areas to comply with the proposed minimum lot size of 1,500 square feet for lots under the separately proposed SCC 30.23.270.

Design and Procedural Differences: A subdivision like Harbour Cove would have some minor design differences and a procedural change compared to the SFDU process.

Tree canopy and road network elements we be slightly different. Although parking requirements are differ between SFDUs and subdivisions, the actual design would have complied with both.

The canopy requirement as an SFDU was 20% but if Harbour Cove had been a subdivision, it would have been 30% under Table 30.25.016(3).

Changing from an SFDU to a subdivision would have resulted in at least two minor changes to road network elements. First, as an SFDU, the light gray areas in the preceding figure were all considered to be part of a “drive aisle”. The pavement on the main part of the drive aisle is 20 feet wide (which is the minimum allowed for drive aisles that are also fire lanes). [SCC 30.24.040 and .050](#) allows drive aisles in SFDU development, but not in subdivisions. Therefore, if Harbor Cove had been a subdivision, the main drive aisle would have been a public or private road. Both require 24 feet of pavement width (EDDS SD 3-065).

The second road network change involves access to units 8-10 and 12-15. These take access from secondary parts of the drive aisle. The secondary drive aisles are also 20 feet wide and would need widening to 24 feet as private roads. Alternatively in a subdivision, they could become shared driveways with reduced widths of 10 feet if the attached units remained as duplexes. However, developing units 8-15 as attached single family per Ordinance 1 and with shared driveways may create a conflict with the “two lot” part of how code defines a shared driveway. Under [SCC 30.91D.465](#), a shared driveway means:

a road network element that provides a single vehicle and pedestrian access in a private tract or easement for **two lots** that have no more than two dwelling units or two Group U [non-residential outbuildings] occupancies per lot. (**emphasis** added)

Per EDDS 3-05.D.3:

A shared driveway that provides access to no more than two dwelling units or two Group U occupancies may have a minimum 10-foot wide driving surface and easement width. More intensive use will require that the shared driveway meet fire lane [i.e. minimum 20-foot width] standards.”

The combination of these requirements could mean that a subdivision would need wider private road access for the attached units.

As a subdivision, Harbour Cove would have required a public hearing to receive approval. Urban subdivisions with 10 or more lots require a public hearing before the Hearing Examiner. Approval of urban short subdivisions up to 9 lots are usually by an administrative decision by Planning and Development Services (PDS) staff. SFDUs usually have an administrative approval process, regardless of the number of units.

Policy Analysis

The proposed reductions in minimum lot size for LDMR and MR zoning seek to help address housing affordability.

In 2021, the Legislature passed Engrossed Second Substitute House Bill 1220 (ESSB 1220), which among other changes strengthened the Growth Management Act (GMA) Goal 4 related to housing. ESSB 1220 went from “Encourage the availability of affordable housing to all economic segments of the population” to “Plan for and accommodate housing affordable to all economic segments of the population”.

In 2023, the Legislature also enacted Engrossed Substitute House Bill 1110 (ESSB 1110), which included a finding that states:

Washington is facing an unprecedented housing crisis for its current population and a lack of housing choices, and is not likely to meet the affordability goals for future populations [...] innovative housing policies will need to be adopted. Increasing housing options that are more affordable to various income levels is critical to achieving the state's housing goals, including those codified by the legislature under chapter 254, Laws of 2021 [ESSB 1220].

Subdivision of homes on small lots will help diversify the housing stock and promote ownership housing affordable to middle income households.

Snohomish County’s General Policy Plan (GPP) contains policies regarding land use and housing that are also relevant. These include the following policies:

Goal LU 1 – Establish and maintain compact, clearly defined, well designed UGAs.

Objective LU 1.A – Establish UGAs with sufficient capacity to accommodate the majority of the county’s projected population, employment, and housing growth over the next 20 years.

Policy LU 1.A.9 – Ensure the efficient use of urban land by adopting reasonable measures to increase residential, commercial and industrial capacity within urban growth areas prior to expanding urban growth boundaries. The County Council will use the list of reasonable measures in accordance with the guidelines for review contained in Appendix D of the Countywide Planning Policies to evaluate all UGA boundary expansions.

