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Accessory Apartment Regulations Ordinance 21-018 (ECAF 2021-0033)							
Hearing Date: Wednesday, May 5, 2021 @ 10:30 a.m.							
Council Staff: Geoffrey Thomas		PDS Staff: Mitchell Brouse		DPA: Laura Kisielius			
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EXHIBIT	RECORD TYPE	TO	FROM/BY	DATE	DATE IN	DESCRIPTION	# OF PAGES
2.0 Planning Commission							
2.0003	Staff Report	Planning Commission	Mitchell Brouse, PDS Staff	02/18/20	03/25/21	Code Amendment for Accessory Apartments	8
2.0009	Staff Report	Planning Commission	Mitchell Brouse, PDS Staff	06/10/20	03/25/21	Accessory Apartments Code Update	13
2.0008	Letter	Council	Planning Commission	07/28/20	03/25/21	Planning Commission's recommendation	1
3.1 ECAF and Materials							
3.1.1	ECAF	Council	Executive/PDS	03/23/21	03/25/21	Transmitting Executive initiated ordinance	2
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3.1.3	Analysis	Council	PDS	02/25/21	03/25/21	Analysis of Building and Land Use Regulation Effects on Housing and Jobs	2
3.1.4	Analysis	Council	PDS	02/25/21	03/25/21	Capital Facility Development Cost Analysis Summary	1
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3.2 Council Planning Committee Materials							
3.2.1	Staff Report	Council	Yorik Stevens-Wajda, Council Staff		04/02/21	Council Staff Report	2
3.2.2	PowerPoint	Council	Mitchell Brouse, PDS Staff		04/06/21	Presentation provided at Planning Committee 04/06/21	19 slides
3.3 Correspondence, Comments, Testimony							
3.3.1	E-mail	Council	Douglas Trumm	04/05/21	04/05/21	Written Testimony	2
3.3.2	E-mail	Council	Britton Kavanaugh	04/13/21	04/13/21	Written Testimony	1
3.4 Staff Reports and Submissions							
3.5 Public Participation							
3.6 Council Deliberations							
3.6.1	Amendment	Council	Executive Recommended		03/25/21	Amendment Sheet 1 adjusting maximum floor area for accessory dwelling units	1
3.6.2	Amendment	Council	Councilmember Low		04/13/21	Amendment Sheet 2 Limited Modification to 100' ADU Siting Criteria from Primary Dwelling in Rural Areas	1

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Project Name Accessory Apartment Code Update

Part 1 - DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES				
Exhibit #	Record Type	Date	Received From	Exhibit Description
1.0001	Public Participation			Parties of Record
1.0002	Project Administration	4/17/2019	Staff	Accessory Apartment Transition Memo
1.0003	Project Administration	7/16/2019	Staff	Project Charter
1.0004	Project Administration	9/25/2019	Staff	Accessory Apartment Policy Options
1.0005	Staff Research			The HART Report 01.06.2020
1.0006	Staff Research	11/19/2020	Puget Sound Regional Council	Regional Housing Needs Assessment - GMPB Presentation
1.0007	Staff Research		American Association of Retired Persons	Accessory Dwelling Units - Model State Act and Local Ordinance
1.0008	Staff Research		accessorydwelling.org	Do accessory dwelling units serve older persons?
1.0009	Staff Research		accessorydwelling.org	Do ADUs cause neighborhood parking problems?
1.0010	Staff Research			Average Apartment Size in the US_Seattle Has the Smallest Rentals
1.0011	Staff Research			Jumpstarting the Market for Accessory Dwelling Units
1.0012	Staff Research		American Association of Retired Persons	The ABCs of ADUs
1.0013	Staff Research			1000 Friends of WA v. Snohomish County
1.0014	Staff Research			Pierce County 18A.37.120
1.0015	Staff Research			Other Codes Tracking Sheet
1.0016	Staff Research			Seattle ADU Legislation_from Mayor Durkan
1.0017	Staff Research			San Juan County_Ordinance No. 12-2007
1.0018	Staff Research			SkagitCounty 14.16.710 Accessory dwelling units
1.0019	Staff Research			Walla Walla_ADU Code Update Information Sheet
1.0020	Staff Research			RCW 43.63A.215
1.0021	Staff Research		Staff	Accessory Apartment Data_Snohomish County
1.0022	Staff Research		Staff	Single Family Dwellings Data_Snohomish County
1.0023	Staff Research		MSRC	MSRC_Accessory Dwelling Unit Guide
1.0024	Staff Research		MSRC	MSRC_Ezample of Local ADU Ordinances
1.0025	Staff Research		American Planning Association	PAS Quick Notes 19 - Accessory Dwelling Units
1.0026	Staff Research			James Nelson et. al. v. San Juan County
1.0027	Correspondence	11/18/2020	Department of Commerce	Submittal-Receipt-Email-2020-S-2032
1.0028	SEPA Documents	3/24/2021	Staff	SEPA Checklist
1.0029	SEPA Documents	3/25/2021	Staff	Accessory Dwelling Units_DNS Postcard
1.0030	SEPA Documents	3/26/2021	Staff	Accessory Dwelling Units_DNS with Signature Block

***Contact the Clerk of the Council for copies of Part 1 Exhibits - 425-388-3494 or contact.council@snoco.org**

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Project Name		Accessory Apartment Code Update		
Part 2 - PLANNING COMMISSION				
Exhibit #	Record Type	Date	Received From	Exhibit Description
2.0001	Public Participation	2/25/2020	Planning Commission	Planning Commission Agenda (Briefing)
2.0002	Public Participation	2/25/2020	The Herald	Affidavit of Agenda publication in The Herald (Briefing)
2.0003	Public Participation	2/18/2020	PDS Staff	Staff Report (Breifing)
2.0004	Public Participation	2/25/2020	PDS Staff	Presentation (Briefing)
2.0005	Public Participation	2/25/2020	Planning Commission	Planning Commission Written Meeting Minutes (Briefing)
2.0006	Public Participation	2/25/2020	Planning Commission	Planning Commission Recording of Meeting (Briefing)
2.0007	Public Participation	6/23/2020	Planning Commission	Planning Commission Agenda 20206023
2.0008	Public Participation	7/28/2020	Planning Commission	Affidavit of Agenda publication in The Herald (Hearing)
2.0009	Public Participation	6/10/2020	PDS Staff	Staff Report 6/10/2020
2.0010	Public Participation	6/23/2020	PDS Staff	Presentation (Hearing)
2.0011	Public Participation	7/28/2020	Planning Commission	Planning Commission Written Meeting Minutes (Hearing)
2.0012	Public Participation	3/17/2020	Planning Commission	Planning Commission Meeting Recording (Hearing)
2.0013	Public Participation	3/17/2020	Planning Commission	Sign in sheet for public testimony/comment given at planning commission meeting
2.0014	Correspondence	3/3/2020	Antonio Norsworthy	Email_Planning Commission Hearing on Accessory Dwelling Units
2.0015	Public Participation	7/28/2020	Planning Commission	Planning Commission Agenda 2020728
2.0016	Public Participation	7/27/2020	Futurewise	ADU_Public Comment_Futurewise_1
2.0017	Public Participation	7/27/2020	Futurewise	ADU_Public Comment_Futurewise_2
2.0018	Public Participation	7/27/2020	Futurewise	ADU_Public Comment_Futurewise_3
2.0019	Public Participation	7/27/2020	Melissa Arnone	ADU_Public_Comment_Arnone
2.0020	Public Participation	7/27/2020	Melonie Brown	ADU_Public_Comment_Brown
2.0021	Public Participation	7/27/2020	Mike Pattison	ADU_Public_Comment_Pattison
2.0022	Public Participation	7/27/2020	Heather Bruce	ADU_Public_Comment_Bruce

***Contact the Clerk of the Council for copies of Part 2 Exhibits - 425-388-3494 or contact.council@snoco.org**

1 Adopted:
2 Effective:

3 SNOHOMISH COUNTY COUNCIL
4 Snohomish County, Washington

5
6 ORDINANCE NO. 21-018
7

8 RELATING TO GROWTH MANAGEMENT; REVISING ACCESSORY APARTMENT
9 REGULATIONS; AMENDING SECTIONS IN CHAPTERS 30.22, 30.23, 30.24, 30.25, 30.26,
10 30.28, 30.31A, 30.35A, 30.41G, 30.66C AND SUBTITLE 30.9 OF THE SNOHOMISH
11 COUNTY CODE
12

13 WHEREAS, accessory apartments, more commonly referred to as “accessory dwelling
14 units” (ADU), are separate, complete dwelling units, located on the same lot as a single-family
15 dwelling unit, and are secondary and incidental to the primary dwelling; and
16

17 WHEREAS, ADUs can be located in the same structure as a primary single-family
18 dwelling (“attached”) or in a separate detached structure from the primary dwelling (“detached”);
19 and
20

21 WHEREAS, section 43.185A.215(3) of the Revised Code of Washington (RCW),
22 originally adopted in 1993 as Senate Bill 5584, requires that Snohomish County (the “County”)
23 incorporate ADU regulations into local development codes, zoning regulations, or official
24 controls, but defers to the local legislative authority for establishment of regulations, conditions,
25 procedures, and limitations related to accessory apartments; and
26

27 WHEREAS, Amended Ordinance No. 92-052, approved by the Snohomish County
28 Council (“County Council”) on May 28, 1992, updated the Snohomish County Code (SCC) to
29 allow attached ADUs as a permitted use in most zoning districts that allowed a single-family
30 dwelling and to adopt development and use standards for said ADUs; and
31

32 WHEREAS, Amended Ordinance No. 94-029, approved by the County Council on April
33 6, 1994, amended the SCC to allow detached ADUs as a permitted use in single-family zoning
34 districts; and
35

36 WHEREAS, Amended Ordinance No. 02-064, approved by the County Council on
37 December 9, 2002, amended the SCC to change attached and detached ADUs from a permitted
38 use to an administrative conditional use in single-family zoning districts; and
39

40 WHEREAS, on January 25, 2012, the County Council approved Amended Ordinance
41 No. 11-058, which added development standards for substandard lots to the SCC and prohibited
42 the construction of ADUs on substandard lots; and
43

44 WHEREAS, in 1994, the County downzoned a significant portion of the rural area to
45 densities of one dwelling per five acres or more, which resulted in the creation of substandard

1 lots that were legally established, but no longer met the standards of the zoning district in which
2 they were located; and

3
4 WHEREAS, recent circumstances unique to the County and the Central Puget Sound
5 Region indicate that Snohomish County is facing a housing affordability crisis and housing
6 shortage, which necessitates action by local governments; and

7
8 WHEREAS, in May 2019, the County Executive created the Snohomish County Housing
9 Affordability Regional Taskforce (“HART”), consisting of a team of city and county officials
10 and community leaders, tasked to identify solutions to the regional housing affordability crisis;
11 and

12
13 WHEREAS, in January 2020, HART issued the Housing Affordability Regional
14 Taskforce Report and Five-Year Action Plan (“HART Report”), which characterizes the housing
15 crisis and provides short and long-term recommendations for local governments to pursue in an
16 effort to alleviate the crisis; and

17
18 WHEREAS, according to the HART Report, the housing supply in Snohomish County is
19 lagging behind population growth, which is illustrated by the fact that between 2016-2018, the
20 number of new housing units was 61% less than the increase in the number of households; and

21
22 WHEREAS, according to the HART Report, housing would need to be built at slightly
23 more than double the current rate to meet the projected housing affordability needs; and

24
25 WHEREAS, between 2010 and 2017 the average cost of a two-bedroom apartment in
26 Snohomish County increased 49.5%, while the median household income increased less than
27 18%; and

28
29 WHEREAS, the U.S. Census Bureau estimates that in 2018, 33% of Snohomish County
30 households were housing cost burdened, meaning that they paid more than 30% of their income
31 on housing; and

32
33 WHEREAS, ADUs can help alleviate housing affordability issues by providing
34 additional housing units in low-density areas, adding diversity to the housing stock, providing
35 affordable housing options for older adults and opportunities for aging in place, and providing
36 supplemental income to homeowners.

37
38 NOW, THEREFORE, BE IT ORDAINED:

39
40 Section 1. The County Council adopts the following findings in support of this ordinance:

41
42 A. The foregoing recitals are adopted as findings as if set forth in full herein.

43
44 B. This ordinance will amend provisions in Title 30 SCC to update regulations related to
45 accessory dwelling units. In particular, the amendments will:

- 1 1. Amend SCC 30.22.100, SCC 30.22.110, and SCC 30.22.120 to change accessory
2 dwelling units from an administrative conditional use to a permitted use in all districts
3 that also allow a single-family dwelling.
4
- 5 2. Amend SCC 30.23.235 to eliminate the prohibition on accessory dwelling units on
6 substandard lots. A prohibition on detached ADUs on lots in rural areas that do not meet
7 the minimum required lot area for the zone in which they are located is included in
8 amendments to SCC 30.28.010.
9
- 10 3. Amend SCC 30.25.020 and SCC 30.25.028 to eliminate perimeter landscaping
11 requirements and buffer requirements for accessory dwelling units located in zones
12 categorized as residential, multi-family, or commercial.
13
- 14 4. Amend SCC 30.26.030 to update the number of parking spaces required for accessory
15 dwelling units located in the urban zones.
16
- 17 5. Amend SCC 30.28.010 to update the development standards for accessory dwelling units
18 including adding standards for ADUs in the rural areas to protect rural character and limit
19 sprawl.
20
- 21 6. Amend chapter 30.91A SCC to add a definition for the term “accessory dwelling unit”
22 and update the definitions of “accessory apartment, attached” and “accessory apartment,
23 detached.”
24
- 25 7. Amend chapters 30.22, 30.24, 30.31A, 30.35A, 30.41G, 30.66C, and 30.91D SCC to
26 replace the term “accessory apartments” with the term “accessory dwelling units.”
27

28 C. In considering the proposed amendments, the county evaluated various factors, including
29 historical development patterns, existing housing market conditions, and legal decisions
30 interpreting relevant GMA provisions.
31

- 32 1. Snohomish County is facing an affordable housing crisis and housing stock shortage. The
33 proposed amendments are intended to encourage the development of ADUs within the
34 urban growth area (UGA) to help diversify and increase the housing stock throughout the
35 UGA. The amendments will reduce restrictions on ADUs in the urban area, including
36 eliminating owner-occupancy requirements, removing landscaping and buffering
37 standards, and reducing parking requirements. Further, the proposed amendments will
38 allow up to two ADUs on each urban lot and change ADUs from an administrative
39 conditional use to a permitted use, a change which will reduce application requirements,
40 costs, and time.
41
- 42 2. The county does not expect that the proposed amendments will result in more than a de
43 minimis increase in the amount of ADUs built in the rural area. Current standards allow
44 the construction of attached or detached ADUs on all standard lots in rural and resource
45 areas, regardless of lot size. Under the current standards, ADUs can be constructed on
46 lots that are smaller than 10 acres, including those that were legally created through rural

1 cluster subdivisions or lot size averaging, which are often smaller than 5 acres. Even
2 under the current standards, since 2012 the County has permitted very few ADUs in the
3 rural area. Between January 1, 2012, and December 31, 2019, the County issued permits
4 for only 100 ADUs in the rural area (3 attached and 97 detached), an average of 13 per
5 year. Over that time, ADUs accounted for only 3.3% of the total housing units permitted
6 in the rural areas (100 ADUs out of 3,016 total units), illustrating that ADUs only
7 nominally contribute to rural growth in Snohomish County.
8

9 3. The proposed amendments eliminate the existing general prohibition of ADUs on
10 substandard lots and introduce new restrictions on the development of detached ADUs in
11 rural areas. First, the amendments prohibit the construction of detached ADUs in rural
12 areas on lots that do not meet the prescriptive lot size in the zone in which they are
13 located. This reinstates the existing prohibition of detached ADUs on substandard lots in
14 rural areas. However, it also adds a new prohibition on the construction of detached
15 ADUs on lots that were created legally under rural cluster subdivision or lot size
16 averaging standards but that do not meet the minimum required lot area under SCC
17 30.23.030. In essence, in rural areas, detached ADUs will be more limited under the
18 proposed amendments. Second, new standards are proposed to ensure that detached units
19 are closely associated with the primary dwelling, similar to attached units or existing
20 detached structures converted to use as an ADU. For example, detached ADUs must
21 utilize the same driveway as the primary dwelling and be located within 100 feet of the
22 primary dwelling. Size limitations on detached ADUs ensure they will appear
23 subordinate to the primary residence. Additionally, all ADUs must be designed such that
24 exterior materials, roof form, window spacing, and proportions approximate those of the
25 primary residence. These new standards for detached ADUs in rural and resource areas
26 will work to ensure that detached ADUs maintain a close association with the primary
27 dwelling and thus do not represent new urban growth.
28

29 4. The vast majority of permits for ADUs in rural and resource areas have been for detached
30 ADUs (98% from 2012 and 2019, and 89% from 1994-2011). It is likely that this trend
31 will continue, and the restrictions discussed above will help ensure that these units do not
32 negatively affect rural character by requiring that detached units are only located on lots
33 that meet the minimum lot size and ensuring that all detached ADUs have a close
34 association with the primary residence.
35

36 D. In considering the proposed amendments, the county considered the goals and standards of
37 the Growth Management Act (GMA), chapter 36.70A RCW. The proposed amendments are
38 consistent with:
39

40 1. GMA Goal 1 – Urban growth. Encourage development in urban areas where adequate
41 public facilities and services exist or can be provided in an efficient manner.
42

43 The proposed amendments support GMA Goal 1 by increasing the number of accessory
44 dwelling units allowed per lot within urban growth areas and by reducing regulatory
45 restrictions on the construction of accessory dwelling units. The proposed amendments

1 will facilitate more efficient land use by allowing development of new housing units in
2 existing residential urban areas that have adequate access to public facilities and services.

- 3
4 2. GMA Goal 2 – Reduce sprawl. Reduce the inappropriate conversion of undeveloped land
5 into sprawling, low-density development.

6
7 The proposed amendments will support GMA Goal 2 by facilitating the development of
8 additional housing units in residential urban areas through reduction of permitting
9 requirements and allowing up to two ADUs on urban properties. These changes will
10 allow existing single-family areas in the urban areas to support additional population
11 capacity. Further, standards are proposed on ADUs in the rural areas that are intended to
12 ensure the ADU maintains a close association with the existing single-family dwelling.
13 The proposed standards prohibit detached ADUs on lots that do not meet the prescriptive
14 lot size in the zone they are located in, and further limit their construction by requiring
15 that they are within 100 feet of the primary residence and share a driveway with the
16 primary residence. Further, even though ADUs are allowed on rural lots when the lot is
17 less than 10 acres in size under existing regulations, ADUs accounted for only 3.3% of
18 the housing units permitted in the rural areas between January 1, 2012, and December 31,
19 2019. This demonstrates that ADUs do not inappropriately convert undeveloped land into
20 sprawling, low-density development.

- 21
22 3. GMA Goal 4 – Housing. Encourage the availability of affordable housing to all economic
23 segments of the population of this state, promote a variety of residential densities and
24 housing types, and encourage preservation of existing housing stock.

25
26 The proposed amendments support GMA Goal 4 by supporting the development of
27 ADUs through an overall reduction to the regulatory barriers on these units. Construction
28 of accessory dwelling units diversifies the housing stock and increases housing density in
29 existing single-family neighborhoods. ADUs are commonly rented at below-market rates
30 and serve an important niche in the housing market, as they are uniquely suited to provide
31 low-cost housing options for the County’s senior population, individuals with a disability,
32 and younger adults. The expansion of opportunities to construct ADUs in urban areas
33 also encourages the preservation of existing housing stock by granting property owners
34 the means to generate additional sources of income, allowing them to continue to afford
35 remaining in place.

- 36
37 4. GMA Goal 7 – Permits. Applications for both state and local government permits should
38 be processed in a timely and fair manner to ensure predictability.

39
40 The proposed amendments support GMA Goal 7 by reducing permitting requirements by
41 shifting accessory dwelling units from an administrative conditional use to a permitted
42 use in all zones where a single-family dwelling is a permitted use. By changing from an
43 administrative conditional use to a permitted use, the application burden for property
44 owners will be reduced and the processing speed will be increased. Although permitting
45 will be streamlined, the addition of new development standards for ADUs will preserve
46 the existing character of the surrounding community.

- 1
2 5. GMA Goal 8 – Natural resource industries. Maintain and enhance natural resource-based
3 industries, including productive timber, agricultural, and fisheries industries. Encourage
4 the conservation of productive forestlands and productive agricultural lands, and
5 discourage incompatible uses.
6

7 The proposed amendments are consistent with GMA Goal 8, as the underlying standards
8 that restrict development in the zones that are intended to protect forest and agricultural
9 lands will be maintained. The prescriptive minimum lot size is 20 acres in the F-Forestry
10 zone, 10 acres in the A-10-Agricultural and MC-Mineral Conservation zones, and
11 200,000 square feet in the F&R-Forestry and Recreation zone. Under the proposed
12 amendments, detached ADUs would only be allowed on lots that exceed the minimum lot
13 size. Additional restrictions intended to ensure ADUs maintain a close association with
14 the primary dwelling will apply to all detached ADUs in these zones, including the
15 requirement that an ADU share a driveway with the primary residence and the
16 requirement that an ADU be located no further than 100 feet from the primary residence.
17

- 18 6. RCW 36.70A.070(5) – Rural element. Counties shall include a rural element including
19 lands that are not designated for urban growth, agriculture, forest, or mineral resources.
20 The following provisions shall apply to the rural element:
21

22 (c) Measures governing rural development. The rural element shall include
23 measures that apply to rural development and protect the rural character of the area, as
24 established by the county, by:
25

- 26 (i) Containing or otherwise controlling rural development.
27

28 The proposed amendments further the purpose of RCW 36.70A.070(5)(c)(i) as they
29 include new requirements that control rural growth and protect rural character. ADUs are
30 an accessory use and are not a driver for rural development. Historical development
31 patterns show that between January 1, 1996, and December 31, 2019, ADUs accounted
32 for approximately 5% of the total dwellings sited in the rural area. In more recent years
33 (2012-2019), ADUs accounted for only 3.3% of new dwellings in the rural and resource
34 zones. The proposed amendments add a further restriction to the construction of ADUs in
35 the rural area by prohibiting detached ADUs on rural lots that do not meet the
36 prescriptive lot size set forth in SCC 30.23.030. Under current standards, the ADU
37 prohibition applies only to substandard lots, which allows detached units much more
38 freely throughout the rural area, including on many lots that are smaller than five acres
39 such as in rural cluster subdivisions. Additionally, the proposed standards will require all
40 detached ADUs in the rural area to remain physically close to the primary dwelling, share
41 a driveway with the primary dwelling, and maintain architectural symmetry with the
42 primary dwelling, ensuring there is a close association between the ADU and the primary

1 dwelling. Rural character in Snohomish County includes many types of detached
2 buildings, such as sheds, barns, shops, garages, and shelters. Clusters of buildings often
3 occupy sites that include a residence. Allowing for the small historical number of ADUs
4 already allowed by existing regulations, in addition to requiring more close association
5 between the primary residence and a detached ADU, is consistent with rural character.
6

7 Rural Snohomish County does not experience the same pressure to construct ADUs for
8 vacation rental as San Juan County or Island County. It is anticipated that, consistent with
9 public testimony, the small number of ADUs constructed in rural Snohomish County will
10 be for family members of the existing residents. Snohomish County residents in rural
11 areas should be permitted the same opportunity as residents in urban areas to care for
12 aging parents, to support adult children, or to earn additional income that allows them to
13 stay in their existing homes.
14

- 15 7. RCW 36.70A.070(5)(c)(ii) – Assuring visual compatibility of rural development with the
16 surrounding rural area.
17

18 The proposed amendments include architectural and design standards that will ensure that
19 all ADUs developed are compatible with the existing rural development on the property.
20 In general, ADUs are limited in size and do not have a significant effect on the visual
21 aspects of a property. However, the proposed amendments include standards that will
22 ensure that ADUs are visually compatible with the surrounding rural area. First, the
23 proposed amendments require that construction of an attached ADU preserve the
24 architectural character of the existing single-family dwelling. Second, the amendments
25 require that detached ADUs have either features, such as exterior materials, roof form,
26 window spacing and proportions, that approximate that of the single family dwelling, or
27 be located in an existing accessory structure. These standards for ADUs are more
28 stringent than design standards that apply to the construction of other accessory structures
29 in the rural area.
30

- 31 8. RCW 36.70A.070(5)(c)(iii) – Reducing the inappropriate conversion of undeveloped land
32 into sprawling, low-density development in the rural area.
33

34 The proposed amendments are consistent with RCW 36.70A.070(5)(c)(iii) as they do not
35 alter the existing density standards in the rural area, with two exceptions. First, the
36 amendments prohibit the construction of ADUs on lots that meet standards for reduced
37 lot size (such as lots created through lot size averaging or rural cluster subdivisions), but
38 that do not meet lot size standards set forth in SCC 30.23.030. Second, the amendments
39 would permit ADUs in the CRC zone. Under current SCC, the CRC zone is the only zone
40 that allows single-family dwellings but not ADUs. This proposed amendment adds
41 consistency to code, and because the CRC zone is geographically limited and about only
42 115 acres in size, it will at most result in a negligible increase in the number of ADUs
43 permitted in the rural area. Historically, as is evidenced by permitting data, ADUs have

1 not been a primary driver in the conversion of undeveloped land into sprawling, low-
2 density development in the rural area. The proposed amendments add additional
3 restrictions that limit construction of detached ADUs to only those lots that meet the
4 minimum lot size. Additionally, the proposed amendments include new standards for all
5 detached ADUs on rural lots that are intended to protect rural character and ensure that
6 all ADUs maintain a close physical proximity and association with the primary dwelling.
7

- 8 9. RCW 36.70A.070(5)(c)(iv) – Protecting critical areas, as provided in RCW 36.70A.060,
9 and surface water and groundwater resources.

10
11 The proposed amendments are consistent with RCW 36.70A.070(5)(c)(iv) and will not
12 reduce protections on critical areas, surface water, or ground water. The application of
13 critical areas and storm water standards will not be altered by the proposed amendments.
14 Additionally, the proposed standards require that detached ADUs in the rural area be
15 located within 100 feet of the primary dwelling and share a driveway with that dwelling,
16 limiting the impervious surface associated with detached ADUs in the rural area. Finally,
17 the proposed amendments require that all ADUs have both physical and legal access to
18 water. Requiring legal availability will prohibit permit issuance unless the proposed ADU
19 has legal access to a water right. This provision will protect groundwater resources from
20 being overdrawn as a result of ADU development.
21

- 22 10. RCW 36.70A.070(5)(c)(v) – Protecting against conflicts with the use of agriculture,
23 forest, and mineral resource lands designated under RCW 36.70A.170.
24

25 The proposed amendments are consistent with RCW 36.70A.070(5)(c)(v) because they
26 do not amend the underlying restrictions on development in the forestry or agricultural
27 zones. The proposed amendments will only affect ADUs, which are a use that is allowed
28 only as accessory to a primary single-family dwelling. Maintaining the restrictions on
29 primary residential uses in these areas will protect against any conflicts with agricultural,
30 forestry, and mineral resource uses. Further, under the proposed amendments, detached
31 ADUs are only allowed on lots that meet or exceed the prescriptive lot size in all rural
32 and resource zones. Additional restrictions requiring close physical proximity and shared
33 infrastructure are also included.
34

- 35 11. RCW 36.70A.110(1) – Each county that is required or chooses to plan under
36 RCW 36.70A.040 shall designate an urban growth area or areas within which urban
37 growth shall be encouraged and outside of which growth can occur only if it is not urban
38 in nature.
39

40 The proposed amendments are consistent with the requirements included in RCW
41 36.70A.110(1). The amendments will allow additional development of ADUs within the
42 UGA by reducing the regulatory and application barriers, and by allowing up to two
43 ADUs per lot. Further, the amendments will protect against urban growth outside the

1 UGA by allowing detached ADUs only on lots that meet the prescriptive minimum lot
2 area and by including additional standards intended to ensure that detached ADUs have a
3 close association to the primary single-family dwelling.
4

5 E. The proposed amendments will better achieve, comply with, and implement the goals and
6 policies of the Puget Sound Regional Council’s Multicounty Planning Policies (MPPs), including
7 the following goals and policies:
8

- 9 1. MPP-DP-2 – Encourage efficient use of urban land by maximizing the development
10 potential of existing urban lands, such as advancing development that achieves zoned
11 density.
12

13 This proposal will work to further MPP-DP-2 by supporting increased development of
14 ADUs in urban areas. The proposed amendments will reduce the regulatory burden to
15 ADU construction and will allow up to two ADUs per lot in the urban areas. Increased
16 development of ADUs will increase the efficiency of urban lands by allowing increased
17 densities in single-family neighborhoods.
18

- 19 2. MPP-DP-22 – Do not allow urban net densities in rural and resource areas.
20

21 The proposed amendments will eliminate the prohibition of ADUs on substandard lots,
22 but, consistent with MPP-DP-22, will place restrictions on the development of ADUs
23 outside the urban growth areas (UGA) that will ensure that urban densities are not
24 allowed. First, the amendments do not allow detached ADUs on lots that are smaller than
25 the minimum lot size. This restriction includes substandard lots and standard lots that
26 were created by a rural cluster subdivision or through lot size averaging. Under current
27 standards, lots created through rural cluster subdivisions or through lot size averaging are
28 often smaller than the minimum lot size, but currently allowed to have a detached ADU.
29 Under the standards included in this proposal, only attached ADUs are allowed on those
30 lots. Per SCC 30.23.030, the minimum lot area in the rural and resource zones is 200,000
31 square feet, or approximately 5 acres, while many zones require larger lots.
32

33 Second, the proposal introduces new standards for all detached ADUs in the rural and
34 resource zones that are intended to help ensure that a close connection is maintained
35 between the single-family dwelling and the ADU and keep the ADU subordinate to the
36 single-family dwelling. Those standards include a maximum separation distance between
37 the single-family dwelling and ADU of 100 feet and a requirement that the driveway is
38 shared between the primary and accessory dwellings, ensuring that in rural areas there
39 will be no functional difference between an attached and detached ADU.
40

41 Additionally, historical data shows that from 2012 to 2019, an average of 13 ADUs were
42 permitted in the rural and resource zones per year. These units are spread over
43 approximately 270,000 acres of rural land, which is an average of 1 unit for every 20,000
44 acres per year. Over a 20-year planning period, that is approximately 1 ADU per 1,000
45 acres. While it is not expected, even if the proposed amendments result in a minor

1 increase in the number of permitted ADUs per year, it will not result in urban net
2 densities in the rural and resource areas. Similarly, such a negligible amount of
3 development in the rural area is not anticipated to have any noticeable impact on public
4 facilities and services.

- 5
6 3. MPP Housing Goal – The region will preserve, improve, and expand its housing stock to
7 provide a range of affordable, healthy, and safe housing choices to every resident. The
8 region will continue to promote fair and equal access to housing for all people.

9
10 The proposed amendments will help to expand and improve the diversity of the housing
11 stock by reducing regulatory barriers on the construction of ADUs. The reduction should
12 facilitate increased construction of ADUs in the urban areas.

- 13
14 4. MPP-H-1 – Provide a range of housing types and choices to meet the housing needs of all
15 income levels and demographic groups within the region.

16
17 MPP-H-2 – Achieve and sustain — through preservation, rehabilitation, and new
18 development — a sufficient supply of housing to meet the needs of low-income,
19 moderate-income, middle-income, and special needs individuals and households that is
20 equitably and rationally distributed throughout the region.

21
22 The proposed amendments will support MPP-H-1 and MPP-H-2 by reducing the
23 regulatory barriers on the construction of accessory dwelling units. Construction of
24 ADUs in single-family areas will contribute to the County’s efforts to meet the necessary
25 supply of housing units for low-income, moderate-income, middle-income, and special
26 needs individuals.

- 27
28 5. MPP-H-7 – Encourage jurisdictions to review and streamline development standards and
29 regulations to advance their public benefit, provide flexibility, and minimize additional
30 costs to housing.

31
32 The proposed amendments result in a reduction to the regulatory barriers on the
33 construction of accessory dwelling units. In particular, the proposal will change accessory
34 dwelling units from an administrative conditional use to a permitted use, which will work
35 to streamline the permitting process and reduce permitting costs for individuals and the
36 County.

37
38 F. The proposed amendments will better achieve, comply with, and implement the following
39 goal and policies contained within the Countywide Planning Policies (CPPs):

- 40
41 1. Housing Goal – Snohomish County and its cities will promote an affordable lifestyle
42 where residents have access to safe, affordable, and diverse housing options near their
43 jobs and transportation options.

44
45 The proposed amendments will support the housing goal in the CPPs by reducing the
46 regulatory barriers on the construction of accessory dwelling units, which will help to

1 diversify the housing options in urban single-family areas that are close to employment
2 and transportation options.

- 3
4 2. CPP-HO-11 – The county and cities should consider the economic implications of
5 proposed building and land use regulations so that the broader public benefit they serve is
6 achieved with the least additional cost to housing.

7
8 The proposed amendments support CPP-HO-11 by setting a regulatory framework that
9 limits the additional cost to construction of accessory dwelling units, while still
10 maintaining reasonable protections on health, safety, and welfare.

11
12 G. In considering the proposed amendments, the county considered the goals, objectives, and
13 policies of the Snohomish County GMA Comprehensive Plan (GMACP) – General Policy Plan
14 (GPP). The proposed amendments will work to support, implement, and balance the following
15 goals, objectives, and policies in the GPP:

- 16
17 1. Policy LU 2.A.4 – UGAs shall provide opportunities for a mix of affordable housing
18 types (e.g. small lot detached, townhomes, duplex, triplex, 6 to 8-unit apartment and
19 small group housing units) within designated residential areas.

20
21 The proposed amendments will work to further Policy LU 2.A.4 by reducing restrictions
22 on the construction of ADUs, allowing two ADUs on lots within urban growth areas, and
23 eliminating owner occupancy requirements for ADUs. The siting and construction of
24 accessory dwelling units will diversify the housing stock, increase housing density, and
25 provide more affordable housing options in existing single-family neighborhoods.

- 26
27 2. Goal LU 6 – Protect and enhance the character, quality, and identity of rural areas.

28
29 Objective LU 6.A – Reduce the rate of growth that results in sprawl in rural and resource
30 areas.

31
32 Policy LU 6.A.1 – To help ensure that the rural population target is not exceeded, rural
33 growth trends shall be monitored using the process and criteria established under
34 Objective PE 2.B. If rural growth trends indicate that the rural population target may be
35 exceeded, the county shall evaluate whether incentive programs or adjustments to
36 planned densities or land uses are necessary to bring rural growth trends back into
37 alignment with the adopted target.

38
39 The amendments proposed by this ordinance would reduce regulatory barriers on the
40 construction of accessory apartments in the rural and resource areas by eliminating
41 superfluous development and permitting standards. These changes may result in a slight
42 increase in the number of accessory apartments that are sited in these areas. However,
43 between January 1, 1996, and December 31, 2011, when there were no restrictions on
44 constructing ADUs on substandard lots in the rural areas, ADUs accounted for
45 approximately 5.6 % of new dwellings in the rural area. More recently (2012-2019), after
46 constructing ADUs on substandard lots was prohibited, ADUs accounted for only 3.3%

1 of new dwellings in the rural areas. The county expects that ADU development will
2 remain close to that of 2012-2019 and has no reason to expect that the proposed
3 amendments will result in ADU development that exceeds historical maximums.
4

5 However, to further enhance the preservation of rural character, the proposed
6 amendments place more restrictions on the development of accessory apartments in the
7 rural and resource areas than in urban areas. Those restrictions are intended to ensure that
8 all new ADUs in rural areas are in close association with, and subordinate to, the primary
9 dwelling. As established in decisions of the Growth Management Hearings Board,
10 attached ADUs and detached ADUs in existing structures that have a close association to
11 the primary dwelling are not considered additional units of density. Following that logic,
12 detached ADUs on rural lots, regardless of the origin of the structure, will function the
13 same way if restrictions, such as those included in the proposed amendments, ensure a
14 close association between the ADU and the primary dwelling. The proposed
15 amendments, which require close proximity between the structures, shared facilities, and
16 symmetrical architectural features, create that relationship.
17

18 ADUs fill an important niche in the housing market, such as providing options for older
19 adults to age in place and allowing families to continue to live together as they expand.
20 As housing costs continue to rise in Snohomish County, many property owners are
21 looking for opportunities to provide housing for young adult children, a caretaker, or to
22 move into as they age. ADUs provide a unique opportunity for those families and
23 represent a specific type of housing that is not provided through other, traditional housing
24 types. Additionally, ADUs can provide supplemental income to homeowners while
25 providing affordable housing.
26

27 Finally, Policy LU 6.A.1 requires the county to complete annual monitoring of rural
28 growth trends. If monitoring shows that Snohomish County could exceed its rural
29 population target, it is unlikely that accessory apartments would be the cause. However,
30 actions taken to address rural growth would be comprehensive in nature.
31

- 32 3. Objective HO 1.B – Ensure that a broad range of housing types and affordability levels is
33 available in urban and rural areas.
34

35 Policy HO 1.B.4 – The county shall encourage and support the development of
36 innovative housing types that make efficient use of the county land supply such as
37 residential units in mixed use developments, accessory dwelling units, cottage housing,
38 co-housing, and live/work units.
39

40 The proposed amendments reduce regulatory barriers on the development of accessory
41 apartments in both urban and rural areas. The proposed amendments will set a regulatory
42 framework for ADUs that will help the county support the development of a broad range
43 of housing types and affordability in both the urban and rural areas. ADUs serve as one
44 of the only options for supporting this objective in the rural areas, as most other low-cost
45 and diverse types of housing are not allowed. The development of accessory apartments

1 provides different housing types and affordability levels in areas with predominantly
2 uniform housing types and levels of affordability.

- 3
4 4. Objective HO 2.B – Encourage the use of innovative urban design techniques and
5 development standards to foster broad community acceptance of a variety of housing
6 types affordable to all economic segments of the population.

7
8 Policy HO 2.B.1 – The county shall encourage a variety of housing types and densities in
9 residential neighborhoods.

10
11 Policy HO 2.B.4 – The county shall encourage the integration of a variety of dwelling
12 types and intensities in residential neighborhoods.

13
14 The proposed amendments facilitate the construction of ADUs, which will provide
15 alternate housing options and differing housing densities in single-family residential
16 neighborhoods. Further, the amendments would, through reduction of regulatory barriers,
17 encourage integration of ADUs into residential neighborhoods that do not have a variety
18 of dwelling types.

19
20 H. The proposed amendments implement the following Five-Year Action Items from the
21 Snohomish County Housing Affordability Regional Taskforce Report and Five-Year Action
22 Plan:

- 23
24 1. 1.A.5 – Remove barriers by reducing construction costs and delays and expedite the
25 permit process.

26
27 The proposed amendments eliminate the need to apply for and receive an administrative
28 conditional use permit prior to the construction of an accessory dwelling unit. Although
29 the cost of such a permit application itself is not significant compared to other permit
30 types (\$180 under SCC 30.86.220), the time, burden, and hidden costs to the applicant of
31 application review are removed.

- 32
33 2. 1.A.6 – Increase housing variety allowed at a range of affordability levels in single-
34 family zones, in areas with connections to jobs, and along transit corridors, including
35 consideration of zoning for duplex, triplex, 4-plex, courtyard apartments, etc.

36
37 The proposed amendments increase housing diversity in single-family zones by reducing
38 regulatory barriers, facilitating the construction of accessory dwelling units in single-
39 family zones, and allowing two ADUs per lot in urban areas.

- 40
41 3. 1.B.2 – Revise local zoning to encourage Accessory Dwelling Units (ADU).

42
43 The proposed amendments will comply with action item 1.B.2 by revising Snohomish
44 County regulations to reduce regulatory requirements and facilitate the construction of
45 ADUs, particularly in urban areas.

1 I. Procedural requirements.
2

- 3 1. State Environmental Policy Act (SEPA), chapter 43.21C RCW, requirements with
4 respect to this non-project action have been satisfied through the completion of an
5 environmental checklist and the issuance of a determination of non-significance on
6 _____, 2021.
7
- 8 2. The proposal is a Type 3 legislative action pursuant to SCC 30.73.010.
9
- 10 3. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance was
11 transmitted to the Washington State Department of Commerce for distribution to state
12 agencies on November 18, 2020.
13
- 14 4. The public participation process used in the adoption of this ordinance complies with all
15 applicable requirements of the GMA and the SCC.
16
- 17 5. The Washington State Attorney General last issued an advisory memorandum, as
18 required by RCW 36.70A.370, in September of 2018 entitled “Advisory Memorandum:
19 Avoiding Unconstitutional Takings of Private Property” to help local governments avoid
20 the unconstitutional taking of private property. The process outlined in the State Attorney
21 General’s 2018 advisory memorandum was used by the County in objectively evaluating
22 the regulatory changes proposed by this ordinance.
23

24 Section 2. The County Council makes the following conclusions:
25

- 26 1. The proposed amendments are consistent with the goals, policies, and objectives of the
27 MPPs, CPPs, and GPPs.
28
- 29 2. The proposed amendments are consistent with applicable federal, state, and local laws
30 and regulations.
31
- 32 3. The County has complied with all SEPA requirements with respect to this non-project
33 action.
34
- 35 4. The regulations proposed by this ordinance do not result in an unconstitutional taking of
36 private property for a public purpose.
37

38 Section 3. The County Council bases its findings and conclusions on the entire legislative
39 record, including all testimony and exhibits. Any finding which should be deemed a conclusion,
40 and any conclusion that should be a finding, is hereby adopted as such.
41

42 Section 4. Snohomish County Code Section 30.22.100, last amended by Amended
43 Ordinance No. 20-088 on January 13, 2021, is amended to read:
44

45 **30.22.100 Urban Zone Categories Use Matrix.**
46

TYPE OF USE	R-9,600 ⁸⁸	R-8,400 ⁸⁸	R-7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ₁₂₈	GC ₂₈ ¹	IP ₆ ⁷	BP	LI ₇₆ ⁵⁵	HI ₅ ⁵	MHP ₁₄ ¹	UC ₁₂₂
Accessory ((A) <u>P</u>) Dwelling Unit ⁶²				<u>P</u>		<u>P</u>										
Adult Entertainment Business/Use ⁶⁷											P		P	P		
Agriculture ^{41, 107}	P	P	P		P	P	P		P	P	P	P	P	P	P	
Airport, Stage 1 Utility ¹	C	C	C						P	P	P	P	P	P		
Airport-All Others											P	P	P	P		
Amusement Facility ^{41, 129}								P	P	P	P		P	P		P
Antique Shop							P	P	P	P			P	P		P
Art Gallery ⁴¹	C	C	C		C	C	P	P	P	P	P	P	P	P		P
Auto Repair, Major								P	P ⁸⁶	P	P	P	P	P		P
Auto Repair, Minor							P	P	P ⁸⁶	P	P	P	P	P		P
Auto Towing													P	P		
Automobile Wrecking and Junkyards													C ⁴⁴	P ⁴⁴		
Bed and Breakfast Guesthouse ⁵⁸	A	A	A	A	A	A									A	
Billboards ⁴⁶																
Non-digital										P			P	P		

TYPE OF USE	R-9,600 ⁸⁸	R-8,400 ⁸⁸	R-7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ₁₂₈	GC ₂₈ ¹	IP ₆ ⁷	BP	LI ₇₆ ⁵⁵	HI ₅ ⁵	MHP ₁₄ ¹	UC ¹²²
Digital										P			P	P		
Boarding House	P ¹⁵	P ¹⁵	P ¹⁵		P	P	P		P	P					P	P
Boat Launch Facility, Commercial 31									C	C			C	C		P
Boat Launch Facility, Non-commercial 31	C	C	C		C	C			C	C			C	C		
Caretaker's Quarters							P	P	P	P	P	P	P	P		
Cemetery and Funeral Home	C	C	C		C	C	P	P	P	P	P	P	P	P		P
Church 41, 129	C	C	C		P	P	P	P	P	P	P	P	P	P		P
Clubhouse	C	C	C		C	C	P	P	P	P	P	P	P	P	P	P
Commercial Vehicle Storage Facility										P	P	P	P	P		
Community Facilities for Juveniles 103																
1 to 8 Resident Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
9 to 24 Resident Facility	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P
Construction Contracting										P	P	P	P	P		P ¹²³
Day Care Center 2, 129	C	C	C		C	C	P	P	P	P	P	P	P	P	A	P
Distillation of Alcohol											P	P	P	P		P