The amendments proposed by this ordinance would reduce regulatory barriers on the construction of housing in urban areas. This is a reasonable measure that increases residential capacity in UGAs thereby helping accommodate growth and the maintenance of compact UGAs.

Objective HO 1.B – Ensure that a broad range of housing types and affordability levels is available in urban and rural areas.

The proposed amendments reduce regulatory barriers on the development of housing in urban areas, supporting the development of a broad range of housing types and affordability. The development housing on smaller lots will provide different housing types and affordability levels in areas with a lack of affordability.

Procedural

Environmental Review

A State Environmental Policy Act Checklist and a threshold determination will be issued prior to County Council consideration.

Notification of State Agencies

Pursuant to RCW 36.70A.106, county staff will transmit a notice of intent to adopt the proposed regulations and standards to the Washington State Department of Commerce at least 60 days prior to a public hearing held by the County Council.

Action Requested

Council Motion 23-539 requests that Planning Commission hold a public hearing, consider the proposed code amendments, and provide a recommendation to the County Council by May 27, 2024. The Planning Commission can recommend approval of the proposed ordinance with supporting findings of fact as proposed or modified, deny the proposal with findings, or amend the proposal with appropriate findings.

cc: Ken Klein, Executive Director
Mike McCrary, PDS Director
David Killingstad, PDS Manager
Michael Dobesh, PDS Manager



Snohomish County

SNOHOMISH COUNTY PLANNING COMMISSION

March 4, 2024

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

SUBJECT: Planning Commission recommendations on proposed code amendments related to Reducing Minimum Lot Sizes in Low Density Multiple Residential (LDMR) and Multiple Residential (MR) Zoning

Dear Snohomish County Council:

On behalf of the Snohomish County Planning Commission, I am forwarding our recommendation to amend Snohomish County Code under the proposed Reducing Minimum Lot Sizes ordinance. The Planning Commission had a briefing on this topic on January 23, 2024, and conducted a public hearing and deliberated on February 27, 2024.

The proposed ordinance would amend SCC 30.23.032 to reduce the minimum lot size in LDMR and MR zoning to 4,000 square feet and 2,000 square feet, respectively. This would enable subdivision into new lots rather than development using the SFDU condominium process.

The Planning Commission did not receive any public comments prior to the February 27 hearing. The hearing was open for public comment, but no one from the public commented at the hearing.

PLANNING COMMISSION RECOMMENDATION

Regarding the ordinance as submitted by staff, Commissioner Campbell made a **Motion** seconded by Commissioner Niemela, recommending APPROVAL of the proposed ordinance.

VOTE:

9 in favor (*Ash, Busteed, Campbell, Larsen, James, Niemela, Pedersen, Sievers, Sheldon*)

0 opposed

0 abstention

Motion PASSED

This recommendation was made following the close of the public hearing and after due consideration of information presented. It is based on the findings and conclusions presented in the January 23, 2024, staff briefing and as supported by the Staff Report dated January 8, 2024.

Respectfully submitted,


[Robert Larsen \(Mar 4, 2024 17:50 PST\)](#)

SNOHOMISH COUNTY PLANNING COMMISSION

Robert Larsen, Chair

cc: Dave Somers, Snohomish County Executive

Mike McCrary, Director, Planning and Development Services

Executive/Council Action Form (ECAF)

ITEM TITLE:

..Title

Ordinance 24-060, relating to Growth Management; reducing minimum lot size requirements in the LDMR and MR Zones; amending Section 30.23.032 of the Snohomish County Code

..body

DEPARTMENT: Council

ORIGINATOR: Ryan Countryman for Nate Nehring

EXECUTIVE RECOMMENDATION: Approved

PURPOSE: This ordinance would reduce the minimum lot size in the LDMR and MR zones to match the allowed density.

BACKGROUND: This ordinance was referred to the Planning Commission by Council Motion 23-540. The Planning Commission and Executive branch both recommend approval.