TYPE OF USE	R-9,600 ⁸⁸	R-8,400 ⁸⁸	R-7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ₁₂₈	GC ₂₈ ¹	IP ₆ ⁷	BP	LI ₇₆ ⁵⁵	HI ₅ ⁵	MHP ₁₄ ¹	UC ¹²²
Dock & Boathouse, Private, Non-commercial 3, 41	P	P	P	P	P	P	P		P	P	P	P	P	P		
Dwelling, Attached Single Family	P	P	P	P	P	P										
Dwelling, Cottage Housing ¹¹⁶	P	P	P	P	P											
Dwelling, Duplex	P	P	P	P	P	P										
Dwelling, Mobile Home	P ⁶	P ⁶	P ⁶	P ⁶	P	P									P	
Dwelling, Multiple Family					P	P	P	P	P	P						P
Dwelling, Single Family	P	P	P	P	P	P									P ⁴	
Dwelling, Townhouse ⁵			A	P	P	P	P	P	P	P						P
Electric Vehicle Infrastructure																
Electric Vehicle Charging Station - Restricted, Level 1, and Level 2 ¹²¹	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Electric Vehicle Charging							P	P	P	P	P	P	P	P		P

TYPE OF USE	R-9,600 ⁸⁸	R-8,400 ⁸⁸	R-7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ₁₂₈	GC ₂₈ ¹	IP ₆ ⁷	BP	LI ₇₆ ⁵⁵	HI ₅ ⁵	MHP ₁₄ ¹	UC ¹²²
Station - Public, Level 1 and Level 2																
Electric Vehicle Charging Station, Level 3	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	P	P	P	P	P	P	P	P		P
Battery Exchange Stations	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	P	P	P	P	P	P	P	P		P
Explosives, Storage											P			P		
Fairgrounds										P	P	P	P	P		
Family Day Care Home ⁸	P	P	P	P	P	P	P		P	P					P	
Farm Product Processing																
Up to 5,000 sq ft									P	P			P	P		
Over 5,000 sq ft ⁹⁴									A	P			P	P		
Farm Stand																
Up to 400 sq ft ⁹	P	P	P						P	P			P	P		P
401 to 5,000 sq ft ⁹⁹																
Farmers Market ⁹³							P	P	P	P		P	P	P		P
Fish Farm											P	P	P	P		
Forestry											P		P	P		
Foster Home	P	P	P	P	P	P	P		P	P					P	
Fuel Yard										P	P	P	P	P		

TYPE OF USE	R-9,600 ⁸⁸	R-8,400 ⁸⁸	R-7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ₁₂₈	GC ₂₈ ¹	IP ₆ ⁷	BP	LI ₇₆ ⁵⁵	HI ₅ ⁵	MHP ₁₄ ¹	UC ¹²²
Garage, Detached Private Accessory ⁶⁰																
Up to 2,400 sq ft	P	P	P	P	P	P					P	P	P	P	P	
2,401 - 4,000 sq ft on More than 3 Acres ^{41, 59}	P	P	P	P	P	P					P	P	P	P		
2,401 - 4,000 sq ft on Less than 3 Acres ^{41, 59}	A	A	A	A	A	A					A	A	A	A		
4,001 sq ft and Greater ^{41, 59}	C	C	C	C	C	C					C	C	C	C		
Garage, Detached Private Non-accessory ⁶⁰																
Up to 2,400 sq ft	P	P	P	P	P	P					P	P	P	P		
2,401 sq ft and greater ^{41, 59}	C	C	C	C	C	C					C	C	C	C		
Golf Course, Driving Range and Country Club	C	C	C													
Government Structures & Facilities ^{27, 41}	C	C	C	C	C	C	C	P	P	P	P	P	P	P		P
Greenhouse, Lath House, & Nurseries							P	P	P	P	P	P	P	P		

TYPE OF USE	R-9,600 ⁸⁸	R-8,400 ⁸⁸	R-7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ₁₂₈	GC ₂₈ ¹	IP ₆ ⁷	BP	LI ₇₆ ⁵⁵	HF ₅ ⁵	MHP ₁₄ ¹	UC ₁₂₂
Guest House ⁸⁵	P	P	P		P	P									P	
Hazardous Waste Storage & Treatment Facilities, Offsite ⁶⁶											C	C	C	C		
Hazardous Waste Storage & Treatment Facilities, Onsite ⁶⁵							P	P	P	P	P	P	P	P		
Health and Social Service Facilities ⁹⁰																
Level I	P	P	P	P	P	P	P	P	P	P		P			P	P
Level II ^{41, 129}	C	C	C		C	C	C	P	P	P		P			C	P
Level III						C	C	P	P	P	P		P	P	C	P
Home Occupation ¹¹	P	P	P	P	P	P	P		P	P					P	P
Hotel/Motel					C	C	P ¹³ ₆	P	P	P			P ⁸⁹			P
Kennel, ⁴¹ Commercial ¹²	C	C	C						P	P	P	P	P	P		
Kennel, ⁴¹ Private-Breeding ¹³	P	P	P		P	P	P		P	P	P	P	P	P		
Kennel, ⁴¹ Private-Non-Breeding ¹³	P	P	P		P	P	P		P	P	P					
Laboratory							P	P	P	P	P	P	P	P		P
Library ⁴¹	C	C	C		C	C	C	P	P	P	P	P	P	P		P

TYPE OF USE	R-9,600 ⁸⁸	R-8,400 ⁸⁸	R-7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ₁₂₈	GC ¹ ₂₈	IP ⁷ ₆	BP	LI ⁵⁵ ₇₆	HI ⁵ ₅	MHP ¹ ₁₄	UC ¹²²
Lumber Mill											P	P	P	P		
Lumberyard										P	P	P	P	P		
Manufacturing, Heavy ⁸²											P			P		
Manufacturing-All Other Forms Not Specifically Listed ⁸³											P	P	P	P		P ¹²³
Marijuana Processing ^{125, 131}											P	P	P	P		
Marijuana Production ^{125, 131}											P	P	P	P		
Marijuana Retail ^{131, 132}							C	C	C	C		C	C	C		C
Massage Parlor									P	P	P	P	P	P		P
Material Recovery Facility ¹³⁴											C		C	C		
Mini Self-Storage								P	P	P	P	P	P	P		
Mobile Home Park ³⁸					C	C			C	C					P	
Model Hobby Park ⁷⁵												A	A	A		
Model House/Sales Office	P	P	P	P	P	P										
Motocross Racetrack ¹²⁹										C ¹¹³	C ¹¹ ₃	C ¹¹ ₃	C ¹¹³	C ¹¹ ₃		
Museum ⁴¹	C	C	C		C	C	C	P	P	P	P	P	P	P		P

TYPE OF USE	R-9,600 ⁸⁸	R-8,400 ⁸⁸	R-7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ₁₂₈	GC ₂₈ ¹	IP ₆ ⁷	BP	LI ₇₆ ⁵⁵	HI ₅ ⁵	MHP ₁₄ ¹	UC ¹²²
Neighborhood Services					A, C ⁸⁶ , 138	A, C ⁸⁶ , 138	P	P	P ⁸⁶	P	P	P	P	P		P
Office and Banking							P	P	P	P	P	P	P	P		P
Park, Public ₁₄	P	P	P		P	P	P	P	P	P	P	P	P	P		P
Park-and-Pool Lot	C	C	C	C	C	P	P	P	P	P	P	P	P	P		P
Park-and-Ride Lot	C	C	C	C	C	P	P	P	P	P	P	P	P	P		P
Personal Wireless Service Facilities ²⁷ , 41, 104, 106	C	C	C	C	C	C	C	C	C	C	P	P	P	P	C	P ¹¹⁹
Printing Plant								P		P	P	P	P	P		P ¹²³
Race Track _{24, 41, 129}										C	P	P	P	P		
Railroad Right-of-way	C	C	C	C	C	C	P	P	P	P	P	P	P	P		P
Recreational Facility Not Otherwise Listed	C	C	C		C	C	P	P	P	P	P	P	P	P		P
Recreational Vehicle Park									C	C					C	
Recycling Facility ¹³⁷										C	C		C	C		
Rendering of Fat, Tallow, or Lard ¹²⁹											P			P		
Restaurant							P	P	P	P	P ⁴⁹	P ⁴⁹	P	P		P
Retail, General						A ¹³⁵	P	P	P	P		P ⁵³	P	P		P
Retirement Apartments				P	P	P	P	P	P	P					P	P

TYPE OF USE	R-9,600 ⁸⁸	R-8,400 ⁸⁸	R-7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ₁₂₈	GC ¹ ₂₈	IP ⁷ ₆	BP	LI ⁵⁵ ₇₆	HI ⁵ ₅	MHP ¹ ₁₄	UC ¹²²
Retirement Housing				P	P	P	P	P	P	P					P	P
Sanitary Landfill ¹²⁹	C	C	C						C	C	C	C	C	C		
Schools																
K-12 & Preschool 41, 68, 129	C	C	C		C	C	C ¹³ ₆		P	P	P	P	P	P		P
College ^{41, 68}	C	C	C		C	C	C ¹³ ₆		P	P	P	P	P	P		P
Other ^{41, 68}					C	C	C ¹³ ₆		P	P	P	P	P	P		P
Service Station ⁴¹							P	P	P ⁸⁶	P			P	P		P
Shooting Range ⁹²											P	P	P	P		
Sludge Utilization ³⁹	C ⁵⁶	C ⁵⁶	C ⁵⁶		C ⁵⁶	C ⁵⁶			C ⁵⁶	C ⁵⁶	C ⁵⁶		C ⁵⁶	P ⁵⁰		
Small Animal Husbandry ⁴¹	C ³⁷	C ³⁷	C ³⁷				P		P	P	P	P	P	P		
Small Workshop									P ⁸⁶	P	P	P	P	P		P
Stables	P	P	P		P	P	P	P	P	P	P	P	P	P		
Stockyard or Slaughter House ¹²⁹											P			P		
Storage, Retail Sales Livestock Feed									P	P			P	P		
Storage Structure, Accessory ⁶⁰																
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

TYPE OF USE	R-9,600 ⁸⁸	R-8,400 ⁸⁸	R-7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ₁₂₈	GC ¹ ₂₈	IP ⁷ ₆	BP	LI ⁵⁵ ₇₆	HI ⁵ ₅	MHP ¹ ₁₄	UC ¹²²
2,401 - 4,000 sq ft on More than 3 Acres ^{41, 59}	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
2,401 - 4,000 on Less than 3 acres ^{41, 59}	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
4,001 sq ft and Greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Storage Structure, Non-accessory ⁶⁰																
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
2,401 sq ft and greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Studio ⁴¹	C ⁷⁷	C ⁷⁷	C ⁷⁷		C ⁷⁷	C ⁷⁷	P	P	P ⁸⁶	P	P	P	P	P		P
Supervised Drug Consumption Facility																
Swimming/Wading Pool ^{17, 41}	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Television/Radio Stations													P	P		
Temporary Dwelling During Construction	A	A	A	A	A	A	A	A	A	A						A
Temporary Dwelling For Relative ¹⁸	A	A	A	A	A	A	A	A	A	A						
Temporary Residential	A	A	A													A

TYPE OF USE	R-9,600 ⁸⁸	R-8,400 ⁸⁸	R-7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ₁₂₈	GC ₂₈ ¹	IP ₆ ⁷	BP	LI ₇₆ ⁵⁵	HI ₅ ⁵	MHP ₁₄ ¹	UC ¹²²
Sales Coach ⁷³																
Transit Center	C	C	C	C	C	P	P	P	P	P	P	P	P	P		P
Ultralight Airpark ²⁰											P					
Utility Facilities, Electromagnetic Transmission & Receiving Facilities ^{27, 129}	C	C	C	C	C	C	C	P	P ⁸⁶	P	P	P	P	P		
Utility Facilities, Transmission Wires, Pipes & Supports ²⁷	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utility Facilities-All Other Structures ^{27, 41}	C	C	C	C	C	C	C	P	P ⁸⁶	P	P	P	P	P	C	P
Vehicle, Vessel and Equipment Sales and Rental									P ²³	P			P	P		
Veterinary Clinic					C	C	P	P	P ⁸⁶	P	P	P	P	P		P
Warehouse										P	P	P	P	P		P ¹²³
Wholesale Establishment								P	P ⁸⁶	P	P	P	P	P		P ¹²³
Woodwaste Recycling and											A ⁶³		A ⁶³	A ⁶³		

TYPE OF USE	R-9,600 ⁸⁸	R-8,400 ⁸⁸	R-7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ₁₂₈	GC ₂₈ ¹	IP ₆ ⁷	BP	LI ₇₆ ⁵⁵	HI ₅ ⁵	MHP ₁₄ ¹	UC ₁₂₂
Woodwaste Storage																
All other uses not otherwise mentioned											P	P	P	P		

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P - Permitted Use	<p>A blank box indicates a use is not allowed in a specific zone.</p> <p>Note: Reference numbers within matrix indicate special conditions apply; see SCC 30.22.130.</p> <p>Check other matrices in this chapter if your use is not listed above.</p>
A - Administrative Conditional Use	
C - Conditional Use	
S - Special Use	

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Section 5. Snohomish County Code Section 30.22.110, last amended by Amended Ordinance No. 20-088 on January 13, 2021, is amended to read:

30.22.110 Rural and Resource Zone Categories Use Matrix.

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB ²⁶	CRC	RFS	RI	F	F&R	A-10	MC
Accessory ((Apartment) Dwelling Unit) ⁶²	((A)) P	((A)) P	((A)) P	((A)) P	P			((A)) P	((A)) P	((A)) P	((A)) P
Agriculture ^{41, 107}	P	P	P	P	P	P	P	P	P	P	P
Airport: Stage 1 Utility ¹	C	C	C ¹¹⁵					C			
Antique Shop	C		C ^{45, 115}	P ⁷⁹	P						
Art Gallery ⁴¹	C		C ¹¹⁵	P ⁷⁹	P						
Asphalt Batch Plant & Continuous Mix Asphalt Plant											P
Auto Repair, Major							P				
Auto Repair, Minor				P	P	P	P				
Auto Towing	C		C								
Auto Wrecking and Junkyards							A ⁴⁴				
Bakery, Farm ⁹⁷	P	P	P	P			P		P	P	
Bed and Breakfast Guesthouse ⁵⁸	P		P ¹¹⁵	P				P	P	P	

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB ²⁶	CRC	RFS	RI	F	F&R	A-10	MC
Bed and Breakfast Inn ⁵⁸	P		P ¹¹⁵	P				P	P	P	
Boarding House	P ¹⁵	P ¹⁵	P ^{15, 115}					P ¹⁵		P ¹⁵	
Boat Launch, Commercial ³¹		C							C		
Boat Launch, Non-commercial ³¹	C		C	C				C	C		
Campground								A ^{32,127}	C ³²		
Caretaker's Quarters	P		C	P			P				P
Cemetery and Funeral Home	P		C ¹¹⁵								
Church ^{41, 129}	P		C ¹¹⁵	C ³⁶	P						
Clubhouse	C		C ¹¹⁵	P	P ¹³³						
Commercial Vehicle Home Basing			C ³³								
Commercial Vehicle Storage Facility				P	P	P	P				
Community Facilities for Juveniles ¹⁰³											
1 to 8 residents			P ^{102, 115}	P	P						
9 to 24 residents			S ^{103, 115}	P	P						
Construction Contracting				P ^{80, 81}							
Dams, Power Plants, & Associated Uses									P		
Day Care Center ^{2, 129}	P		C ¹¹⁵	P	P	P					
Distillation of Alcohol	C ³⁴		C ^{34, 115}							C ³⁴	
Dock & Boathouse, Private, Non-commercial ^{3, 41}	P	P	P	P				P	P	P	
Dwelling, Duplex	P	P	P					P		P	
Dwelling, Mobile Home	P	P	P		P ⁶			P	P	P	P
Dwelling, Single Family	P	P	P		P			P	P	P	P
Equestrian Center ^{41, 70, 72}	P	C	C ¹¹⁵					C	P	C ⁷⁰	
Excavation & Processing of Minerals ²⁸	A, C	A, C	A, C				A, C	A, P, C	A, C		A, C

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB ²⁶	CRC	RFS	RI	F	F&R	A-10	MC
Explosives, Storage	C	C	C				C	P	C		C
Family Day Care Home ^{8,130}	P		P ¹¹⁵	P	P			P		P	
Farm Product Processing											
Up to 5,000 sq ft	P	P	P ¹¹⁵	P			P	P		P	
Over 5,000 sq ft ⁹⁴	A	A	A ¹¹⁵	A			A	A		A	
Farm Support Business ⁹⁴	A	A	A ¹¹⁵	A			P			A	
Farm Stand											
Up to 400 sq ft ⁹	P	P	P ^{100,115}	P	P	P	P	P	P	P	P
401 - 5,000 sq ft ^{99,100}	P	P	P, A ¹⁰⁰	P	P	P	P	P	P	P	
Farm Workers Dwelling										p ¹⁰	
Farmers Market ⁹³	P	P	P ¹⁰¹ A ^{101,115}	P	P	P	P			P	
Farmland Enterprises ⁹⁵		A	A ¹¹⁵							A	
Fish Farm	P	P	P ¹¹⁵					P	P	P	
Forestry	P	P	P				P	P	P	P	P
Forestry Industry Storage & Maintenance Facility	P ³⁰	P					P	P	P		
Foster Home	P	P	P	P				P		P	
Fuel Yard ⁴³							P				
Garage, Detached Private Accessory ⁶⁰											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P
2,401 - 4,000 sq ft on More than 3 Acres ^{41,59}	P	P	P	P	P	P	P	P	P	P	P
2,401 - 4,000 sq ft on Less than 3 acres ^{41,59}	A	A	A	A	A	A	A	A	A	A	A
4,001 sq ft and Greater ^{41,59}	C	C	C		C	C	C	C	C	C	C
Garage, Detached Private Non-accessory ⁶⁰											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P
2,401 sq ft and greater ^{41,59}	C	C	C	C	C	C	C	C	C	C	C

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB ²⁶	CRC	RFS	RI	F	F&R	A-10	MC
Golf Course, Driving Range and Country Club	C		C ¹¹⁵	P						C ⁷⁴	
Government Structures & Facilities ^{27, 41}	C	C	C ¹¹⁵	C	P		C	C	C		C
Greenhouse, Lath House, Nurseries	P	P	P ¹¹⁵	P	P		P	P		P	
Guest House ⁸⁵	P	P	P	P				P	P	P	
Hazardous Waste Storage & Treatment Facilities Onsite ⁶⁵	P			P		P	P	P	P		
Health and Social Service Facility ⁹⁰											
Level I	P	P	P ¹¹⁵	P	P			P	P		P
Level II ^{41, 91, 129}			C ¹¹⁵	C							
Level III											
Home Occupation ¹¹	P	P	P	P	P			P	P	P	P
Homestead Parcel ⁴⁰	C		C ¹¹⁵							C	
Hotel/Motel				P		P					
Kennel, ⁴¹ Commercial ^{12, 130}	P	P	P ¹¹⁵					P		C	
Kennel, ⁴¹ Private-Breeding ¹³	P	P	P					P		P	
Kennel, ⁴¹ Private-Non-Breeding ¹³	P	P	P	P				P		P	
Kitchen, farm	P	P	P	P			P			P	
Laboratory				P			P				
Library ⁴¹	C		C ¹¹⁵	P							
Livestock Auction Facility	C ⁴⁸		C ^{48, 115}		P		P			C ⁴⁸	
Lumber Mill	C ²⁶	C ²⁶	C ^{26, 115}				P	P	P		
Lumberyard							P				
Manufacturing - All Other Forms Not Specifically Listed ⁸³				C			C				
Marijuana Processing ^{124, 131}							P			P	
Marijuana Production ^{124, 131}							P			P	
Marijuana Retail ^{131, 132}				C							

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB ²⁶	CRC	RFS	RI	F	F&R	A-10	MC
Mini-equestrian Center ^{41, 72}	P	P	P ¹¹⁵	P			P	P	P	P ⁷¹	
Mini Self-Storage				P		P	P				
Model Hobby Park ^{75, 130}			A ¹¹⁵							A	
Model House/Sales Office	P	P	P ¹¹⁵					P	P		
Motocross Racetrack ¹²⁹			C ¹¹³						C ¹¹³		
Museum ^{41, 130}	C		C ¹¹⁵	P						C ⁶¹	
Neighborhood Services				P	P ¹³³						
Office and Banking				P	P ¹³³						
Off-road vehicle use area, private									C ¹⁰⁹		
Park, Public ^{14, 130}	P	P	P	P	P		P	P	P	P	P
Park-and-Pool Lot				P	P	P	P				
Park-and-Ride Lot	C	C	C	P		P		C	C		
Personal Wireless Service Facilities ^{27, 41, 104, 106, 130}	C	C	C	C	C	C	C	C	C	C	C
Public Events/Assemblies on Farmland ⁹⁶										P	
Race Track ^{24, 41, 129}			C ¹¹⁵								
Railroad Right-of-way	C	C	C ¹¹⁵		P		P	C	C	C	C
Recreational Facility Not Otherwise Listed ⁹⁸	C		C ¹¹⁵		P		P ⁷⁹	A, C ¹²⁷	A, C ¹²⁷	C	
Recreational Vehicle ¹⁹	P	P	P					P	P	P	
Recreational Vehicle Park									C		
Resort									C		
Restaurant				P ⁸⁰	P	P					
Retail, General				P	P ¹³³	P ⁸⁰					
Rural Industries ⁴¹	P ²⁵										
Sanitary Landfill ¹²⁹	C	C	C ¹¹⁵					C			C
Schools											
K-12 & Preschool ^{41, 68, 129}	C		C ¹¹⁵	P							
College ^{41, 68}	C		C ¹¹⁵								