OTHER DEPARTMENTAL REVIEW/COMMENTS: [Click or tap here to enter text.](#)

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

MOTION NO. 23-540

REFERRING PROPOSED CODE AMENDMENTS TO REDUCE THE
MINIMUM LOT SIZES IN LDMR AND MR ZONNG TO
THE DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES AND
THE SNOHOMISH COUNTY PLANNING COMMISSION

WHEREAS, the County Council wishes to obtain a recommendation from the Snohomish County Planning Commission regarding proposed code amendments related to attached single family housing; and

WHEREAS, the code revisions are Type 3 legislative actions pursuant to Chapter 30.73 SCC; and

WHEREAS, SCC 30.73.040 provides that the Planning Commission shall hold a public hearing on a Type 3 proposal referred to it by the county council within 90 days or within a time specified by the County Council; and

WHEREAS, the County Council requests a prompt review of the proposed code amendments by the Planning Commission, but wishes to provide flexibility in timing in recognition of the Planning Commission's existing workload; and

WHEREAS, the subject matter experts in PDS and other county departments could offer suggestions to proposed code language and findings; and

WHEREAS, the logical time for input from county departments would be prior County Council receipt of to an approved as to form recommendation from the Planning Commission; and

NOW, THEREFORE ON MOTION, the County Council hereby refers the potential code revisions, attached as "Exhibit A", to the Department of Planning and Development Services (PDS) for action as follows:

1. Pursuant to chapters 2.08 and 30.73 SCC, the County Council refers the potential code revisions to the Director of PDS acting in the capacity of Secretary to the Snohomish County Planning Commission for its review, consideration, and a recommendation to the Council.

2. As provided in SCC 30.73.045, the County Council will be the department responsible for preparing a report summarizing the proposal for transmittal to the Planning Commission and that Council staff is hereby directed to seek and include information from county departments including PDS in the report to Planning Commission.
3. The County Council requests that a public hearing be held before the Planning Commission and a recommendation be provided to the County Council prior to May 7, 2024.

DATED this 3rd day of January, 2024.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



Council Chair

ATTEST:



Deputy Clerk of the Council

**EXHIBIT A – PROPOSED CODE REVISIONS TO
REDUCE MINIMUM LOT SIZES IN LDMR AND MR ZONING**

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

ORDINANCE NO. 24-

RELATING TO GROWTH MANAGEMENT;
REDUCING MINIMUM LOT SIZE REQUIREMENTS IN THE LDMR AND MR ZONES;
AMENDING SECTION 30.23.032 OF THE SNOHOMISH COUNTY CODE

WHEREAS, the Growth Management Act (GMA), chapter 36.70A RCW, establishes planning goals to guide development and adoption of comprehensive plans and development regulations for those counties and cities planning under the GMA, including Goal 4 related to housing (RCW 36.70A.020(4)); and

WHEREAS, the Washington State Legislature substantially amended the GMA housing goal by passing Engrossed Second Substitute House Bill 1220, effective July 25, 2021, and which among other changes strengthened the goal from “Encourage the availability of affordable housing to all economic segments of the population” to “Plan for and accommodate housing affordable to all economic segments of the population”; and

Whereas, in 2023, the Legislature passed Engrossed Second Substitute House Bill 1110 (ESSB 1110), effective July 23, 2023, which, among other things, included a finding that states

Washington is facing an unprecedented housing crisis for its current population and a lack of housing choices, and is not likely to meet the affordability goals for future populations [...] innovative housing policies will need to be adopted.

WHEREAS, prior to these legislative changes, the Housing Affordability Taskforce (HART) published a report and five-year action plan in January 2020 for Snohomish County; and

WHEREAS, the HART report discusses the need for more “missing middle” housing which includes housing that is denser than traditional detached single-family homes but less dense than mid-rise apartments; and

WHEREAS, the GMA requires Snohomish County (the “County”) to adopt a comprehensive plan and implementing codes and regulations related to land use and development within the County’s jurisdiction that are consistent with the comprehensive plan; and

WHEREAS, the County’s Growth Management Act Comprehensive Plan (GMACP) includes the General Policy Plan (GPP) which contains policies that guide the codes and regulations adopted in Title 30 of Snohomish County Code (“Title 30 SCC”); and