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB ²⁶	CRC	RFS	RI	F	F&R	A-10	MC
Other ^{41, 68}				C			C				
Service Station ⁴¹				P	P	P					
Shooting Range ⁹²	C	C	C					C			
Sludge Utilization ³⁹	C	C, P ⁵⁰	C ¹¹⁵					C		C	C ⁵⁶
Small Animal Husbandry ⁴¹	P		P		P			P	P	P	P
Small Workshop				P			P				
Stables	P	P	P	P			P	P	P	P	
Stockyard or Slaughter House ¹²⁹							C ⁴⁸				
Storage, Retail Sales Livestock Feed			P ^{54, 115}	P			P			P	
Storage Structure, Accessory ⁶⁰											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P
2,401 - 4,000 sq ft on More than 3 Acres ^{41, 59}	P	P	P	P	P	P	P	P	P	P	P
2,401 - 4,000 sq ft on Less than 3 acres ^{41, 59}	A	A	A	A	A	A	A	A	A	A	A
4,001 sq ft and Greater ^{41, 59}	C	C	C		C	C	C	C	C	C	C
Storage Structure, Non-accessory ⁶⁰											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P
2,401 sq ft and greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	C
Studio ⁴¹	C ⁷⁷		C ^{77, 115}								
Supervised Drug Consumption Facility											
Swimming/Wading Pool ^{17, 41}	P	P	P					P	P	P	P
Temporary Dwelling During Construction	A	A	A	A	A	A	A	A	A	A	A
Temporary Dwelling For Relative ¹⁸	A	A	A					A	A	A	A
Temporary Logging Crew Quarters								P	P		

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB ²⁶	CRC	RFS	RI	F	F&R	A-10	MC
Temporary Residential Sales Coach ⁷³	A		A ¹¹⁵								
Transit Center	C	C	C ¹¹⁵	P		P		C	C		
Ultralight Airpark ²⁰	C	C	C ¹¹⁵					C			
Utility Facilities, Electromagnetic Transmission & Receiving Facilities ^{27, 129}	C	C	C	C	P	C	P	C	C	C	C
Utility Facilities, Transmission Wires or Pipes & Supports ²⁷	P	P	P	P	P	P	P	P	P	P	P
Utility Facilities - All Other Structures ^{27, 41, 130}	C	C	C	C	P	C	P	C	C	C	C
Vehicle, Vessel and Equipment Sales and Rental					P ²³						
Veterinary Clinic	P		C ¹¹⁵	P	P					C	
Warehouse							P				
Wedding Facility ^{87, 130}		P	P ¹¹⁵							P	
Woodwaste Recycling and Woodwaste Storage	A ⁶³	C ⁵⁷	C ⁵⁷				A ⁶³	A ⁶³			

P - Permitted Use	<p>A blank box indicates a use is not allowed in a specific zone.</p> <p>Note: Reference numbers within matrix indicate special conditions apply; see SCC 30.22.130.</p> <p>Check other matrices in this chapter if your use is not listed above.</p>
A - Administrative Conditional Use	
C - Conditional Use	
S - Special Use	

2
3 Section 6. Snohomish County Code Section 30.22.120, last amended by Amended
4 Ordinance No. 20-088 on January 13, 2021, is amended to read:

5
6 **30.22.120 Other Zone Categories Use Matrix.**

TYPE OF USE	Other Zones					
	SA-1	RC	RU	R-20,000	R-12,500	WFB
Accessory (Apartment) <u>Dwelling Unit</u> ⁶²	((A)) P	((A)) P	((A)) P	((A)) P	((A)) P	((A)) P
Agriculture ^{41, 107}	P	P	P	P	P	P

TYPE OF USE	Other Zones					
	SA-1	RC	RU	R-20,000	R-12,500	WFB
Airport, Stage 1 Utility ¹	C	C	C	C	C	C
Art Gallery ⁴¹	C	C	P	C	C	C
Bakery, Farm ⁹⁷		P				
Bed and Breakfast Guesthouse ⁵⁸	A	A	A	A	A	A
Bed and Breakfast Inn ⁵⁸		A				
Boarding House	P ¹⁵	P ¹⁵				
Boat Launch, Non-commercial ³¹	C	C	C	C	C	C
Caretaker's Quarters		C				
Cemetery and Funeral Home	C	C	C	C	C	C
Church ^{41, 129}	C	C	P	C	C	C
Clubhouse	C	C		C	C	C
Community Facilities for Juveniles ¹⁰³						
1 to 8 residents	P	P	P	P	P	P
9 to 24 residents	S	S	S	S	S	S
Day Care Center ^{2, 129}	C	C	P	C	C	C
Distillation of Alcohol		C ³⁴	C ³⁴			
Dock & Boathouse, Private, Non-commercial ^{3, 41}	P	P	P	P	P	P
Dwelling, Duplex	P	P	P ⁴²	P	P ⁴²	P ⁴²
Dwelling, Mobile Home	P	P	P ⁶	P	P ⁶	P ⁶
Dwelling, Single Family	P	P	P	P	P	P
Equestrian Center ^{41, 70, 72}		P				
Electric Vehicle Infrastructure						
Electric Vehicle Charging Station - Restricted, Level 1, and Level 2 ¹²¹	P	P	P	P	P	P
Electric Vehicle Charging Station - Public, Level 1 and Level 2						
Electric Vehicle Charging Station, Level 3	C ¹²⁰					
Battery Exchange Stations	C ¹²⁰					
Excavation & Processing of Minerals ²⁸		A,C				
Explosives Storage		C	C			

TYPE OF USE	Other Zones					
	SA-1	RC	RU	R-20,000	R-12,500	WFB
Family Day Care Home ⁸	P	P	P	P	P	P
Farm Product Processing						
Up to 5,000 sq ft		P	A			
Over 5,000 sq ft ⁹⁴		P				
Farm Support Businesses ⁹⁴		A				
Farm Stand						
Up to 400 sq ft ⁹	P	P	P	P	P	P
401 to 5,000 sq ft ⁹⁹		P ¹⁰⁰ A ¹⁰⁰				
Farmers Market ⁹³		P ¹⁰¹ A ¹⁰¹				
Farmland Enterprises ⁹⁵		A				
Fish Farm	P	P	P			
Forestry	P	P	P			
Foster Home	P	P	P	P	P	P
Garage, Detached Private Accessory ⁶⁰						
Up to 2,400 sq ft	P	P	P	P	P	P
2,401 - 4,000 sq ft on More than 3 Acres ^{41, 59}	P	P	P	P	P	P
2,401 - 4,000 sq ft on Less than 3 acres ^{41, 59}	A	A	A	A	A	A
4,001 sq ft and Greater ^{41, 59}	C	C	C	C	C	C
Garage, Detached Private Non-accessory ⁶⁰						
Up to 2,400 sq ft	P	P	P	P	P	P
2,401 sq ft and greater ^{41, 59}	C	C	C	C	C	C
Golf Course, Driving Range and Country Club	C	C		C	C	C
Government Structures & Facilities ^{27, 41}	C	C	C	C	C	C
Greenhouse, Lath House, Nurseries	P					
Guest House ⁸⁵	P	P	P	P	P	P
Health and Social Service Facility ⁹⁰						
Level I	P	P	P	P	P	P

TYPE OF USE	Other Zones					
	SA-1	RC	RU	R-20,000	R-12,500	WFB
Level II ^{41, 91, 129}	C	C	C	C	C	C
Level III						
Home Occupation ¹¹	P	P	P	P	P	P
Homestead Parcel ⁴⁰		C				
Kennel, ⁴¹ Commercial	C	C	P	C	C	C
Kennel, ⁴¹ Private-Breeding ¹³	C	P	P	P	P	P
Kennel, ⁴¹ Private-Non-Breeding ¹³	P	P	P	P	P	P
Kitchen, Farm		P	P			
Library ⁴¹	C	C	P	C	C	C
Mini-equestrian Center ^{41, 72}		P				
Model House/Sales Office	P	P	P	P	P	P
Museum ⁴¹	C	C	P	C	C	C
Park, Public ¹⁴	P	P	P	P	P	P
Park-and-Pool Lot				C	C	
Park-and-Ride Lot	C	C	C	C	C	
Personal Wireless Service Facilities ^{27, 41, 104, 106}	C	C	C	C	C	C
Race Track ^{24, 41, 129}		C	C			
Railroad Right-of-way	C	C	C	C	C	C
Recreational Facility Not Otherwise Listed	C	C	P	C	C	C
Recreational Vehicle ¹⁹	P	P	P			
Sanitary Landfill ¹²⁹	C	C	C	C	C	C
Schools						
K-12 & Preschool ^{41, 68, 129}	C	C	C	C	C	C
College ^{41, 68}	C	C	C	C	C	C
Shooting Range ⁹²		C	C			
Sludge Utilization ³⁹	C	C	C	C	C ⁵⁶	C ⁵⁶
Small Animal Husbandry ⁴¹	P	P	P	C ³⁷	C ³⁷	C ³⁷
Stables	P	P	P	P	P	P
Storage, Retail Sales Livestock Feed		p ⁵⁴				
Storage Structure, Accessory ⁶⁰						

TYPE OF USE	Other Zones					
	SA-1	RC	RU	R-20,000	R-12,500	WFB
Up to 2,400 sq ft	P	P	P	P	P	P
2,401 - 4,000 sq ft on More than 3 Acres 41, 59	P	P	P	P	P	P
2,401 sq ft - 4,000 sq ft on Less than 3 acres 41, 59	A	A	A	A	A	A
4,001 sq ft and Greater 41, 59	C	C	P	C	C	C
Storage Structure, Non-accessory						
Up to 2,400 sq ft	P	P	P	P	P	P
2,401 sq ft and greater	C	C	C	C	C	C
Studio 41	C ⁷⁷	C ⁷⁷	P	C ⁷⁷	C ⁷⁷	C ⁷⁷
Supervised Drug Consumption Facility						
Swimming/Wading Pool 17, 41	P	P	P	P	P	P
Temporary Dwelling During Construction	A	A	A	A	A	A
Temporary Dwelling For Relative 18	A	A	A	A	A	A
Temporary Residential Sales Coach 73	A	A	A	A	A	A
Transit Center	C	C	C	C	C	
Ultralight Airpark 20		C				
Utility Facilities, Electromagnetic Transmission & Receiving Facilities 27, 129	C	C	C	C	C	C
Utility Facilities, Transmission Wires, Pipes & Supports 27	P	P	P	P	P	P
Utility Facilities-All Other Structures 27, 41	C	C	C	C	C	C
Veterinary Clinic	C	C	P			
P - Permitted Use	<p>A blank box indicates a use is not allowed in a specific zone.</p> <p>Note: Reference numbers within matrix indicate special conditions apply; see SCC 30.22.130.</p> <p>Check other matrices in this chapter if your use is not listed above.</p>					
A - Administrative Conditional Use						
C - Conditional Use						
S - Special Use						

1
2
3
4

Section 7. Snohomish County Code Section 30.22.130, last amended by Ordinance No. 21-001 on February 24, 2021, is amended to read:

1 **30.22.130 Reference notes for use matrices.**

2
3 (1) *Airport, Stage 1 Utility.*

4
5 (a) Not for commercial use and for use of small private planes;

6
7 (b) In the RU zone, they shall be primarily for the use of the resident property owner; and

8
9 (c) When the airport is included in an airpark, the disclosure requirements of SCC
10 30.28.005 shall apply.

11
12 (2) *Day Care Center.*

13
14 (a) In WFB, R-7,200, R-8,400, R-9,600, R-12,500, R-20,000, and SA-1 zones, shall only
15 be permitted in connection with and secondary to a school facility or place of worship; and

16
17 (b) Outdoor play areas shall be fenced or otherwise controlled, and noise buffering
18 provided to protect adjoining residences.

19
20 (3) *Dock and Boathouse, Private, Non-commercial.* The following standards apply outside of
21 shoreline jurisdiction only. If located within shoreline jurisdiction, the standards in SCC
22 30.67.517 apply instead.

23
24 (a) The height of any covered over-water structure shall not exceed 12 feet as measured
25 from the line of ordinary high water;

26
27 (b) The total roof area of covered, over-water structures shall not exceed 1,000 square feet;

28
29 (c) The entirety of such structures shall have a width no greater than 50 percent of the
30 width of the lot at the natural shoreline upon which it is located;

31
32 (d) No over-water structure shall extend beyond the mean low water mark a distance
33 greater than the average length of all preexisting over-water structures along the same
34 shoreline within 300 feet of either side of the parcel on which the structure is proposed.
35 Where no such preexisting structures exist within 300 feet, the pier length shall not exceed
36 50 feet;

37
38 (e) Structures permitted hereunder shall not be used as a dwelling, nor shall any boat
39 moored at any wharf be used as a dwelling while so moored; and

40
41 (f) Covered structures are subject to a minimum setback of three feet from any side lot line
42 or extension thereof. No side yard setback shall be required for uncovered structures. No
43 rear yard setback shall be required for any structure permitted hereunder.

44
45 (4) *Dwelling, Single-Family.* In the MHP zone, single-family detached dwellings are limited to
46 one per existing single legal lot of record.

1
2 (5) See chapter 30.31E SCC for rezoning to Townhouse zone, and chapter 30.23A SCC for
3 design standards applicable to single-family attached dwelling, mixed townhouse, and
4 townhouse development.

5
6 (6) *Dwelling, Mobile Home.*

7
8 (a) Shall be multi-sectioned by original design, with a width of 20 feet or greater along its
9 entire body length;

10
11 (b) Shall be constructed with a non-metallic type, pitched roof;

12
13 (c) Except where the base of the mobile home is flush to ground level, shall be installed
14 either with:

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

17
18 (ii) a perimeter masonry foundation;

19
20 (d) Shall have the wheels and tongue removed; and

21
22 (e) In the RU zone the above only applies if the permitted lot size is less than 20,000 square
23 feet.

24
25 (7) RESERVED for future use.

26
27 (8) *Family Day Care Home.*

28
29 (a) No play yards or equipment shall be located in any required setback from a street; and

30
31 (b) Outdoor play areas shall be fenced or otherwise controlled.

32
33 (9) *Farm Stand.*

34
35 (a) There shall be only one stand on each lot; and

36
37 (b) At least 50 percent by farm product unit of the products sold shall be grown, raised or
38 harvested in Snohomish County, and 75 percent by farm product unit of the products sold
39 shall be grown, raised or harvested in the state of Washington.

40
41 (10) *Farm Worker Dwelling.*

42
43 (a) At least one person residing in each farm worker dwelling shall be employed full time
44 in the farm operation;

1 (b) An applicant for a building permit for a farm worker dwelling shall provide a
2 declaration of farm worker occupancy on a form available from the department to the
3 department for review and approval. The applicant shall record the declaration with the
4 county auditor and provide a copy of the recorded declaration to the department prior to
5 issuance of the building permit for the farm worker dwelling. Within 30 days of a sale or
6 transfer of the property, the new property owner(s) shall record a declaration of farm worker
7 occupancy with the county auditor and provide the department with a copy of the recorded
8 declaration;

9
10 (c) The number of farm worker dwellings shall be limited to one per each 20 acres under
11 single contiguous ownership to a maximum of six total farm worker dwellings, with no
12 rounding provisions applied. Construction of the maximum number of farm worker
13 dwellings permitted shall be interpreted as exhausting all farm worker dwelling potential of
14 the land until such time as the property is legally subdivided; and

15
16 (d) All farm worker dwellings must be built within a farm building cluster which includes a
17 farmhouse; and

18
19 (e) The floor area for an attached or detached farm worker dwelling, exclusive of garages
20 and porches, shall be a maximum of 1,200 square feet.

21
22 (11) *Home Occupation.* See SCC 30.28.050.

23
24 (12) *Kennel, Commercial.* There shall be a five-acre minimum lot area; except in the R-5 and
25 RD zones, where 200,000 square feet shall be the minimum lot area.

26
27 (13) *Kennel, Private-breeding, and Kennel, Private Non-breeding.* Where the animals
28 comprising the kennel are housed within the dwelling, the yard or some portion thereof shall be
29 fenced and maintained in good repair or to contain or to confine the animals upon the property
30 and restrict the entrance of other animals.

31
32 (14) *Parks, Publicly-owned and Operated.*

33
34 (a) No bleachers are permitted if the site is less than five acres in size;

35
36 (b) All lighting shall be shielded to protect adjacent properties; and

37
38 (c) No amusement devices for hire are permitted.

39
40 (15) *Boarding House.* There shall be accommodations for no more than two persons.

41
42 (16) RESERVED for future use (Social Service Center – DELETED by Amended Ord. 04-010
43 effective March 15, 2004)

1 (17) *Swimming/Wading Pool (not to include hot tubs and spas): For the sole use of occupants*
2 *and guests.*

3
4 (a) No part of the pool shall project more than one foot above the adjoining ground level in
5 a required setback; and

6
7 (b) The pool shall be enclosed with a fence not less than four feet high, of sufficient design
8 and strength to keep out children.

9
10 (18) *Temporary Dwelling for a Relative.*

11
12 (a) The dwelling shall be occupied only by a relative, by blood or marriage, of the
13 occupant(s) of the permanent dwelling;

14
15 (b) The relative must receive from, or administer to, the occupant of the other dwelling
16 continuous care and assistance necessitated by advanced age or infirmity;

17
18 (c) The need for such continuous care and assistance shall be attested to in writing by a
19 licensed physician;

20
21 (d) The temporary dwelling shall be occupied by not more than two persons;

22
23 (e) Use as a commercial rental unit shall be prohibited;

24
25 (f) The temporary dwelling shall be situated not less than 20 feet from the permanent
26 dwelling on the same lot and shall not be located in any required yard of the principal
27 dwelling;

28
29 (g) A land use permit binder shall be executed by the landowner, recorded with the
30 Snohomish County auditor and a copy of the recorded document submitted to the
31 department for inclusion in the permit file;

32
33 (h) Adequate screening, landscaping, or other measures shall be provided pursuant to SCC
34 30.25.028 to protect surrounding property values and ensure compatibility with the
35 immediate neighborhood;

36
37 (i) An annual renewal of the temporary dwelling permit, together with recertification of
38 need, shall be accomplished by the applicant through the department in the same month of
39 each year in which the initial mobile home/building permit was issued;

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

43
44 (k) Only one temporary dwelling may be established on a lot. The temporary dwelling shall
45 not be located on a lot on which a detached accessory apartment is located.
46

1 (19) *Recreational Vehicle.*

2
3 (a) There shall be no more than one per lot;

4
5 (b) Shall not be placed on a single site for more than 180 days in any 12-month period; and

6
7 (c) Shall be limited in the floodways to day use only (dawn to dusk) during the flood
8 season (October 1st through March 30th) with the following exceptions:

9
10 (i) Recreational vehicle use associated with a legally occupied dwelling to
11 accommodate overnight guests for no more than a 21-day period;

12
13 (ii) Temporary overnight use by farm workers on the farm where they are employed
14 subject to subsections (19)(a) and (19)(b) of this section; and

15
16 (iii) Subject to subsections (19)(a) and (19)(b) of this section and SCC 30.65.120(7),
17 temporary overnight use in a mobile home park, which has been in existence
18 continuously since 1970 or before, that provides septic or sewer service, water and other
19 utilities, and that has an RV flood evacuation plan that has been approved and is on file
20 with the department of emergency management and department of planning and
21 development services.

22
23 (20) *Ultralight Airpark.*

24
25 (a) Applicant shall submit a plan for the ultralight airpark showing the location of all
26 buildings, ground circulation, and parking areas, common flight patterns, and arrival and
27 departure routes;

28
29 (b) Applicant shall describe in writing the types of activities, events, and flight operations
30 which are expected to occur at the airpark; and

31
32 (c) Approval shall be dependent upon a determination by the county decision maker that all
33 potential impacts such as noise, safety hazards, sanitation, traffic, and parking are
34 compatible with the site and neighboring land uses, particularly those involving residential
35 uses or livestock or small animal husbandry; and further that the proposed use can comply
36 with Federal Aviation Administration regulations (FAR Part 103), which state that ultralight
37 vehicle operations will not:

38
39 (i) create a hazard for other persons or property;

40
41 (ii) occur between sunset and sunrise;

42
43 (iii) occur over any substantially developed area of a city, town, or settlement,
44 particularly over residential areas or over any open air assembly of people; or
45

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

3
4 (21) RESERVED for future use.

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

7
8 (23) *Vehicle, Vessel and Equipment Sales and Rental*. In the CB and CRC zone, all display,
9 storage, and sales activities shall be conducted within a structure enclosed by walls on at least
10 two sides.

11
12 (24) *Race Track*. The track shall be operated in such a manner so as not to cause offense by
13 reason of noise or vibration beyond the boundaries of the subject property.

14
15 (25) *Rural Industry*.

16
17 (a) The number of employees shall not exceed 10;

18
19 (b) All operations shall be carried out in a manner so as to avoid the emission or creation of
20 smoke, dust, fumes, odors, heat, glare, vibration, noise, traffic, surface water drainage,
21 sewage, water pollution, or other emissions which are unduly or unreasonably offensive or
22 injurious to properties, residents, or improvements in the vicinity;

23
24 (c) The owner of the rural industry must reside on the same premises as the rural industry
25 and, in the RD zone, the residence shall be considered as a caretaker's quarters; and

26
27 (d) Outside storage, loading or employee parking in the RD zone shall provide 15-foot
28 wide Type A landscaping as defined in SCC 30.25.017.

29
30 (26) See SCC 30.31F.110 for performance standards specific to the Rural Business zone.

31
32 (27) *Government Structures and Facilities, Utility Structures and Facilities, and Personal*
33 *Wireless Service Facilities*. Special lot area requirements for these uses are contained in SCC
34 30.23.200.

35
36 (28) *Excavation and Processing of Minerals*.

37
38 (a) This use, as described in SCC 30.31D.010(2), is allowed in the identified zones only
39 where these zones coincide with the mineral lands designation in the comprehensive plan
40 (mineral resource overlay or MRO), except for the MC zone where mineral lands
41 designation is not required.

42
43 (b) An Administrative Conditional Use Permit or a Conditional Use Permit is required
44 pursuant to SCC 30.31D.030.

1 (c) Excavation and processing of minerals exclusively in conjunction with forest practices
2 regulated pursuant to chapter 76.09 RCW is permitted outright in the Forestry zone.
3

4 (29) *Medical Clinic, Licensed Practitioner.* A prescription pharmacy may be permitted when
5 located within the main building containing licensed practitioner(s).
6

7 (30) Forest Industry Storage & Maintenance Facility (except harvesting) adjacent to property
8 lines in the RU zone shall provide 15-foot wide Type A landscaping as defined in SCC
9 30.25.017.
10

11 (31) *Boat Launch Facilities, Commercial or Non-commercial.*
12

13 (a) The hearing examiner may regulate, among other factors, required launching depth,
14 lengths of existing docks and piers;
15

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

20 (c) A level vehicle-maneuvering space measuring at least 50 feet square shall be provided;
21

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

25 (e) Safety buoys shall be installed and maintained separating boating activities from other
26 water-oriented recreation and uses where this is reasonably required for public safety,
27 welfare, and health; and
28

29 (f) All site improvements for boat launch facilities shall comply with all other requirements
30 of the zone in which it is located.
31

32 (32) *Campground.*
33

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

36 (b) The minimum site size shall be 10 acres; and
37

38 (c) Campgrounds in Forestry (F) zoning may not provide utility hookups (e.g. water,
39 electric, sewage) to individual campsites; such hookups are allowed in campgrounds with
40 Forestry and Recreation (F&R) zoning.
41

42 (33) *Commercial Vehicle Home Basing.*
43

44 (a) The vehicles may be parked and maintained only on the property wherein resides a
45 person who uses them in their business;
46

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

2
3 (c) The vehicles shall be in operable condition.

4
5 (34) *Distillation of Alcohol.*

6
7 (a) The distillation shall be from plant products, for the purpose of sale as fuel, and for the
8 production of methane from animal waste produced on the premises;

9
10 (b) Such distillation shall be only one of several products of normal agricultural activities
11 occurring on the premises; and

12
13 (c) By-products created in this process shall be used for fuel or fertilizer on the premises.

14
15 (35) RESERVED for future use (Group Care Facility – DELETED by Amended Ord. 04-010
16 effective March 15, 2004)

17
18 (36) Churches are exempt from the Rural Business zone performance standards in SCC
19 30.31F.110(1) and (2).

20
21 (37) *Small Animal Husbandry.* There shall be a five-acre minimum site size.

22
23 (38) *Mobile Home Park.* Such development must fulfill the requirements of chapter 30.42E
24 SCC.

25
26 (39) *Sludge Utilization.* See SCC 30.28.085.

27
28 (40) *Homestead Parcel.* See SCC 30.28.055.

29
30 (41) Special Setback Requirements for this use are contained in SCC 30.23.110(26) or SCC
31 30.67.595 if within shoreline jurisdiction.

32
33 (42) In the R-12,500 and WFB zones, the minimum lot size for duplexes shall be one and one-
34 half times the minimum lot size for single-family dwellings.

35
36 (43) *Petroleum Products and Gas, Bulk Storage.*

37
38 (a) All above ground storage tanks shall be set back from all property lines in accordance
39 with requirements in the International Fire Code (IFC); and

40
41 (b) Storage tanks below ground shall be set back no closer to the property line than a
42 distance equal to the greatest dimensions (diameter, length or height) of the buried tank.

43
44 (44) *Auto Wrecking Yards and Junkyards.* A sight-obscuring fence a minimum of seven feet
45 high shall be established and maintained to the interior side of the required perimeter landscaping

1 area in the LI and RI zones. For perimeter landscaping requirements for this use in all zones, see
2 SCC 30.25.020.

3
4 (45) *Antique Shops*. When established as a home occupation as regulated by SCC 30.28.050(1);
5 provided further that all merchandise sold or offered for sale shall be predominantly "antique"
6 and antique-related objects.

7
8 (46) *Billboards*. See SCC 30.27.080 for specific requirements.

9
10 (47) RESERVED for future use.

11
12 (48) *Stockyard and Livestock Auction Facility*. The minimum lot size is 10 acres.

13
14 (49) *Restaurants and Personal Service Shops*. Located to service principally the constructed
15 industrial park uses.

16
17 (50) *Sludge Utilization*. A conditional use permit is required for manufacture of materials by a
18 non-governmental agency containing stabilized or digested sludge for a public utilization.

19
20 (51) RESERVED for future use.

21
22 (52) RESERVED for future use.

23
24 (53) *Retail Store*. See SCC 30.31A.120 for specific requirements for retail stores in the BP
25 zone.

26
27 (54) Retail Sales of Hay, Grain, and Other Livestock Feed are permitted on site in conjunction
28 with a livestock auction facility.

29
30 (55) Noise of Machines and Operations in the LI and HI zones shall comply with chapter 10.01
31 SCC and machines and operations shall be muffled so as not to become objectionable due to
32 intermittence, beat frequency, or shrillness.

33
34 (56) *Sludge Utilization*. Only at a completed sanitary landfill or on a completed cell within a
35 sanitary landfill, subject to the provision of SCC 30.28.085.

36
37 (57) *Woodwaste Recycling and Woodwaste Storage Facility*. See SCC 30.28.095.

38
39 (58) *Bed and Breakfast Guesthouses and Bed and Breakfast Inns*. See SCC 30.28.020.

40
41 (59) *Detached Accessory or Non-Accessory Private Garages and Storage Structures*. Subject to
42 the following requirements:

43
44 (a) Special setback requirements for these uses are contained in SCC 30.23.110(20);
45

1 (b) Artificial lighting shall be hooded or shaded so that direct outside lighting, if any, will
2 not result in glare when viewed from the surrounding property or rights-of-way;
3

4 (c) The following compatibility standards shall apply:
5

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

15 (ii) building plans for all proposals larger than 2,400 square feet in the Waterfront
16 Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and rural cluster subdivisions
17 shall document the use of building materials compatible and consistent with existing on-
18 site residential development exterior finishes;
19

20 (iii) in the Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and rural
21 cluster subdivisions, no portion of a detached accessory private garage or storage
22 structure shall extend beyond the building front of the existing single-family dwelling,
23 unless screening, landscaping, or other measures are provided to ensure compatibility
24 with adjacent properties; and
25

26 (iv) in the Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and rural
27 cluster subdivisions, no portion of a detached non-accessory private garage or storage
28 structure shall extend beyond the building front of existing single-family dwellings on
29 adjacent lots where the adjacent dwellings are located within 10 feet of the subject
30 property line. When a detached non-accessory private garage or storage structure is
31 proposed, the location of existing dwellings on adjacent properties located within 10
32 feet of the subject site property lines shall be shown on the site plan;
33

34 (d) All detached accessory or non-accessory private garages and storage structures
35 proposed with building footprints larger than 2,400 square feet shall provide screening or
36 landscaping from adjacent properties pursuant to chapter 30.25 SCC;
37

38 (e) On lots less than 10 acres in size having no established residential use, only one non-
39 accessory private garage and one storage structure shall be allowed. On lots 10 acres or
40 larger without a residence where the cumulative square footage of all existing and proposed
41 non-accessory private garages and storage structures is 6,000 square feet or larger, a
42 conditional use permit shall be required.
43

44 (f) Where permitted, separation between multiple private garages or storage structures shall
45 be regulated pursuant to subtitle 30.5 SCC.
46

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

5
6 (61) *Museums*. Museums within the agriculture A-10 zone are permitted only in structures
7 which were legally existing on October 31, 1991.

8
9 (62) *Accessory ((~~Apartments~~)) Dwelling Units*. See SCC 30.28.010.

10
11 (63) *Temporary Woodwaste Recycling and Temporary Woodwaste Storage Facilities*. See SCC
12 30.28.090.

13
14 (64) RESERVED for future use.

15
16 (65) *On-Site Hazardous Waste Treatment and Storage Facilities*. Allowed only as an incidental
17 use to any use generating hazardous waste which is otherwise allowed; provided that such
18 facilities demonstrate compliance with the state siting criteria for dangerous waste management
19 facilities pursuant to RCW 70.105.210 and WAC 173-303-282, as now written or hereafter
20 amended.

21
22 (66) An application for a conditional use permit to allow an off-site hazardous waste treatment
23 and storage facility shall demonstrate compliance with the state siting criteria for dangerous
24 waste management facilities pursuant to RCW 70.105.210 and WAC 173-303-282 as now
25 written or hereafter amended.

26
27 (67) *Adult Entertainment Uses*. See SCC 30.28.015.

28
29 (68) Special Building Height provisions for this use are contained in SCC 30.23.050(2)(d).

30
31 (69) RESERVED for future use.

32
33 (70) *Equestrian Centers*. Allowed with a conditional use permit on all lands zoned A-10 except
34 in that portion of the special flood hazard area of the lower Snohomish and Stillaguamish rivers
35 designated density fringe as described in chapter 30.65 SCC.

36
37 (71) Mini-Equestrian Centers are allowed as a permitted use on all lands zoned A-10 except in
38 that portion of the special flood hazard area of the lower Snohomish and Stillaguamish rivers
39 designated density fringe as described in chapter 30.65 SCC.

40
41 (72) Equestrian Centers and Mini-equestrian Centers require the following:

42
43 (a) Five-acre minimum site size for a mini-equestrian center;

1 (b) Covered riding arenas shall not exceed 15,000 square feet for a mini-equestrian center;
2 provided that stabling areas, whether attached or detached, shall not be included in this
3 calculation;

4
5 (c) Any lighting of an outdoor or covered arena shall be shielded so as not to glare on
6 surrounding properties or rights-of-way;

7
8 (d) On sites located in RC and R-5 zones, Type A landscaping as defined in SCC 30.25.017
9 is required to screen any outside storage, including animal waste storage, and parking areas
10 from adjacent properties;

11
12 (e) Riding lessons, rentals, or shows shall only occur between 8:00 a.m. and 9:00 p.m.;

13
14 (f) Outside storage, including animal waste storage, and parking areas shall be set back at
15 least 30 feet from any adjacent property line. All structures shall be set back as required in
16 SCC 30.23.110(8); and

17
18 (g) The facility shall comply with all applicable county building, health, and fire code
19 requirements.

20
21 (73) *Temporary Residential Sales Coach (TRSC).*

22
23 (a) The commercial coach shall be installed in accordance with all applicable provisions
24 within chapter 30.54A SCC;

25
26 (b) The TRSC shall be set back a minimum of 20 feet from all existing and proposed road
27 rights-of-way and five feet from proposed and existing property lines;

28
29 (c) Vehicular access to the temporary residential sales coach shall be approved by the
30 county or state; and

31
32 (d) Temporary residential sales coaches may be permitted in approved preliminary plats,
33 prior to final plat approval, when the following additional conditions have been met:

34
35 (i) plat construction plans have been approved;

36
37 (ii) the fire marshal has approved the TRSC proposal;

38
39 (iii) proposed lot lines for the subject lot are marked on site; and

40
41 (iv) the site has been inspected for TRSC installation to verify compliance with all
42 applicable regulations and plat conditions, and to assure that land disturbing activity,
43 drainage, utilities infrastructure, and native growth protection areas are not adversely
44 affected.

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

4
5 (75) *Model Hobby Park*. SCC 30.28.060.

6
7 (76) *Commercial Retail Uses*. Not allowed in the Light Industrial and Industrial Park zones
8 when said zones are located in the Maltby UGA of the comprehensive plan, and where such
9 properties are, or can be served by railway spur lines.

10
11 (77) *Studio*. Studio uses may require the imposition of special conditions to ensure
12 compatibility with adjacent residential, multiple family, or rural-zoned properties. The hearing
13 examiner may impose such conditions when deemed necessary pursuant to the provisions of
14 chapter 30.42C SCC. The following criteria are provided for hearing examiner consideration
15 when specific circumstances necessitate the imposition of conditions:

16
17 (a) The number of nonresident artists and professionals permitted to use a studio at the
18 same time may be limited to no more than 10 for any lot 200,000 square feet or larger in
19 size, and limited to five for any lot less than 200,000 square feet in size;

20
21 (b) The hours of facility operation may be limited; and

22
23 (c) Landscape buffers may be required to visually screen facility structures or outdoor
24 storage areas when the structures or outdoor storage areas are proposed within 100 feet of
25 adjacent residential, multiple family, and rural-zoned properties. The buffer shall be an
26 effective site obscuring screen consistent with Type A landscaping as defined in SCC
27 30.25.017.

28
29 (78) RESERVED for future use.

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

32
33 (80) The gross floor area of the use shall not exceed 4,000 square feet.

34
35 (81) The construction contracting use in the Rural Business zone shall be subject to the
36 following requirements:

37
38 (a) The use complies with all of the performance standards required by SCC 30.31F.100
39 and 30.31F.110;

40
41 (b) Not more than 1,000 square feet of outdoor storage of materials shall be allowed and
42 shall be screened in accordance with SCC 30.25.024;

43
44 (c) In addition to the provisions of subsection (81)(b) of this section, not more than five
45 commercial vehicles or construction machines shall be stored outdoors and shall be screened
46 in accordance with SCC 30.25.020 and 30.25.032;

1
2 (d) The on-site fueling of vehicles shall be prohibited; and

3
4 (e) The storage of inoperable vehicles and hazardous or earth materials shall be prohibited.

5
6 (82) *Manufacturing, Heavy includes the following uses.* Distillation of wood, coal, bones, or the
7 manufacture of their by-products; explosives manufacturing; manufacture of fertilizer; extraction
8 of animal or fish fat or oil; forge, foundry, blast furnace or melting of ore; manufacturing of acid,
9 animal black/black bone, cement or lime, chlorine, creosote, fertilizer, glue or gelatin, potash,
10 pulp; rendering of fat, tallow and lard, rolling or booming mills; tannery; or tar distillation and
11 manufacturing. See SCC 30.91M.028.

12
13 (83) "All other forms of manufacture not specifically listed" is a category which uses
14 manufacturing workers, as described under the Dictionary of Occupational Titles, published by
15 the U.S. Department of Labor, to produce, assemble or create products and which the director
16 finds consistent with generally accepted practices and performance standards for the industrial
17 zone where the use is proposed. See SCC 30.91M.024 and 30.91M.026.

18
19 (84) RESERVED for future use.

20
21 (85) A single-family dwelling may have only one guesthouse.

22
23 (86) Outdoor display or storage of goods and products is prohibited on site.

24
25 (87) *Wedding Facility.*

26
27 (a) A wedding facility is permitted only:

28
29 (i) on vacant and undeveloped land;

30
31 (ii) on developed land, but entirely outside of any permanent structure;

32
33 (iii) partially outside of permanent structures and partially inside of one or more
34 permanent structures which were legally existing no less than eight years prior to the
35 date of the submittal of a permit application for the wedding facility; or

36
37 (iv) entirely inside of one or more permanent structures which were legally existing no
38 less than eight years prior to the date of the submittal of a permit application for the
39 wedding facility;

40
41 (b) A wedding facility, including any structures and adjacent outdoor space used in
42 conjunction with the wedding facility business, shall comply with the following:

43
44 (i) noise control provisions of chapter 10.01 SCC;

1 (ii) adequate vehicular sight distance and safe turning movements exist at the access to
2 the site consistent with county engineering design and development standards (EDDS);
3

4 (iii) adequate sanitation facilities are provided on site pursuant to chapter 30.50 SCC
5 and applicable Snohomish Health District provisions;
6

7 (iv) adequate on-site parking shall be provided for the use pursuant to SCC 30.26.035;
8 and
9

10 (v) all other applicable regulations in title 30 SCC including, but not limited to, flood
11 hazard regulations in chapter 30.65 SCC;
12

13 (c) A certificate of occupancy shall be obtained pursuant to chapter 30.52A SCC for the use
14 of any existing structure. The certificate of occupancy shall be subject to an annual
15 inspection and renewal pursuant to SCC 30.53A.361 to ensure building and fire code
16 compliance.
17

18 (88) *Public/Institutional Use Designation (P/IU)*. When applied to land that is (a) included in
19 an Urban Growth Area and (b) designated P/IU on the Snohomish County Future Land Use Map
20 concurrent with or prior to its inclusion in a UGA, the R-7,200, R-8,400 and R-9,600 zones shall
21 allow only the following permitted or conditional uses: churches, and school instructional
22 facilities. All other uses are prohibited within areas that meet criteria (a) and (b), unless the P/IU
23 designation is changed.
24

25 (89) *Hotel/Motel Uses*. Permitted in the Light Industrial zone when the following criteria are
26 met:
27

28 (a) The Light Industrial zone is located within a municipal airport boundary;
29

30 (b) The municipal airport boundary includes no less than 1,000 acres of land zoned light
31 industrial; and
32

33 (c) The hotel/motel use is served by both public water and sewer.
34

35 (90) Health and Social Service Facilities regulated under this title do not include secure
36 community transition facilities (SCTFs) proposed pursuant to chapter 71.09 RCW. See SCC
37 30.91H.095.
38

39 (a) Snohomish County is preempted from regulation of SCTFs. In accordance with the
40 requirements of state law the county shall take all reasonable steps permitted by chapter
41 71.09 RCW to ensure that SCTFs comply with applicable siting criteria of state law. Every
42 effort shall be made by the county through the available state procedures to ensure strict
43 compliance with all relevant public safety concerns, such as emergency response time,
44 minimum distances to be maintained by the SCTF from "risk potential" locations, electronic
45 monitoring of individual residents, household security measures and program staffing.
46

1 (b) Nothing herein shall be interpreted as to prohibit or otherwise limit the county from
2 evaluating, commenting on, or proposing public safety measures to the state of Washington
3 in response to a proposed siting of a SCTF in Snohomish County.
4

5 (c) Nothing herein shall be interpreted to require or authorize the siting of more beds or
6 facilities in Snohomish County than the county is otherwise required to site for its SCTFs
7 pursuant to the requirements of state law.
8

9 (91) *Level II Health and Social Service Uses*. Allowed outside the UGA only when the use is
10 not served by public sewer.
11

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

16 (93) *Farmers Market*. See SCC 30.28.036.
17

18 (94) *Farm Product Processing and Farm Support Business*. See SCC 30.28.038.
19

20 (95) *Farmland Enterprise*. See SCC 30.28.037.
21

22 (96) *Public Events/Assemblies on Farmland*. Such event or assembly shall:
23

24 (a) Comply with the requirements of SCC 30.53A.800; and
25

26 (b) Not exceed two events per year. No event shall exceed two weeks in duration.
27

28 (97) *Bakery, Farm*. The gross floor area of the use shall not exceed 1,000 square feet.
29

30 (98) *Recreational Facility Not Otherwise Listed in A-10 zone, Forestry (F), or Forestry and
31 Recreation (F&R) zones*. See SCC 30.28.076.
32

33 (99) *Farm Stand*. See SCC 30.28.039.
34

35 (100) *Farm Stand*. Allowed as a Permitted Use (P) when sited on land designated riverway
36 commercial farmland, upland commercial farmland or local commercial farmland in the
37 comprehensive plan. Allowed as an Administrative Conditional Use (A) when sited on land not
38 designated riverway commercial farmland, upland commercial farmland or local commercial
39 farmland in the comprehensive plan.
40

41 (101) *Farmers Market*. Allowed as a Permitted Use (P) when sited on land designated riverway
42 commercial farmland, upland commercial farmland or local commercial farmland in the
43 comprehensive plan. Allowed as an Administrative Conditional Use (A) when sited on land not
44 designated riverway commercial farmland, upland commercial farmland or local commercial
45 farmland in the comprehensive plan.
46

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

3
4 (103) All community facilities for juveniles shall meet the performance standards set forth in
5 SCC 30.28.025.

6
7 (104) Personal wireless service facilities are subject to development standards in chapter
8 30.28A SCC, parking standards in SCC 30.26.030, setback requirements in SCC 30.23.110(26)
9 or SCC 30.67.595 if within shoreline jurisdiction, and landscaping standards in chapter 30.25
10 SCC.

11
12 (105) RESERVED for future use.

13
14 (106) See SCC 30.28A.050(2) for instances when a personal wireless service facility does not
15 require a conditional use permit.

16
17 (107) *Agricultural Composting Requirements.*

18
19 (a) On-farm site agricultural composting operations that comply with the requirements
20 established in this section are allowed in the A-10 zone. These composting facilities and
21 operations shall be constructed and operated in compliance with all applicable federal, state
22 and local laws, statutes, rules and regulations. The Nutrient Management Plan portion of the
23 farm's Snohomish Conservation District Farm Plan or any other established nutrient
24 management plan must be on file with the department when any application for a land use
25 permit or approval is submitted to the department for the development of an agricultural
26 composting facility. Farm site agricultural composting operations shall also comply with the
27 following criteria:

28
29 (i) The composting operation shall be limited to 10 percent of the total farm site area;

30
31 (ii) At least 50 percent of the composted materials shall be agricultural waste;

32
33 (iii) At least 10 percent of the agricultural wastes must be generated on the farm site;

34
35 (iv) A maximum of 500 cubic yards of unsuitable incidental materials accumulated in
36 the agricultural waste such as rock, asphalt, or concrete over three inches in size may be
37 stored at the farm composting facility until its proper removal. All incidental materials
38 must be removed from the site yearly; and

39
40 (v) A minimum of 10 percent of the total volume of the finished compost produced
41 annually shall be spread on the farm site annually.

42
43 (b) In all other zones except A-10 where agriculture is a permitted use, incidental
44 agricultural composting of agricultural waste generated on a farm site is permitted. The
45 agricultural composting facility shall be constructed and operated in compliance with all
46 applicable federal, state and local laws, statutes, rules and regulations. The Nutrient

1 Management Plan portion of the farm’s Snohomish Conservation District Farm Plan or any
2 other established nutrient management plan must be on file with the department when any
3 permit application is submitted to the department for the development of an agricultural
4 composting facility.