**EXHIBIT A – PROPOSED CODE REVISIONS TO
REDUCE MINIMUM LOT SIZES IN LDMR AND MR ZONING**

WHEREAS, the minimum lot size for Multiple Residential (MR) zoning has been 7,200 square feet since January 31, 1966, when Zoning Resolution VIII reduced it from 8,400 square feet by; and

WHEREAS, the minimum lot size for Low Density Residential (LDMR) zoning has been 7,200 square feet since July 15, 1968, when an amendment to Zoning Resolution VIII established LDMR zoning; and

WHEREAS, although bonus densities may apply, the base density for LDMR zoning is one unit per 4,000 square feet (SCC 30.23.040(4)) and for MR zoning it is one unit per 2,000 square feet (SCC 30.23.040(5)); and

WHEREAS, County Code allows development of single family detached units at the base densities for LDMR and MR zoning but does not allow subdivision of such development in Chapter 30.41F SCC, which means that sale of such units must be as condominiums; and

WHEREAS, the Snohomish County Council held a series of panel discussions titled “Opening Doors to Home Ownership” on January 17, February 21, March 21, and April 18, 2023, and during the fourth session discussed allowing smaller lots and more lots per acre for new development as one possible part of the solution; and

WHEREAS, reducing the minimum lot size in LDMR and MR zoning would provide more of the missing middle housing identified in the Hart Report, more of the smaller lots discussed during the panel discussions, and increase ownership options by making subdivision possible; and

WHEREAS, the County Council concurs with the findings of the Legislature that Snohomish County is experiencing a housing affordability crisis and that code amendments to allow smaller lots can be part of the solution; and

WHEREAS, County Council staff briefed the Planning Commission on [REDACTED], 2024, and

WHEREAS, on [REDACTED], 2024, the Planning Commission held a public hearing to receive public testimony concerning the code amendments contained in this ordinance; and

WHEREAS, at the conclusion of the Planning Commission’s public hearing, the Planning Commission recommended adoption of the code amendments contained in this ordinance; and

**EXHIBIT A – PROPOSED CODE REVISIONS TO
REDUCE MINIMUM LOT SIZES IN LDMR AND MR ZONING**

WHEREAS, on _____, 2024, the County Council held a public hearing after proper notice, and considered public comment and the entire record related to the code amendments contained in this ordinance; and

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

NOW, THEREFORE, BE IT ORDAINED:

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

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

B. This ordinance will amend SCC 30.23.032 to reduce the minimum lot size requirements for LDMR and MR zoning so that the minimum lot sizes in both zones match the base densities for those zones. These amendments will allow creation of subdivided lots in urban zoning where code allows those physical configurations but without subdivision.

C. In considering the proposed amendments, the county evaluated factors including the need to meet GMA mandates to provide housing for all economic segments of the population.

1. Snohomish County is facing an affordable housing crisis and housing stock shortage. The purpose of the proposed amendments is to provide additional means to diversify the County's urban housing stock.
2. The housing authorized by this ordinance would be generally attainable to middle income households for whom increasing multifamily densities does not generally assist and where opportunities to expand the Urban Growth Area to provide ownership opportunities are limited.

D. In considering the proposed amendments, the County considered the goals and standards of the GMA. The proposed amendments are consistent with:

1. GMA Goal 2 – Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

This ordinance provides for infill development on sites urban areas, thereby increasing urban residential capacity and reducing pressure to convert rural lands to housing. It provides for smaller lots in multifamily zones, allowing

**EXHIBIT A – PROPOSED CODE REVISIONS TO
REDUCE MINIMUM LOT SIZES IN LDMR AND MR ZONING**

subdivision of units in those zones. This may also increase financing options available to developers and thereby help increase overall housing production.

2. GMA Goal 4 – Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types [...]

Subdivision of homes on small lots will help diversify the housing stock and promote ownership housing affordable to middle income households.

3. RCW 36.70A.070(4) – GMA implementation. GMA requires counties to adopt policies and development regulations to implement changes in GMA within four years of enactment. The changes proposed by this ordinance do not require any policy changes (see below) but revised definitions for consistency with ESSB 1220 (planning for and accommodating housing for all economic segments).