5
6 (108) RESERVED for future use. (Urban Center Demonstration Program projects – DELETED
7 by Ord. 09-079)

8
9 (109) Privately operated off-road vehicle (ORV) use areas shall be allowed by conditional use
10 permit on Forestry and Recreation (F&R) zoned property designated Forest on the
11 comprehensive plan future land use map. These areas shall be identified by an F&R ORV suffix
12 on the zoning map. Privately operated ORV use areas are regulated pursuant to SCC 30.28.080
13 and 30.28.086 and other applicable county codes.

14
15 (110) RESERVED for future use.

16
17 (111) RESERVED for future use.

18
19 (112) RESERVED for future use. (Transfer of Development Rights receiving area overlay –
20 DELETED by Amended Ord. 13-064)

21
22 (113) *Privately Operated Motocross Racetracks*. Allowed by conditional use permit, and are
23 regulated pursuant to SCC 30.28.100 and 30.28.105, and other applicable county codes.
24 Motocross racetracks are allowed in the Forestry and Recreation (F&R) zone only on
25 commercial forest lands.

26
27 (114) New AM Radio Towers are prohibited. AM radio towers either constructed before
28 October 13, 2010, or with complete applications for all permits and approvals required for
29 construction before October 13, 2010, shall not be considered nonconforming uses and they may
30 be repaired, replaced, and reconfigured as to the number and dimensions of towers so long as the
31 repair, replacement, or reconfiguration occurs on the parcel where the tower was originally
32 constructed or permitted and it does not increase the number of AM radio towers constructed on
33 the parcel.

34
35 (115) This use is prohibited in the R-5 zone with the Mineral Resource Overlay (MRO). Public
36 park is a permitted use on reclaimed portions of mineral excavation sites with the MRO.

37
38 (116) See cottage housing design standard requirements in chapter 30.41G SCC.

39
40 (117) RESERVED for future use.

41
42 (118) RESERVED for future use.

43
44 (119) Only building mounted personal wireless service facilities or personal wireless service
45 facilities located on utility poles, streetlight poles, or traffic signal poles as specified in SCC
46 30.28A.055 shall be permitted.

1
2 (120) Allowed as a conditional use only with a Park-and-Pool Lot or a Park-and-Ride Lot.

3
4 (121) Permitted as an incidental use with a permitted use, conditional use or administrative
5 conditional use.

6
7 (122) Products or merchandise offered for sale or storage by a business may be located
8 outdoors; provided, that:

9
10 (a) The area occupied by the display shall not exceed 500 square feet; and

11
12 (b) Public sidewalks shall not be enclosed as space for sales or storage by fencing or other
13 means that effectively limits public use of the sidewalk.

14
15 (123) Such uses, except those as provided for in SCC 30.34A.010(4)(d), are permitted only in
16 structures which are legally existing on May 29, 2010. Such uses, except those as provided for in
17 SCC 30.34A.010(4)(d), shall also comply with subsection (122) of this section.

18
19 (124) The minimum lot size for marijuana related facilities is 100,000 square feet. Marijuana
20 production and marijuana processing are allowed indoors and outdoors, including in greenhouses
21 and other structures pursuant to chapter 314-55 WAC. In the A-10 zone, marijuana uses shall be
22 subject to the same regulations that apply to agricultural uses and not subject to any more
23 restrictive regulations except as specifically provided in this title and in state law. Marijuana
24 processing is only allowed when there is a marijuana production facility on site. Marijuana
25 facilities are subject to special setbacks pursuant to SCC 30.23.110(28).

26
27 (125) Marijuana production and processing is permitted indoors only; no outdoor production or
28 processing is allowed.

29
30 (126) RESERVED for future use.

31
32 (127) Campgrounds and recreational facilities not otherwise listed are not allowed on land
33 designated Local Forest in the comprehensive plan.

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

39
40 (129) Development within an airport compatibility area is subject to the requirements of chapter
41 30.32E SCC.

42
43 (130) On land designated as riverway commercial farmland, upland commercial farmland or
44 local commercial farmland or land zoned A-10 the following additional requirements apply:
45

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

4
5 (b) the use must be located, designed, and operated so as to not interfere with, and to
6 support the continuation of, the overall agricultural use of the property and neighboring
7 properties;

8
9 (c) the use and all activities and structures related to the use must be consistent with the
10 size, scale, and intensity of the existing agricultural use of the property and the existing
11 buildings on the site;

12
13 (d) the use and all activities and structures related to the use must be located within the
14 general area of the property that is already developed for buildings and residential uses;

15
16 (e) where the property is less than 10 acres in size, the use and all structures and activities
17 related to the use shall not convert more than 10 percent of agricultural land to
18 nonagricultural uses;

19
20 (f) where the property is 10 acres in size or more, the use and all structures and activities
21 related to the use shall not convert more than one acre of agricultural land to nonagricultural
22 uses; and

23
24 (g) any land disturbing activity required to support the use shall be limited to preserve
25 prime farmland.

26
27 The provisions of subsections (130)(a) through (130)(f) of this section do not apply to any land
28 under ownership or acquired before May 24, 2015, by any local, county, regional, or state agency
29 for recreation, public park and/or trail purposes. Any new development, alterations or
30 reconstruction on these properties shall meet subsection (130)(g) of this section and the
31 requirements of the A-10 zone. All buildings and parking areas shall be set back a minimum of
32 50 feet from the property boundaries. If the park or trail use produces adverse conditions that
33 will unduly affect an adjacent agricultural use, the director may impose a larger setback to
34 alleviate the effects of such adverse conditions, which include but are not limited to noise,
35 vibration, dust, and light.

36
37 (131) Marijuana-related facilities are prohibited within the exterior boundaries of the Tulalip
38 Indian Reservation.

39
40 (132) *Marijuana Retail*. See SCC 30.28.120.

41
42 (133) Only the following uses are permitted in the CRC zone: clubhouses, grooming parlors,
43 personal service shops, offices, tool sales and rental, locksmith, home improvement centers,
44 retail bakeries, drug stores, grocery stores, hardware stores, general retail, second hand stores,
45 specialty stores, and tire stores.

1 (134) *Material Recovery Facility*. See SCC 30.28.110.

2
3 (135) Retail, general uses may be allowed with an administrative conditional use permit only
4 when part of a new mixed-use development that includes residential dwellings or when
5 occupying a former residential structure (or portion of a residential structure). The proposed
6 retail use in the MR zone must meet the following criteria:

7
8 (a) The retail use has frontage on an arterial road as shown on the Countywide Arterial
9 Circulation Map;

10
11 (b) The gross leasable area of retail space may not exceed 6,000 square feet; and

12
13 (c) Products or merchandise offered for sale or storage by a business may be located
14 outdoors except that the area occupied by the display may not exceed 500 square feet and
15 public sidewalks may not be enclosed as space for sales or storage by fencing or other means
16 that effectively limits public use of the sidewalk.

17
18 (136) Within the NB zone, this use is only permitted when the Future Land Use Map in the
19 comprehensive plan designates the site as Urban Village.

20
21 (137) *Recycling Facility*. See SCC 30.28.112.

22
23 (138) Licensed practitioners and medical clinics may be conditionally permitted as the sole use
24 on a site. Cleaning establishments, grooming parlors, and personal service shops may only be
25 conditionally permitted when part of a development that includes residential dwellings or when
26 occupying a former residential structure (or portion of a residential structure).

27
28 Section 8. Snohomish County Code Section 30.23.235, added by Amended Ordinance
29 No. 11-058 on January 25, 2012, is amended to read:

30
31 **30.23.235 Development on substandard lots – General.**

32
33 Development on substandard lots, including single-family development under SCC 30.23.240, is
34 permitted, provided that it shall comply with the following requirements:

35
36 (1) Development permitted on substandard lots regulated by this chapter shall be subject to
37 compliance with all other applicable provisions of title 30 SCC.

38
39 (2) Where the combination of substandard lots is required or proposed for the development of a
40 single-family dwelling, or other building or structure, the lands involved shall be combined and
41 considered to be a single undivided parcel. No portion of said parcel shall be used, altered or sold
42 in any manner which diminishes compliance with lot area and width requirements, nor shall any
43 division be made which creates a lot with a width or area below the requirements permitted by
44 this title. A site plan depicting the lot combination shall be recorded with the auditor prior to
45 permit issuance.

1 (3) The development of new (~~attached and detached accessory apartments and~~) duplexes is
2 prohibited.

3
4 (4) Except as provided in SCC 30.23.235(3) and SCC 30.23.240, substandard lots may be used
5 for development permitted under this title and associated incidental uses, provided that the
6 development:

7
8 (a) Complies with the setback requirements of SCC 30.23.030;

9
10 (b) Complies with the Snohomish Health District standards; and

11
12 (c) Does not exceed the lot coverage requirement in SCC 30.23.030.

13
14 Section 9. Snohomish County Code Section 30.24.005, added by Amended Ordinance
15 No. 12-049 on October 3, 2012, is amended to read:

16
17 **30.24.005 Purpose and applicability.**

18
19 This purpose of this chapter is to establish minimum access and county road network
20 requirements to promote vehicular and pedestrian safety. This chapter shall apply to all
21 development applications except for the following where no new access is created:

22
23 (1) Any remodel of an existing single-family detached, duplex or attached single-family
24 structure.

25
26 (2) Site-specific rezones that are not accompanied by another permit or approval.

27
28 (3) Construction of an accessory (~~apartment~~) dwelling unit.

29
30 (4) Construction of an accessory or non-accessory storage structure that does not require a
31 conditional use permit.

32
33 (5) Construction of a detached private accessory or non-accessory garage that does not require a
34 conditional use permit.

35
36 Section 10. Snohomish County Code Section 30.25.020, last amended by Ordinance No.
37 20-080 on December 16, 2020, is amended to read:

38
39 **30.25.020 Perimeter landscaping requirements.**

40
41 (1) To reduce incompatible characteristics of abutting properties with different zoning
42 classifications, the minimum designated landscape width and type shall be required as a buffer
43 between uses pursuant to SCC Table 30.25.020(1) or as required in SCC 30.25.030(3), unless
44 exempted pursuant to SCC 30.25.020(4). For properties within urban zones that are separated
45 from properties in rural zones only by public or private roads or road right-of-way, the minimum
46 landscape requirements of SCC Table 30.25.020(1) shall also be required unless exempted

1 pursuant to SCC 30.25.020(4). When a development proposal has multiple uses or dwelling
 2 types, the most intensive use or dwelling type within 100 feet of the property line shall determine
 3 which perimeter landscaping requirements shall apply.

4
 5 (2) Properties zoned RFS, CRC and RB shall provide a 50-foot Type A perimeter landscape
 6 buffer when adjacent to R-5, RD, RRT-10, A-10, F, F&R and MC. Properties zoned RI shall
 7 provide a 100-foot Type A perimeter landscape buffer when adjacent to R-5, RD, RRT-10, A-10,
 8 F, F&R, and MC.

9
 10

Table 30.25.020(1) Perimeter Landscaping Requirements

Proposed Use	Zoning Classification of Adjacent Property																			
	R-9,600, R-8,400		R-7,200		T, LDMR, MR		NB, CB, PCB		GC, UC		LI, HI		BP, IP		RB, RFS, RI		CRC		All Other Zones	
	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type
Conditional Uses ³	20	A	20	A	20	A													20	A
Retail, Office, and Other Commercial Uses	15	A	15	A	15	B													25	A
Business Park	25	A	25	A	15	B	10	B											25	A
Light Industrial ¹	25	A	25	A	15	B													25	A
Heavy Industrial ²	25	A	25	A	25	A													25	A
Single-Family Detached ⁴ , Single-Family Attached ⁴ , and Duplex ⁴																			15	A
Cottage Housing ⁴																			15	A
Townhouse ^{4, 5}	10	B	5	B															15	A
Multifamily ⁴	15	B	10	B															25	A
Parking Lot	10	A	10	A	10	A													25	A
Personal Wireless Service Facilities	20	A	20	A	20	A	20	A	20	A	20	A	20	A	20	A	20	A	20	A
Stormwater Detention Facility	See SCC 30.25.023																			
Outside Storage and Waste Areas	See SCC 30.25.024																			

Proposed Use	Zoning Classification of Adjacent Property																					
	R-9,600, R-8,400		R-7,200		T, LDMR, MR		NB, CB, PCB		GC, UC		LI, HI		BP, IP		RB, RFS, RI			CRC		All Other Zones		
	Wid h (in feet)	Type	Wid h (in feet)	Type	Wid h (in feet)	Type	Wid h (in feet)	Type	Wid h (in feet)	Type	Wid h (in feet)	Type	Wid h (in feet)	Type	Type	Wid h (in feet)	Type	Wid h (in feet)	Type	Wid h (in feet)	Type	
Large Detached Garages and Storage Structures	See SCC 30.25.029																					
Minerals Excavation and Processing	See SCC 30.25.027																					
((Accessory Apartments and) Temporary Dwellings	See SCC 30.25.028																					

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Footnote 1: As defined by the Light Industrial zone in SCC 30.22.100.

Footnote 2: As defined by the Heavy Industrial zone in SCC 30.22.100.

Footnote 3: Conditional uses located in a residential zone according to SCC 30.22.100, SCC 30.22.110, and SCC 30.22.120.

Footnote 4: Where residential development locates adjacent to existing commercial or industrial development and where no existing perimeter landscaping or buffer is located on adjacent commercial or industrial properties, the residential development shall provide a 10-foot wide Type A perimeter landscape area adjacent to the commercial or industrial properties.

Footnote 5: In the R-7,200 zone, townhouse and mixed townhouse development shall not be required to provide a perimeter landscaping buffer along property lines adjacent to existing townhouse or mixed townhouse development.

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

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

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

1 (b) When any portion of a project site is developed as usable open space or used as a
2 permanently protected resource protection area, critical area protection area, or
3 equivalent, the perimeter landscaping shall consist of Type B landscaping; and
4

5 (c) Where a perimeter lot abuts a utility or drainage easement greater than 15 feet in
6 width that is not on the boundary between a rural zone and an urban zone, no perimeter
7 landscaping will be required.
8

9 (5) All perimeter landscape areas shall be located within private easements to be maintained
10 pursuant to SCC 30.25.045.
11

12 Section 11. Snohomish County Code Section 30.25.028, added by Amended Ordinance
13 No. 08-101 on January 21, 2009, is amended to read:
14

15 **30.25.028 ((Accessory apartments and temporary)) Temporary dwellings.**
16

17 ((Accessory apartments, where required by SCC 30.28.010(6), and temporary)) Temporary
18 dwellings shall be screened with a six-foot high sight-obscuring fence (gaps no greater than one-
19 quarter inch) or by five feet in width of Type A landscaping.
20

21 Section 12. Snohomish County Code Section 30.26.030, last amended by Ordinance No.
22 20-080 on December 16, 2020, is amended to read:
23

24 **30.26.030 Number of spaces required.**
25

26 (1) The required number of off-street parking spaces shall be as set forth in SCC Table
27 30.26.030(1) subject to provisions, where applicable, regarding:
28

29 (a) Effective alternatives to automobile access (SCC 30.26.040);
30

31 (b) Joint uses (SCC 30.26.050 and 30.26.055); and
32

33 (c) Accessible routes of travel (SCC 30.26.065(7)).
34

35 (2) The abbreviations in the table have the following meanings:
36

37 (a) "GFA" means gross floor area;
38

39 (b) "GLA" means gross leasable area; and
40

41 (c) "SF" means square feet.
42

43 (3) Any off-street parking spaces that are devoted to electrical vehicle charging shall be counted
44 toward the minimum number of parking spaces required.
45

46 (4) For off-street parking requirements in the Urban Center (UC) zone, see SCC 30.26.032.

1
2
3

Table 30.26.030(1) Number of Parking Spaces Required

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, MC, SA-1, RC, RU, R-20,000, R-12,500	NOTES
Accessory (Apartment) Dwelling Unit	1 per unit	1 per unit	<u>Note: In the urban zones, one of the two required spaces for the single-family dwelling can be used to fulfill the required parking for one accessory dwelling unit. If there is more than one accessory dwelling unit on a lot, there shall be at least one space per dwelling unit. For example, a lot that has a single-family dwelling and two accessory dwelling units shall have three total parking spaces.</u>
Adult Entertainment Business/Use	See SCC 30.26.035	See SCC 30.26.035	
Agriculture	No parking required	No parking required	
Airport			
Air Terminal	10 per 1,000 SF of waiting area	10 per 1,000 SF of waiting area	
Stage 1 Utility	See SCC 30.26.035	See SCC 30.26.035	
All Others	See SCC 30.26.035	See SCC 30.26.035	
Amusement Facility, by type			
Tennis courts, racquet or handball clubs, and similar commercial recreation	10 per 1,000 SF assembly area plus 2 per court	15 per 1,000 SF assembly area plus 2 per court	
Theaters and cinemas	1 per 3 seats or 8 feet of bench	1 per 4 seats or 8 feet of bench	
All other places without fixed seats including dance halls and skating rinks	See SCC 30.26.035	See SCC 30.26.035	
Antique Shop	3 per 1,000 GFA	4 per 1,000 GFA	
Art Gallery ⁴¹	2.5 per 1,000 GFA	2.5 per 1,000 GFA	

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, MC, SA-1, RC, RU, R-20,000, R-12,500	NOTES
Asphalt Batch Plant & Continuous Mix Asphalt Plant	See SCC 30.26.035	See SCC 30.26.035	
Auto Repair, Major	5 per 1,000 GFA	5 per 1,000 GFA	Service bays and work areas inside repair facilities do not count as parking spaces.
Auto Repair, Minor	4 per 1,000 GFA	5 per 1,000 GFA	Service bays and work areas inside repair facilities do not count as parking spaces.
Auto Towing	See SCC 30.26.035	See SCC 30.26.035	
Auto Wrecking and Junkyard	15 spaces for yards less than 10 acres in size; 25 spaces for yards 10 acres or larger	15 spaces for yards less than 10 acres in size; 25 spaces for yards 10 acres or larger	
Bakery, Farm	2 spaces	2 spaces	
Bed and Breakfast Guesthouses and Inns	2 plus 1 per guest room	2 plus 1 per guest room	
Boarding House	1 per guest room	1 per guest room	
Boat Launch, Commercial	See 30.22.130(31)	See SCC 30.22.130(31)	
Boat Launch, Non-commercial	See 30.22.130(31)	See SCC 30.22.130(31)	
Caretaker's Quarters	2 per unit	2 per unit	
Cemetery and Funeral Home	1 per 4 seats or 8 feet of bench, or 25 per 1,000 sf of assembly room with no fixed seats	1 per 4 seats or 8 feet of bench, or 25 per 1,000 sf of assembly room with no fixed seats	
Church	See SCC 30.26.035	See SCC 30.26.035	
Clubhouse	See SCC 30.26.035	See SCC 30.26.035	
Commercial Vehicle Home Basing	See SCC 30.22.130(33)	See SCC 30.22.130(33)	
Commercial Vehicle Storage Facility	See SCC 30.26.035	See SCC 30.26.035	
Community Facilities for Juveniles	See SCC 30.26.035	See SCC 30.26.035	
Construction Contracting	See SCC 30.26.035	See SCC 30.26.035	

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, MC, SA-1, RC, RU, R-20,000, R-12,500	NOTES
Dams, Power Plants, & Associated Uses	See SCC 30.26.035	See SCC 30.26.035	
Day Care Center	1 per employee plus load/unload space((see note))	1 per employee plus load/unload space((see note))	An off-street load and unload area equivalent to one space for each 10 children is also required.
Distillation of Alcohol	2 per 1,000 GFA	2.5 per 1,000 GFA	May also be determined by the department on a case-by-case basis per SCC 30.26.035 when the employee to SF GFA ratio for the proposed use is less than the typical requirement for this use in this zone.
Dock & Boathouse, Private, Non-Commercial	No Parking Requirement	No Parking Requirement	
Dwelling			Note 1:
Cottage Housing	2 spaces per dwelling unit plus guest parking at 1 space per 4 dwellings	2 spaces per dwelling unit plus guest parking at 1 space per 4 dwellings	Driveways between garage doors and roads, private roads, designated fire lanes or access aisles that are at least 19' long and 8.5' wide may be counted as one parking space and if at least 19' long and 17' wide may be counted as two parking spaces. Garages shall have a minimum interior length of 19'.
Attached Single Family	2 per dwelling; see note 1	2 per dwelling; see note 1	
Duplex	2 per dwelling; see note 1	2 per dwelling; see note 1	
Mobile Home	2 per dwelling; see note 1	2 per dwelling; see note 1	
Multifamily	2 per dwelling; see note 1	2 per dwelling; see note 1	
Single Family	2 per dwelling; see note 1	2 per dwelling; see note 1	
Townhouse	2 per dwelling; see note 1	2 per dwelling; see note 1	
Single Family Detached Units (pursuant to chapter 30.41F SCC)	2 spaces per dwelling unit plus guest parking at 1 space per 4 dwellings provided that 1 unrestricted guest parking spot per 2 dwellings for either (i) dwellings where no driveways are provided or (ii) dwellings that provide a driveway apron meeting the minimum dimension	2 spaces per dwelling plus guest parking at 1 space per 4 dwellings provided that 1 unrestricted guest parking spot per 2 dwellings for either (i) dwellings where no driveways are provided or (ii) dwellings that provide a driveway apron meeting the minimum dimension	An "unrestricted" guest parking spot is one provided either within the drive aisle parking or designated guest parking areas outside of individual units; garage parking spaces or parking spaces on driveway aprons of an individual unit are not "unrestricted" parking spaces. All applicable