E. The proposed amendments will better achieve, comply with, and implement the goals and policies of the Puget Sound Regional Council’s Multicounty Planning Policies (MPPs), including the following goals and policies:

1. MPP Housing Goal – The region will preserve, improve, and expand its housing stock to provide a range of affordable, healthy, and safe housing choices to every resident. The region will continue to promote fair and equal access to housing for all people.

The proposed amendments will help to expand and improve the diversity of the housing stock by reducing regulatory barriers on the construction of housing on small lots.

2. MPP-H-1 – Provide a range of housing types and choices to meet the housing needs of all income levels and demographic groups within the region.

MPP-H-2 – Achieve and sustain — through preservation, rehabilitation, and new development — a sufficient supply of housing to meet the needs of low-income, moderate-income, middle-income, and special needs individuals and households that is equitably and rationally distributed throughout the region.

The proposed amendments will support MPP-H-1 and MPP-H-2 by allowing for the construction of homes on smaller subdivided lots that will be generally affordable to middle-income households. These amendments do not inhibit development of other types of necessary housing.

**EXHIBIT A – PROPOSED CODE REVISIONS TO
REDUCE MINIMUM LOT SIZES IN LDMR AND MR ZONING**

F. The proposed amendments will better achieve, comply with, and implement the Housing Goal of the Countywide Planning Policies (CPPs), which provides: “Snohomish County and its cities will promote an affordable lifestyle where residents have access to safe, affordable, and diverse housing options near their jobs and transportation options.” The proposed amendments will support the housing goal in the CPPs by reducing the regulatory barriers on the construction of attached single family dwellings and detached dwellings on smaller lots. These changes will help to diversify the housing options in urban areas that are close to employment and transportation options.

G. In considering the proposed amendments, the county considered the goals, objectives, and policies of the Snohomish County GMA Comprehensive Plan (GMACP) – General Policy Plan (GPP). The proposed amendments will work to support, implement, and balance the following goals, objectives, and policies in the GPP:

1. Goal LU 1 – Establish and maintain compact, clearly defined, well designed UGAs.

Objective LU 1.A – Establish UGAs with sufficient capacity to accommodate the majority of the county’s projected population, employment, and housing growth over the next 20 years.

Policy LU 1.A.9 – Ensure the efficient use of urban land by adopting reasonable measures to increase residential, commercial and industrial capacity within urban growth areas prior to expanding urban growth boundaries. The County Council will use the list of reasonable measures in accordance with the guidelines for review contained in Appendix D of the Countywide Planning Policies to evaluate all UGA boundary expansions.

The amendments proposed by this ordinance would reduce regulatory barriers on the construction of housing in urban areas. This is a reasonable measure that increases residential capacity in UGAs thereby helping accommodate growth and the maintenance of compact UGAs.

2. Objective HO 1.B – Ensure that a broad range of housing types and affordability levels is available in urban and rural areas.

The proposed amendments reduce regulatory barriers on the development of housing in urban areas, supporting the development of a broad range of housing types and affordability. The development housing on smaller lots will provide different housing types and affordability levels in areas with a lack of affordability.

**EXHIBIT A – PROPOSED CODE REVISIONS TO
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H. The proposed amendments implement action Item 1.A.4 in the HART Report. Action Item 1.A.4 which provides: “Facilitate more efficient deal assembly and development timelines / promote cost effectiveness through consolidation, coordination, and simplification.” By allowing subdivision for housing on smaller lots, the proposed amendments will facilitate more deal assembly and development site consolidation by making more financing options available to the developer.

I. Procedural requirements.

1. State Environmental Policy Act (SEPA), chapter 43.21C RCW, requirements with respect to this non-project action have been satisfied through the completion of an environmental checklist and the issuance on [REDACTED], 2024 of a Determination of Non-Significance (DNS) for this non-project proposal to Amend Title 30 Snohomish County Code (SCC).
2. The proposal is a Type 3 legislative action pursuant to SCC 30.73.010.
3. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance was transmitted to the Washington State Department of Commerce for distribution to state agencies on [REDACTED], 2024, and assigned material number [REDACTED].
4. The public participation process used in the adoption of this ordinance complies with all applicable requirements of the GMA and the SCC.
5. The Washington State Attorney General last issued an advisory memorandum, as required by RCW 36.70A.370, in September of 2018 entitled “Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property” to help local governments avoid the unconstitutional taking of private property. The process outlined in the State Attorney General’s 2018 advisory memorandum was used by the County in objectively evaluating the regulatory changes proposed by this ordinance.

Section 2. The County Council makes the following conclusions:

1. The proposed amendments are consistent with the goals, policies, and objectives of the MPPs, CPPs, and GPPs.
2. The proposed amendments are consistent with applicable federal, state, and local laws and regulations.
3. The County has complied with all SEPA requirements with respect to this non-project action.

**EXHIBIT A – PROPOSED CODE REVISIONS TO
REDUCE MINIMUM LOT SIZES IN LDMR AND MR ZONING**

4. The regulations proposed by this ordinance do not result in an unconstitutional taking of private property for a public purpose.

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

Section 4. Snohomish County Code 30.23.032, last amended by Amended Ordinance 23-033 on June 7, 2023, is amended to read:

30.23.032 Urban Residential Zone categories – bulk matrix

Table 30.23.032 Urban Residential Zones Bulk Matrix

Category	Zone	Lot Dimension (feet) ⁵⁴			Minimum Setback Requirements From (feet) ^{11, 33}							Maximum Lot Coverage ⁸
		Minimum Lot Area ²⁹ (square feet)	Minimum Lot Width	Maximum Building Height (feet) ^{16, 27, 64}	Side and Rear Lot Lines Adjacent to:				Resource Lands		Seismic Hazards	
					Commercial and Industrial Zones	R-9,600, R-8,400, and R-7,200 Zones	Other Urban Residential Zones	Rural Zones	Agriculture	Forest		
Urban Residential	R-9,600	9,600 ²³	70	30	10	5	5	5	See SCC 30.32B.130	See SCC 30.32A.110	See chapters 30.51A and 30.62B SCC	35%
	R-8,400	8,400 ²³	65	30	10	5	5	5				35%

**EXHIBIT A – PROPOSED CODE REVISIONS TO
REDUCE MINIMUM LOT SIZES IN LDMR AND MR ZONING**

Category	Zone	Lot Dimension (feet) ⁵⁴			Minimum Setback Requirements From (feet) ^{11, 33}							Maximum Lot Coverage ⁸
		Minimum Lot Area ²⁹ (square feet)	Minimum Lot Width	Maximum Building Height (feet) <small>16, 27, 64</small>	Side and Rear Lot Lines Adjacent to:				Resource Lands		Seismic Hazards	
					Commercial and Industrial Zones	R-9,600, R-8,400, and R-7,200 Zones	Other Urban Residential Zones	Rural Zones	Agriculture	Forest		
R-7,200 (buildings ≤ 30 feet high)	7,200 ^{23, 65}	60	35	10	5	5	5				35%	
					10	10	10					
R-7,200 (buildings > 30 feet high) ⁶⁷												
T (buildings ≤ 20 feet)	See SCC 30.31E.050		35	10	10	5		25	See SCC 30.31E.050			
				15	20	10						

**EXHIBIT A – PROPOSED CODE REVISIONS TO
REDUCE MINIMUM LOT SIZES IN LDMR AND MR ZONING**

Category	Zone	Lot Dimension (feet) ⁵⁴			Minimum Setback Requirements From (feet) ^{11, 33}							Maximum Lot Coverage ⁸
		Minimum Lot Area ²⁹ (square feet)	Minimum Lot Width	Maximum Building Height (feet) ^{16, 27, 64}	Side and Rear Lot Lines Adjacent to:				Resource Lands		Seismic Hazards	
					Commercial and Industrial Zones	R-9,600, R-8,400, and R-7,200 Zones	Other Urban Residential Zones	Rural Zones	Agriculture	Forest		
high) ⁵⁹												
T (buildings > 20 feet high) ⁵⁹												
LDMR (buildings ≤ 20 feet high) ^{15, 59, 61, 62}	((7,200)) <u>4,000</u> ^{4, 65}	60	45	10	10	5	25					50% ⁶⁶