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, MC, SA-1, RC, RU, R-20,000, R-12,500	NOTES
	requirements for parking of only 1 car; see notes 1 & 2.	requirements for parking of only 1 car; see notes 1 & 2.	provisions of chapter 30.26 SCC shall be followed.
Electric Vehicle Infrastructure			
Electric Vehicle Charging Station – Levels 1 to 3	No requirement	No requirement	Note: service bays and work areas inside repair facilities do not count as parking spaces.
Battery Exchange Stations	4 per 1,000 GFA	5 per 1,000 GFA	
Equestrian Center	See SCC 30.26.035	See SCC 30.26.035	One space accommodating a vehicle and horse trailer for every two horses expected at equestrian or mini-equestrian center events.
Excavation & Processing of Minerals	See SCC 30.26.035	See SCC 30.26.035	
Explosives, Storage	See SCC 30.26.035	See SCC 30.26.035	
Fairgrounds	See SCC 30.26.035	See SCC 30.26.035	
Family Day Care Home	See dwelling, single family requirements	See dwelling, single family requirements	An off-street load and unload area equivalent to one space is also required.
Farm Product Processing	1 per 1,000 GFA	1 per 1,000 GFA	
Farm Stand			
Up to 400 SF	2 per stand	2 per stand	
401 to 5,000 SF	3 per 1,000 GFA (3 minimum)	3 per 1,000 GFA (3 minimum)	
Farm Support Business	See SCC 30.26.035	See SCC 30.26.035	
Farm Worker Dwelling	See SCC 30.26.035	See SCC 30.26.035	
Farmers Market	3 per 1,000 GFA (3 minimum)	3 per 1,000 GFA (3 minimum)	
Farmland Enterprises	See SCC 30.26.035	See SCC 30.26.035	
Fish Farm	See SCC 30.26.035	See SCC 30.26.035	
Forestry	No Parking Required	No Parking Required	

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, MC, SA-1, RC, RU, R-20,000, R-12,500	NOTES
Forestry Industry Storage & Maintenance Facility	See SCC 30.26.035	See SCC 30.26.035	
Foster Home	See SCC 30.26.035	See SCC 30.26.035	
Fuel Yard	See SCC 30.26.035	See SCC 30.26.035	
Garage, Detached Private	No Parking Required	No Parking Required	
Golf Course, Driving Range, Country Club	See SCC 30.26.035	See SCC 30.26.035	
Government Structures & Facilities	See SCC 30.26.035	See SCC 30.26.035	
Greenhouse, Lath House, & Nurseries	See SCC 30.26.035	See SCC 30.26.035	
Guest House	1 per guest house	1 per guest house	
Hazardous Waste Storage & Treatment Facilities, Offsite or Onsite	See SCC 30.26.035	See SCC 30.26.035	
Health and Social Service Facilities, Levels I through III	See SCC 30.26.035	See SCC 30.26.035	
Home Occupation	See SCC 30.26.035	See SCC 30.26.035	
Homestead Parcel	See dwelling, single family requirements	See dwelling, single family requirements	
Hotel/Motel	1 per unit or guest room; see note	1 per unit or guest room; see note	Additional parking for restaurants, conference or convention facilities and other businesses, facilities, or uses associated with the motel or hotel is required in accordance with this table.
Kennel, Commercial	See SCC 30.26.035	See SCC 30.26.035	
Kennel, Private-Breeding	No Additional Requirement	No Additional Requirement	
Kennel, Private-Non-Breeding	No Additional Requirement	No Additional Requirement	
Kitchen Farm	No Additional Requirement	No Additional Requirement	
Laboratory	2.5 per 1,000 GFA	3 per 1,000 GFA	Or see SCC 30.26.035
Library	2.5 per 1,000 GFA	3 per 1,000 GFA	

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, MC, SA-1, RC, RU, R-20,000, R-12,500	NOTES
Livestock Auction Facility	See SCC 30.26.035	See SCC 30.26.035	
Lumber Mill	2 per 1,000 GFA	2 per 1,000 GFA	
Lumberyard	1 per 1,000 GLA	1 per 1,000 GLA	
Manufacturing, Heavy	2 per 1,000 GFA	2.5 per 1,000 GFA	May also be determined by the department on a case-by-case basis per SCC 30.26.035 when the employee to SF GFA ratio for the proposed use is less than the typical requirement for this use in this zone.
Manufacturing-All Other Forms Not Specifically Listed	2 per 1,000 GFA	2.5 per 1,000 GFA	May also be determined by the department on a case-by-case basis per SCC 30.26.035 when the employee to SF GFA ratio for the proposed use is less than the typical requirement for this use in this zone.
Marijuana Processing	2 per 1,000 GFA	2.5 per 1,000 GFA	May also be determined by the department on a case-by-case basis per SCC 30.26.035 when the employee to SF GFA ratio for the proposed use is less than the typical requirement for this use in this zone.
Marijuana Production	2 per 1,000 GFA	2.5 per 1,000 GFA	May also be determined by the department on a case-by-case basis per SCC 30.26.035 when the employee to SF GFA ratio for the proposed use is less than the typical requirement for this use in this zone.
Marijuana Retail	3 per 1,000 GFA	4 per 1,000 GFA	
Massage Parlor	3 per 1,000 GFA	4 per 1,000 GFA	
Material Recovery Facility	See SCC 30.26.035	See SCC 30.26.035	
Mini Equestrian Center	1 per 4 seats or 8 feet of bench; see note	1 per 4 seats or 8 feet of bench; see note	One space accommodating a vehicle and horse trailer for every two horses expected at

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, MC, SA-1, RC, RU, R-20,000, R-12,500	NOTES
			equestrian or mini-equestrian center events.
Mini Self-Storage	2 per 75 storage units	2 per 75 storage units	
Mobile Home Parks	2 per dwelling plus guest parking at 1 per 4 dwellings	2 per dwelling plus guest parking at 1 per 4 dwellings	See chapter 30.42ESCC.
Model Hobby Park	See SCC 30.26.035	See SCC 30.26.035	See SCC 30.26.035
Model House/Sales Office	See residential dwelling requirements	See residential dwelling requirements	
Motocross Racetrack	See SCC 30.26.035	See SCC 30.26.035	
Museum	2.5 per 1,000 GFA	3 per 1,000 GFA	
Neighborhood Services	3 per 1,000 GLA	4 per 1,000 GLA	
Office and Banking	2.5 per 1,000 GFA	3 per 1,000 GFA	A minimum of 5 spaces required for all sites. Drive-up windows at financial institutions must have clear queuing space, not interfering with parking areas, for at least three vehicles per drive up window.
Off-road vehicle use area, private	See SCC 30.26.035	See SCC 30.26.035	
Park, Public	See Parks and Recreation Element of the Comprehensive Plan	See Parks and Recreation Element of the Comprehensive Plan	Parking standards for parks varies based on the classification of the park and amenities identified in the Parks and Recreation Element.
Park-and-Pool Lot	No Additional Requirement	No Additional Requirement	
Park-and-Ride Lot	No Additional Requirement	No Additional Requirement	
Personal Wireless Service Facilities	1 space	1 space	
Printing Plant	2.5 per 1,000 GFA	3 per 1,000 GFA	
Public Events/Assemblies on Farmland	See SCC 30.26.035	See SCC 30.26.035	
Race Track	See SCC 30.26.035	See SCC 30.26.035	

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, MC, SA-1, RC, RU, R-20,000, R-12,500	NOTES
Recreational Facility Not Otherwise Listed	See SCC 30.26.035	See SCC 30.26.035	
Recreational Vehicle	1 per RV	1 per RV	
Recreational Vehicle Park	See SCC 30.26.035	See SCC 30.26.035	
Recycling Facility	See SCC 30.26.035	See SCC 30.26.035	
Rendering of Fat, Tallow, or Lard	See SCC 30.26.035	See SCC 30.26.035	
Resort	See SCC 30.26.035	See SCC 30.26.035	
Restaurant	6 per 1,000 GFA	8 per 1,000 GFA	Clear queuing space, not interfering with the parking areas, for at least five vehicles is required in front of any drive up window.
Retail, General	3 per 1,000 GFA	4 per 1,000 GFA	
Retirement Apartments	1 per dwelling plus guest parking at 1 per 4 dwellings	1 per dwelling plus guest parking at 1 per 4 dwellings	See SCC 30.26.040(1).
Retirement Housing	1 per dwelling	1 per dwelling plus guest parking at 1 per 4 dwellings	See SCC 30.26.040(2).
Rural Industries	See SCC 30.26.035	See SCC 30.26.035	
Sanitary Landfill	See SCC 30.26.035	See SCC 30.26.035	
Schools	See SCC 30.26.035	See SCC 30.26.035	See SCC 30.26.035; Sufficient on-site space for safe loading and unloading of students from school buses and cars is also required.
K-12 & Preschool			
College			
Other			
Service Station	3 per 1,000 GFA	4 per 1,000 GFA	
Shooting Range	See SCC 30.26.035	See SCC 30.26.035	
Sludge Utilization	No parking required	No parking required	
Small Animal Husbandry	No parking required	No parking required	
Small Workshop	2 per 1,000 GFA	2.5 per 1,000 GFA	May also be determined by the department on a case-by-case basis per SCC 30.26.035 when the employee to SF GFA ratio is

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, MC, SA-1, RC, RU, R-20,000, R-12,500	NOTES
			less than the normal minimum requirement for the zone.
Stables	1 per 4 seats or 8 feet of bench; see note	1 per 4 seats or 8 feet of bench; see note	One space accommodating a vehicle and horse trailer for every two horses expected at equestrian or mini-equestrian center events.
Stockyard or Slaughter House	See SCC 30.26.035	See SCC 30.26.035	
Storage, Retail Sales Livestock Feed	1 per 1,000 GFA	1 per 1,000 GFA	
Storage Structure, Accessory	No parking required	No parking required	
Storage Structure, Non-accessory	No parking required	No parking required	
Studio	2.5 per 1,000 GFA	3 per 1,000 GFA	
Swimming/Wading Pool			
Public	1 per 10 swimmers, based on pool capacity as defined by the Washington State Department of Health.	1 per 10 swimmers, based on pool capacity as defined by the Washington State Department of Health.	
Private	See SCC 30.26.035	See SCC 30.26.035	
Television/Radio Stations	2.5 per 1,000 GFA	3 per 1,000 GFA	
Temporary Dwelling During Construction	1 per dwelling	1 per dwelling	
Temporary Dwelling For Relative	1 per dwelling	1 per dwelling	
Temporary Logging Crew Quarters	See SCC 30.26.035	See SCC 30.26.035	
Temporary Residential Sales Coach ⁷³	1 per coach	1 per coach	
Transit Center	See SCC 30.26.035	See SCC 30.26.035	
Ultralight Airpark	See SCC 30.26.035	See SCC 30.26.035	
Utility Facilities, Electromagnetic	1 space	1 space	

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, MC, SA-1, RC, RU, R-20,000, R-12,500	NOTES
Transmission & Receiving Facility			
Utility Facilities, Transmission Wires, Pipes & Supports	See SCC 30.26.035	See SCC 30.26.035	
Utility Facilities-All Other Structures	1 space	1 space	
Vehicle and Equipment Sales and Rental	1 per 1,000 GFA of sales office, plus	1 per 1,000 GFA of sales office, plus	
	2 per 1,000 GFA of service or repair space, plus	2 per 1,000 GFA of service or repair space, plus	
	1 per 4,000 SF of outdoor display area (or of showroom display area in the CB zone)	1 per 4,000 SF of outdoor display area (or of showroom display area in the CRC zone)	
Veterinary Clinic	3 per 1,000 GFA	4 per 1,000 GFA	
Warehousing	0.5 per 1,000 GFA	0.5 per 1,000 GFA	
Wedding Facility	See SCC 30.26.035	See SCC 30.26.035	
Wholesale Establishment	1 per 1,000 GFA	1 per 1,000 GFA	
Woodwaste Recycling and Woodwaste Storage	1 per site plus 1 per 1,000 GFA	1 per site plus 1 per 1,000 GFA	
All other uses not otherwise mentioned	See SCC 30.26.035	See SCC 30.26.035	

Section 13. Snohomish County Code Section 30.28.010, last amended by Amended Ordinance No. 10-072 on September 8, 2010, is amended to read:

30.28.010 Accessory ((apartments)) dwelling units.

Accessory dwelling units are allowed subordinate to a single-family dwelling in zones where single-family dwellings are permitted under SCC 30.22.100, 30.22.110, and 30.22.120.

(1) ~~((An owner-occupant of a single family dwelling unit may establish only one accessory apartment, which may be either attached to, or detached from, the single family dwelling. A detached accessory apartment may not be located on a lot on which a temporary dwelling is located.))~~ General standards. All accessory dwelling units shall comply with the following standards:

1
2 (a) Development of accessory dwelling units shall be subject to compliance with all other
3 applicable provisions of title 30 SCC;

4
5 (b) Development of accessory dwelling units shall be subject to physical and legal
6 availability of water and the applicant providing documentation that the water supply is
7 potable and of adequate flow;

8
9 (c) Applicants must provide documentation that the existing or proposed sewage or
10 septic system is capable of handling the additional demand placed upon it by the attached
11 or detached accessory dwelling unit;

12
13 (d) The floor area of an accessory dwelling unit shall not exceed 1,600 square feet. Floor
14 areas shall be exclusive of garages, porches, and unfinished basements;

15
16 (e) Accessory dwelling units shall meet the off-street parking requirements in chapter
17 30.26 SCC;

18
19 (f) Attached accessory dwelling units shall be designed such that the architectural
20 character of the primary dwelling is preserved. Exterior materials, roof form, window
21 spacing, and proportions shall match that of the primary dwelling; and

22
23 (g) Detached accessory dwelling units shall be constructed such that exterior materials,
24 roof form, window spacing, and proportions approximate those of the single-family
25 dwelling. A detached accessory dwelling unit proposed for location within an existing
26 accessory structure is not required to approximate the exterior features of the existing
27 single family dwelling. A mobile home, where allowed as a detached accessory dwelling
28 unit pursuant to SCC 30.28.010(4)(a), is not required to approximate the exterior features
29 of the existing single-family dwelling.

30
31 ~~(2) ((The owner-occupant(s) shall reside in either the single family dwelling unit, the accessory~~
32 ~~apartment, or both.)) Urban zones. Accessory dwelling units are permitted uses in the urban~~
33 ~~zones on lots with a single-family dwelling pursuant to SCC 30.22.100. One attached accessory~~
34 ~~dwelling unit and one detached accessory dwelling unit may be established on lots that contain a~~
35 ~~legally-established single-family dwelling.~~

36
37 ~~(3) ((The minimum floor area for an attached or detached accessory apartment shall be 360~~
38 ~~square feet, but in no case shall the original single family dwelling unit be reduced below 900~~
39 ~~square feet. These floor areas shall be exclusive of garages, porches, or unfinished basements.~~
40 ~~The floor area of an attached accessory apartment shall not exceed the following percentage of~~
41 ~~floor area of the single family dwelling unit to which it is accessory, or the following fixed~~
42 ~~amount, whichever is applicable:~~

43
44 **Table 30.28.010(1) Accessory Apartments Maximum Floor Area**

If the floor area of the single family dwelling unit is:	The floor area of the attached accessory apartment shall not exceed:
--	--

Under 2,000 sq. ft.	40%
2,000 sq. ft. or more, but less than 3,000 sq. ft.	35% or 800 sq. ft., whichever is greater
3,000 sq. ft. or more, but less than 5,000 sq. ft.	30% or 1,050 sq. ft., whichever is greater
Over 5,000 sq. ft.	20% or 1,500 sq. ft., whichever is greater

The floor area of a detached accessory apartment shall not exceed 40 percent of the floor area of the single family dwelling unit to which it is accessory, or 850 square feet, whichever is less. The square footage of a mobile home allowed as a detached accessory apartment pursuant to SCC 30.91A.050 may exceed this limitation; provided, that the floor area remains less than the square footage of the existing owner occupied home.)) Rural, resource, and other zones. Accessory dwelling units are permitted uses in the rural, resource, and other zones on lots with a single-family dwelling pursuant to SCC 30.22.110 and 30.22.120 and the following standards:

(a) One accessory dwelling unit may be established on lots that contain a legally-established single-family dwelling pursuant to the following:

(i) Detached accessory dwelling units are prohibited on lots that do not meet the minimum required lot area, pursuant to SCC 30.23.030, in the zone in which they are located. The following prohibitions also apply:

(A) Detached accessory dwelling units are prohibited on lots in the R-5 zone that are less than 5 acres in size; and

(B) Detached accessory dwelling units are prohibited on lots in the RC zone that are less than 100,000 square feet in size.

(ii) A mobile home that is subordinate to the single-family dwelling may be allowed as a detached accessory dwelling unit on lots equal to or greater than 10 acres.

(b) Unless the accessory dwelling unit is proposed to be located in an existing structure that was legally constructed prior to [the effective date of this ordinance], the distance between the nearest walls of the primary dwelling and a proposed detached accessory dwelling unit shall not exceed 100 feet.

(c) Accessory dwelling units shall utilize the same driveway as the primary single-family dwelling.

~~((4) For an attached accessory apartment, the architectural character of the single family dwelling shall be preserved. Exterior materials, roof form, and window spacing and proportions shall match that of the existing single family dwelling. Only one main entrance shall be permitted on the front (street face) of the dwelling. Entrances for the attached accessory apartment shall be on the side or in the rear of the dwelling.))~~

1 ~~((5) The exterior materials, roof form, and window spacing and proportions of a proposed~~
2 ~~detached accessory apartment structure shall approximate those of the existing single family~~
3 ~~dwelling. A detached accessory apartment proposed for location within an existing structure, is~~
4 ~~not required to approximate the exterior features of the existing single family dwelling. A mobile~~
5 ~~home, where allowed as a detached accessory apartment pursuant to SCC 30.91A.050, is not~~
6 ~~required to approximate the exterior features of the existing single family dwelling if the existing~~
7 ~~owner occupied home is a mobile home or if the minimum planting standards for screening set~~
8 ~~forth at SCC 30.25.028 are incorporated in the building permit application.))~~

9
10 ~~((6) In zones categorized as residential, multiple family or commercial, no portion of a detached~~
11 ~~accessory apartment shall extend beyond the building front of the existing single family~~
12 ~~dwelling, unless screening, landscaping, or other measures are provided to ensure compatibility~~
13 ~~with the immediate neighborhood. Where a proposed detached accessory apartment extends~~
14 ~~beyond the building front of the existing single family dwelling as described above, the building~~
15 ~~permit application site plan shall depict the existing and proposed screening, landscaping or other~~
16 ~~measures to ensure visual compatibility with the immediate neighborhood. The location of~~
17 ~~existing or proposed structures on the subject property and surrounding structures in the~~
18 ~~immediate vicinity shall be shown on the site plan. The site plan shall show the amount, type and~~
19 ~~spacing of proposed planting materials. Plant materials, species and design shall be approved by~~
20 ~~the department. Landscaping modifications, installation and maintenance requirements and~~
21 ~~minimum planting standards set forth at SCC 30.25.015 shall apply.))~~

22
23 ~~((7) An applicant must provide documentation that the water supply is potable and of adequate~~
24 ~~flow and that the existing or proposed sewage or septic system is capable of handling the~~
25 ~~additional demand placed upon it by the attached or detached accessory apartment.))~~

26
27 ~~((8) One off street parking space shall be provided and designated for the attached or detached~~
28 ~~accessory apartment (in addition to the two off street parking spaces required for the primary~~
29 ~~single family dwelling unit). Additional spaces shall be provided to accommodate any additional~~
30 ~~vehicles owned and/or used by occupants of the attached or detached accessory apartment.~~
31 ~~Driveways may be counted as one parking space but no parking areas other than driveways shall~~
32 ~~be created in front yards.))~~

33
34 ~~((9) An owner occupant of a single family dwelling with an attached or detached accessory~~
35 ~~apartment shall file, on a form available from the department, a declaration of owner occupancy~~
36 ~~with the department prior to issuance of the building permit for the attached or detached~~
37 ~~accessory apartment. The initial declaration of owner occupancy shall be recorded with the~~
38 ~~county auditor prior to filing the declaration with the department. If the department receives~~
39 ~~information calling into question the owner occupied status of the property, the department may~~
40 ~~request a renewed recording of the owner occupancy declaration. This renewal shall be~~
41 ~~submitted to the department upon request. Within 30 days of a sale or transfer of the property,~~
42 ~~the new property owner(s) shall record a declaration of owner occupancy with the county~~
43 ~~auditor. A copy of this recorded declaration shall be submitted to the department referencing the~~
44 ~~assessor's tax parcel number.))~~

1 Section 14. Snohomish County Code Section 30.28.020, last amended by Amended
2 Ordinance No. 20-088 on January 13, 2021, is amended to read:

3
4 **30.28.020 Bed and breakfast guesthouses and bed and breakfast inns.**

5
6 (1) Where bed and breakfast inns and bed and breakfast guesthouses are allowed in the same
7 zone, only one or the other of these facilities may be located on a subject property at the same
8 time. An approved bed and breakfast guesthouse may be expanded to a bed and breakfast inn if
9 the applicable permit for an inn is obtained and the original permit for the guesthouse, if
10 necessary, is vacated.

11
12 (2) The following requirements apply to an administrative conditional use permit application or
13 a building permit application for a bed and breakfast inn or a bed and breakfast guesthouse:

14
15 (a) *Site plan requirements.* The site plan shall indicate the location of the off-street
16 parking, proposed screening, the location and size of the bed and breakfast inn, and any
17 proposed new construction to the premises, including additions, remodeling, and
18 outbuildings; and

19
20 (b) *Architectural requirements.* For new construction only, the following shall apply:

21
22 (i) ~~((the))~~ The applicant shall submit proposed architectural drawings and
23 renderings of the proposed structure, including exterior elevations, which shall
24 project a residential, rather than a commercial appearance. This architectural
25 documentation shall be in sufficient detail to demonstrate discernible
26 compatibility between the new construction and the existing on-site development
27 and structures; provided further that the applicant also shall document a design
28 which, in scale, bulk, siding, and use of materials, is in keeping with existing
29 buildings on adjacent properties and compatible with the surrounding character
30 and neighborhood in which the guesthouse or inn is located; and

31
32 (ii) ~~((if))~~ If an outbuilding or outbuildings are proposed, a land disturbing activity
33 plan, showing the extent of clearing activity, is required. Site design shall be
34 sensitive to the natural features of the site. The use of manufactured and mobile
35 homes is prohibited;

36
37 (c) *Screening.* The owner/operator shall provide screening with shrubs, trees, fencing,
38 and other suitable materials as necessary to minimize the impacts upon the residential
39 character of the surrounding neighborhood; and

40
41 (d) *Floor plan.* The floor plan shall indicate bathrooms to be used by guests and the
42 location and number of guest rooms.