**EXHIBIT A – PROPOSED CODE REVISIONS TO
REDUCE MINIMUM LOT SIZES IN LDMR AND MR ZONING**

Category	Zone	Lot Dimension (feet) ⁵⁴			Minimum Setback Requirements From (feet) ^{11, 33}							Maximum Lot Coverage ⁸
		Minimum Lot Area ²⁹ (square feet)	Minimum Lot Width	Maximum Building Height (feet) <small>16, 27, 64</small>	Side and Rear Lot Lines Adjacent to:				Resource Lands		Seismic Hazards	
					Commercial and Industrial Zones	R-9,600, R-8,400, and R-7,200 Zones	Other Urban Residential Zones	Rural Zones	Agriculture	Forest		
LDMR (buildings 20 - 30 feet high) <small>15, 59, 61, 62</small>				10	20	10						
LDMR (buildings > 30 feet high) <small>15, 59, 61, 62</small>				15	25	15						
MR (buildings ≤ 30 feet high) <small>15, 59, 61, 62</small>		60 ⁹	45 ¹⁴	10	10	5	25					50% ⁹ , 66

**EXHIBIT A – PROPOSED CODE REVISIONS TO
REDUCE MINIMUM LOT SIZES IN LDMR AND MR ZONING**

Category	Zone	Lot Dimension (feet) ⁵⁴			Minimum Setback Requirements From (feet) ^{11, 33}							Maximum Lot Coverage ⁸
		Minimum Lot Area ²⁹ (square feet)	Minimum Lot Width	Maximum Building Height (feet) ^{16, 27, 64}	Side and Rear Lot Lines Adjacent to:				Resource Lands		Seismic Hazards	
					Commercial and Industrial Zones	R-9,600, R-8,400, and R-7,200 Zones	Other Urban Residential Zones	Rural Zones	Agriculture	Forest		
20 feet high) ^{5, 15, 59, 61, 62}												
MR (buildings 20 - 30 feet high) ^{5, 15, 59, 61, 62}	((7,200)) <u>2,000</u> ^{5, 9, 65}				10	20	10					
MR (buildings > 30 feet high)					15	25 ⁶⁰	15					

**EXHIBIT A – PROPOSED CODE REVISIONS TO
REDUCE MINIMUM LOT SIZES IN LDMR AND MR ZONING**

Category	Zone	Lot Dimension (feet) ⁵⁴			Minimum Setback Requirements From (feet) ^{11, 33}							Maximum Lot Coverage ⁸
		Minimum Lot Area ²⁹ (square feet)	Minimum Lot Width	Maximum Building Height (feet) ^{16, 27, 64}	Side and Rear Lot Lines Adjacent to:				Resource Lands		Seismic Hazards	
					Commercial and Industrial Zones	R-9,600, R-8,400, and R-7,200 Zones	Other Urban Residential Zones	Rural Zones	Agriculture	Forest		
5, 15, 59, 61, 62												
MHP	⁵⁵	None	25	See SCC 30.42E.100(5)(a)				50%				

See SCC 30.23.040

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

PASSED this ____ day of ____, 2024.

**EXHIBIT A – PROPOSED CODE REVISIONS TO
REDUCE MINIMUM LOT SIZES IN LDMR AND MR ZONING**

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Council Chair

ATTEST:

Clerk of the Council

- () APPROVED
- () EMERGENCY
- () VETOED

DATE: _____

County Executive

ATTEST:

Approved as to form only:

ECAF:
RECEIVED:

ORDINANCE INTRODUCTION SLIP

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 3.1.004

FILE Ord 24-060

TO: Clerk of the Council

TITLE OF PROPOSED ORDINANCE:

Initiated By:
N Neh
Councilmember

Introduced By:
N Neh
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 Neh
Committee Chair

EXHIBIT 3.2.002

Planning & Community Development Committee Meeting – 07/02/24

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