43
44 (3) *Minimum performance standards.*

- 1 (a) Parking requirements shall be in accordance with SCC Table 30.26.030(1). No on-
2 street parking shall be allowed;
3
- 4 (b) Meal service shall be limited to overnight guests of the establishment. Kitchens shall
5 not be allowed in individual guest rooms;
6
- 7 (c) The owner shall operate the facility and reside on the premises;
8
- 9 (d) One sign for business identification and advertising shall be permitted in conjunction
10 with the bed and breakfast establishment in accordance with SCC 30.27.060(4);
11
- 12 (e) The bed and breakfast establishment shall be conducted in such a manner as to give
13 no outward appearance nor manifest any characteristics of a business, except as to the
14 sign as allowed above, that would be incompatible with the ability of the neighboring
15 residents to enjoy peaceful occupancy of their properties;
16
- 17 (f) There is no limit on the number of days a guest may stay at the establishment;
18
- 19 (g) The applicant shall submit a letter from the applicable water purveyor and sewer
20 district, if applicable, stating that each of them has the respective capacity to serve the
21 bed and breakfast establishment;
22
- 23 (h) The applicant shall comply with all applicable county codes for fire, health, and
24 building requirements and any applicable food service regulations and on-site sewage
25 disposal requirements of the Snohomish Health District. The applicant shall comply with
26 the applicable state regulations pertaining to public water systems, if a water system is to
27 be developed or connected to an existing public water system;
28
- 29 (i) If three or more guest rooms are proposed, the applicant shall also meet state
30 regulations pertaining to transient accommodation;
31
- 32 (j) If six guest rooms are proposed, the applicant shall meet all requirements for a hotel
33 occupancy pursuant to the building code in chapter 30.52A SCC;
34
- 35 (k) If outbuilding(s) are proposed for guest rooms, each outbuilding shall be a minimum
36 of 130 square feet. The aggregate outbuilding square footage for guest use shall not
37 exceed 850 square feet; and
38
- 39 (l) If an accessory (~~apartment~~) dwelling unit or temporary dwelling exists on the
40 premises, the maximum number of bed and breakfast guest rooms shall be one less than
41 otherwise permitted.
42

43 (4) A certificate of occupancy, to ensure compliance with applicable codes, shall be obtained
44 from the department prior to allowing guests at the establishment. The certificate of occupancy
45 shall be subject to an annual inspection and renewal pursuant to SCC 30.53A.361.
46

1 (5) In the Forestry (F) zone, bed and breakfast establishments shall not be permitted if the
2 comprehensive plan designates the property as "Commercial Forest." In the F zone, up to three
3 outbuildings for guest use may be permitted, provided that the aggregate outbuilding square
4 footage does not exceed 850 square feet.

5
6 Section 15. Snohomish County Code Section 30.31A.115, last amended by Amended
7 Ordinance No. 19-021 on June 19, 2019, is amended to read:

8
9 **30.31A.115 Optional performance standards for properties designated as Urban Village.**

10
11 Properties designated Urban Village on the future land use map may develop under the
12 underlying zoning or pursuant to the following performance standards. In choosing to submit a
13 development application under this section, all of the requirements of this section shall be met
14 including the requirements in SCC 30.31A.100 and 30.31A.110.

15
16 (1) The following uses shall not be allowed:

- 17
18 (a) Accessory (~~apartment~~) dwelling unit;
- 19
20 (b) Dwelling attached, single-family;
- 21
22 (c) Dwelling, duplex;
- 23
24 (d) Dwelling, single-family;
- 25
26 (e) Family daycare home;
- 27
28 (f) Foster home;
- 29
30 (g) Garage, detached; private accessory;
- 31
32 (h) Garage, detached; private non-accessory;
- 33
34 (i) (~~Greenhouse, lath house, and nurseries.~~) Greenhouse, lath house, and nurseries,
35 retail;
- 36
37 (j) (~~Greenhouse, lath house, nurseries.~~) Greenhouse, lath house, and nurseries,
38 wholesale;
- 39
40 (k) Guest house;
- 41
42 (l) Hazardous waste storage and treatment facilities, on-site;
- 43
44 (m) Kennel;
- 45
46 (n) Mini self-storage;

1
2 (o) Stables; and

3
4 (p) Wholesale establishment.

5
6 (2) The maximum building height shall be 75 feet. The director may recommend a height
7 increase in appropriate locations within the Urban Village of up to an additional 50 feet beyond
8 that otherwise allowed when the applicant prepares an environmental impact statement pursuant
9 to chapter 30.61 SCC and where such increased height in designated locations does not
10 unreasonably interfere with the views from nearby residential structures.

11
12 (3) Front setbacks may be reduced to zero only if such reduction will not have a likely impact
13 upon future right-of-way needs and/or right-of-way improvements as determined by the county
14 engineer.

15
16 (4) Residential development shall maintain a minimum density of 12 dwelling units per acre and
17 a maximum density of 44 dwelling units per acre.

18
19 (5) Open space shall comply with SCC 30.34A.070.

20
21 (6) Design standards shall comply with SCC 30.34A.100 through 30.34A.160.

22
23 (7) Development applications shall comply with the submittal checklist established by the
24 department pursuant to SCC 30.70.030.

25
26 (8) A neighborhood meeting shall be held pursuant to SCC 30.34A.165.

27
28 (9) Development applications shall be reviewed and approved pursuant to SCC 30.34A.180(2).
29 In addition, because the Urban Village at Point Wells is singularly unique due to its location,
30 geography, access points, and historical uses, the applicant for any Urban Village development at
31 Point Wells shall be subject to the following provisions:

32
33 (a) The applicant shall successfully negotiate binding agreements for public services,
34 utilities or infrastructure that are to be provided by entities other than the county prior to
35 the county approving a development permit that necessitates the provision of public
36 services, utilities or infrastructure;

37
38 (b) Development applications may be planned and programmed in phases; and

39
40 (c) The intensity of development shall be consistent with the level of service standards
41 adopted by the entity identified as providing the public service, utility or infrastructure.

42
43 Section 16. Snohomish County Code Section 30.35A.020, last amended by Amended
44 Ordinance No. 18-070 on December 5, 2018, is amended to read:

45
46 **30.35A.020 TDR overview.**

1
2 (1) *Issuance and conveyance of TDR certificates.* Subject to the requirements of this chapter,
3 sending site owners may obtain from the department serially numbered TDR certificates
4 reflecting the number of certified development rights that may be transferred from the sending
5 site owner to a purchaser, and which may thereafter be freely transferred from purchaser to
6 purchaser until ultimately applied to a receiving site located within a receiving area. The number
7 of certified development rights that can be transferred from a sending site is determined based on
8 the size, zoning, and current development of the sending site. TDR certificates may be applied to
9 receiving sites pursuant to the requirements of this chapter or pursuant to an interlocal
10 agreement.

11
12 (2) *Grant of TDR conservation easement.* TDR certificates may be issued in exchange for a
13 conservation easement granted to the county pursuant to the requirements of this chapter. The
14 TDR conservation easement is used to conserve the sending site for which TDR certificates are
15 certified by removing the potential for future dwelling units, subdivision, short subdivision, or
16 boundary line adjustments. For the purposes of this section, accessory (~~apartments~~) dwelling
17 units, farm worker dwellings and temporary dwellings are not considered dwellings units.

18
19 (3) *Application of certified development rights to receiving areas.* Subject to the requirements of
20 this chapter or applicable city regulations, certified development rights, as reflected by properly
21 issued TDR certificates, may be used to obtain development incentives within designated TDR
22 receiving areas.

23
24 Section 17. Snohomish County Code Section 30.35A.040, last amended by Amended
25 Ordinance No. 18-070 on December 5, 2018, is amended to read:

26
27 **30.35A.040 TDR sending site calculations.**

28
29 (1) *Calculation for transfer purposes only.* The determination of the number of certified
30 development rights that a sending site is eligible to transfer shall be valid for transfer purposes
31 only and shall not entitle the sending site landowner to building permits or other development
32 approvals.

33
34 (2) *Calculation for countywide and regional certified development rights.* The number of
35 certified development rights that a sending site is eligible to transfer through the countywide
36 TDR program or the regional TDR program shall be:

37
38 (a) (~~the~~) The number of legal, existing, unimproved lots larger than 5,000 square feet
39 and not counted in subsection (2)(b) of this section;

40
41 (b) (~~plus~~) Plus the sum of:

42
43 (i) (~~the~~) The area in acres of lots not counted in subsection (2)(a) of this section
44 and designated as Commercial Forest, Local Forest, or Commercial Forest -
45 Forest Transition Area on the Comprehensive Plan Future Land Use Map, minus

1 any area already subject to a conservation easement or similar encumbrance,
2 divided by 80 acres, rounded down to the nearest whole number; plus

3
4 (ii) ~~((the))~~ The area in acres of lots not counted in subsection (2)(a) of this section
5 and designated as Low Density Rural Residential on the Comprehensive Plan
6 Future Land Use Map, minus any area already subject to a conservation easement
7 or similar encumbrance, divided by 20 acres, rounded down to the nearest whole
8 number; plus

9
10 (iii) ~~((the))~~ The area in acres of lots not counted in subsection (2)(a) of this
11 section and designated as Local Commercial Farmland, Upland Commercial
12 Farmland, Riverway Commercial Farmland, Rural Residential-10, or Rural
13 Residential-10 (Resource Transition) on the Comprehensive Plan Future Land
14 Use Map, minus any area already subject to a conservation easement or similar
15 encumbrance, divided by 10 acres, rounded down to the nearest whole number;
16 plus

17
18 (iv) ~~((the))~~ The area in square feet of lots not counted in subsection (2)(a) of this
19 section and designated as Rural Residential-5, Rural Residential, or Rural
20 Residential RD on the Comprehensive Plan Future Land Use Map, minus any
21 area already subject to a conservation easement or similar encumbrance, divided
22 by 200,000 square feet, rounded down to the nearest whole number;

23
24 (v) ~~((minus))~~ Minus the number of existing dwelling units on all lots in the
25 sending site. For the purposes of this section, accessory ~~((apartments))~~ dwelling
26 units, farm worker dwellings and temporary dwellings are not considered
27 dwellings units.

28
29 (3) *TDR calculation final.* Except as otherwise provided by SCC 30.35A.050(4)(c), the final
30 determination of the number of certified development rights that a sending site is eligible to
31 transfer is the administrative authority of the director in accordance with chapter 30.81 SCC and
32 shall not be revised due to subsequent rezones or other changes to the sending site.

33
34 Section 18. Snohomish County Code Section 30.35A.060, last amended by Amended
35 Ordinance No. 13-064 on September 4, 2013, is amended to read:

36
37 **30.35A.060 TDR conservation easement.**

38
39 (1) *TDR conservation easement required.* No TDR certificates shall be issued pursuant to SCC
40 30.35A.050 unless a conservation easement is accepted by the director pursuant to the
41 requirements of this section.

42
43 (2) *Acceptance and recording of TDR conservation easement.* Subject to the restrictions of SCC
44 30.35A.050(4)(c), the director shall accept and sign on behalf of the county a conservation
45 easement offered by a sending site owner in exchange for TDR certificates following issuance of
46 a TDR certificate letter of intent; provided, however, that the easement meets the requirements

1 set forth in subsection (3) of this section. Following acceptance of a conservation easement by
2 the director, the department shall record the easement with the county auditor.

3
4 (3) *Requirements for TDR conservation easement.* The conservation easement shall be on a form
5 approved by the prosecuting attorney and shall be reviewed and approved by the department,
6 subject to the requirements of this section. The easement shall contain, at a minimum, all of the
7 following:

8
9 (a) The serial numbers of the TDR certificates to be issued by the department on the
10 sending site that is the subject of the conservation easement.

11
12 (b) A legal description of the sending site.

13
14 (c) A covenant prohibiting any subdivision or short subdivision of the sending site.

15
16 (d) A covenant prohibiting the construction of any dwelling unit. The covenant shall
17 allow accessory (~~apartments~~) dwelling units, farm worker dwellings and temporary
18 dwellings that are subordinate to existing dwelling units.

19
20 (e) A covenant prohibiting boundary line adjustments to the sending site.

21
22 (f) A covenant that all provisions of the conservation easement shall run with the land
23 and bind the sending site in perpetuity, and may be enforced by the county.

24
25 (g) A statement that nothing in the restrictions shall be construed to convey to the public
26 a right of access or use of the property and that the owner of the property, his or her heirs,
27 successors and assigns shall retain exclusive rights to such access or use subject to the
28 terms of the conservation easement.

29
30 (h) Additional provisions that are reasonably necessary for the enforcement and
31 administration of the conservation easement as determined by the director, including a
32 covenant granting the county a right of entry, subject to reasonable advance notice, to
33 conduct brief inspections for the sole purpose of determining compliance with the
34 requirements of the easement.

35
36 Section 19. Snohomish County Code Section 30.41G.015, last amended by Amended
37 Ordinance No. 16-073 on December 21, 2016, is amended to read:

38
39 **30.41G.015 Applicability.**

40
41 (1) The regulations in this section apply to cottage housing in zones where such use is permitted.

42
43 (2) Existing single family detached dwellings may be retained as part of a cottage housing
44 development and do not count towards density calculations.

1 (3) Detached and attached accessory (~~(apartments)~~) dwelling units are prohibited within a
2 cottage housing development unless the detached or attached accessory (~~(apartment)~~) dwelling
3 unit was constructed as part of an existing single family detached dwelling that is proposed to
4 remain pursuant to subsection (2) of this section.
5

6 (4) Where there is a conflict between a provision of this chapter and a provision in another
7 chapter in Title 30 SCC, the requirements of this chapter shall apply.
8

9 Section 20. Snohomish County Code Section 30.66C.010, last amended by Ordinance
10 No. 04-140 on January 12, 2005, is amended to read:
11

12 **30.66C.010 Purpose and applicability.**
13

14 (1) The purpose of this chapter is:
15

16 (a) to ensure that adequate school facilities are available to serve new growth and
17 development; and
18

19 (b) to require that new growth and development pay its proportionate share of the costs
20 of new school facilities.
21

22 (2) This chapter shall apply to all development, except for the following:
23

24 (a) Development that
25

26 (i) was the subject of a prior SEPA threshold determination that resulted in the
27 imposition of school mitigation conditions under chapter 30.66C SCC as codified
28 prior to January 1, 1999; and
29

30 (ii) has not undergone modifications or other administrative revisions following
31 issuance of the SEPA threshold determination. An applicant subject to a prior
32 version of this chapter may consent in writing to the application of this chapter.
33

34 (b) Permits for attached or detached accessory (~~(apartments)~~) dwelling units.
35

36 (c) Permits for remodeling or renovation.
37

38 (d) "Housing for Older Persons" as defined by 42 U.S.C. § 3607(2), when guaranteed by
39 a restrictive covenant.
40

41 (e) Permits for temporary dwellings.
42

43 (f) Permits for new single-family detached units and duplexes constructed on legal lots
44 created prior to May 1, 1991.
45

46 (g) Building permits for residential development on or located within:

1
2 (i) existing lots recognized through the administrative lot status process pursuant
3 to SCC 30.41A.030 or SCC 30.41B.025;

4
5 (ii) unrecorded short plats filed with the county prior to September 12, 1972, and
6 pursuant to SCC 30.41B.025(2); and

7
8 (iii) exempt subdivisions or large tract subdivisions, including five acre
9 segregations pursuant to SCC 30.41A.030(1) or SCC 30.41B.025(1)(a), 20-acre
10 segregations pursuant to 30.41A.030(2) or 30.41B.025(1)(b), and 80-acre
11 segregations pursuant to SCC 30.41A.020(7) or SCC 30.41B.020(7).
12

13 Section 21. A new section is added to Snohomish County Code 30.91A to read:

14
15 **30.91A.035 Accessory dwelling unit.**

16
17 “Accessory dwelling unit” means a dwelling unit that is located on the same lot as, under the
18 same ownership as, and subordinate to a single-family dwelling unit. An accessory dwelling unit
19 must include facilities for living, sleeping, eating, cooking, and sanitation for not more than one
20 family.
21

22 Section 22. Snohomish County Code Section 30.91A.040, added by Amended Ordinance
23 No. 02-064 on December 9, 2002, is amended to read:

24
25 **30.91A.040 Accessory (~~(apartment-)~~) dwelling unit, attached.**

26
27 (~~“Accessory apartment attached” means a dwelling unit that is in the same structure as, under~~
28 ~~the same ownership as, and subordinate to an owner-occupied single-family dwelling unit. An~~
29 ~~attached accessory apartment is intended for use as a complete, independent living facility, and~~
30 ~~does not substantially alter the single-family character, and appearance of the structure or its~~
31 ~~conformity with the character of the neighborhood. An attached accessory apartment must~~
32 ~~include facilities for living, sleeping, eating, cooking, and sanitation for not more than one family~~
33 ~~in accordance with the state and local law.”)~~ “Accessory dwelling unit, attached” (“Attached
34 accessory dwelling unit”) means an accessory dwelling unit that is located in the same structure
35 as the primary dwelling.
36

37 Section 23. Snohomish County Code Section 30.91A.050, last amended by Ordinance
38 No. 06-138 on December 13, 2006, is amended to read:

39
40 **30.91A.050 Accessory (~~(apartment-)~~) dwelling unit, detached.**

41
42 (~~“Accessory apartment detached” means a dwelling unit other than a mobile home, which is~~
43 ~~located on the same lot and under the same ownership as, and subordinate to, an owner-occupied~~
44 ~~single-family dwelling unit, except that a mobile home may be allowed as a detached accessory~~
45 ~~apartment on lots ten acres or larger located outside of a UGA when the accessory apartment~~
46 ~~remains subordinate to the existing owner-occupied home and meets the requirements of chapter~~

1 ~~30.28 SCC. A detached accessory apartment is intended for use as a complete, independent~~
2 ~~living facility, and does not substantially alter the single family character, and appearance of the~~
3 ~~structure or its conformity with the character of the neighborhood. A detached accessory~~
4 ~~apartment must include facilities for living, sleeping, eating, cooking, and sanitation for not more~~
5 ~~than one family in accordance with the state and local law.))~~ “Accessory dwelling unit,
6 detached” (“Detached accessory dwelling unit”) means an accessory dwelling unit that is
7 physically separated from and located in a different structure than the primary dwelling.
8

9 Section 24. Snohomish County Code Section 30.91D.200, last amended by Amended
10 Ordinance No. 18-036 on October 3, 2018, is amended to read:

11
12 **30.91D.200 Development.**

13
14 "Development" means all residential subdivisions and short subdivisions, single family detached
15 unit, cottage housing, townhouse, mixed townhouse, and multifamily residential developments,
16 including multifamily rezones which require binding site plans, planned residential
17 developments, mobile home parks, and all multifamily structures which require building permits
18 and are subject to but does not include permits for attached or detached accessory ((apartments))
19 dwelling units, or remodeling or renovation permits which do not result in additional dwelling
20 units.
21

22 *This definition applies only to "Park and recreation impact mitigation" regulations in chapter*
23 *30.66A SCC and "School impact mitigation" regulations in chapter 30.66C SCC.*
24

25 Section 25. Snohomish County Code Section 30.91D.210, last amended by Ordinance
26 No. 16-010 on June 1, 2016, is amended to read:

27
28 **30.91D.210 Development.**

29
30 "Development" means all applications for development activity that will generate vehicular
31 traffic except for:

- 32
33 (1) Single-family dwellings;
34
35 (2) Structures accessory to a single family use that are not used for commercial purposes;
36
37 (3) Attached or detached accessory ((apartments)) dwelling units;
38
39 (4) Duplex conversions;
40
41 (5) Temporary dwellings; or
42
43 (6) Portable classrooms for public k-12 schools utilizing existing access.
44

45 *This definition applies only to the concurrency and road impact mitigation regulations in*
46 *chapter 30.66B SCC.*

1
2 Section 26. Snohomish County Code Section 30.91D.480, added by Amended Ordinance
3 No. 02-064 on December 9, 2002, is amended to read:
4

5 **30.91D.480 Duplex.**
6

7 "Duplex" means a residential structure containing two dwelling units that have a contiguous
8 wall, which structure is located on one lot. The term does not include a mobile home, or a
9 structure containing an attached or detached accessory (~~(apartment)~~) dwelling unit.
10

11 Section 27. Snohomish County Code Section 30.91D.510, added by Amended Ordinance
12 No. 02-064 on December 9, 2002, is amended to read:
13

14 **30.91D.510 Dwelling, single family.**
15

16 "Dwelling, single family ("Single family dwelling") means a dwelling containing one dwelling
17 unit, or the dwelling unit and an attached or detached accessory (~~(apartment)~~) dwelling unit. This
18 term shall also include factory built housing constructed pursuant to the standards delineated in
19 RCW 43.22.455, as amended, and rules and regulations promulgated pursuant thereto.
20

21 Section 28. Severability and Savings. If any section, sentence, clause or phrase of this
22 ordinance shall be held to be invalid by the Growth Management Hearings Board (Board), or
23 unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall
24 not affect the validity or constitutionality of any other section, sentence, clause or phrase of this
25 ordinance. Provided, however, that if any section, sentence, clause or phrase of this ordinance is
26 held to be invalid by the Board or court of competent jurisdiction, then the section, sentence,
27 clause or phrase in effect prior to the effective date of this ordinance shall be in full force and
28 effect for that individual section, sentence, clause or phrase as if this ordinance had never been
29 adopted.
30

31
32 PASSED this ____ day of _____, 2021.
33
34

35 SNOHOMISH COUNTY COUNCIL
36 Snohomish County, Washington
37

38
39 _____
40 Council Chair

41 ATTEST:
42
43

44 _____
45 Clerk of the Council
46

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() APPROVED

() EMERGENCY

() VETOED

DATE: _____

County Executive

ATTEST:

Approved as to form only:

Tamara Hinkley 3/22/21

Deputy Prosecuting Attorney

**EXECUTIVE RECOMMENDED
PROPOSED AMENDMENT SHEET 1
ORDINANCE NO. 21-018**

Amendment Name: Adjusting maximum floor area for accessory dwelling units.

Brief Description: The amendment changes the maximum floor area for accessory dwelling units from the Planning Commission recommended 1,600 square feet to 1,200 square feet.

Affected Code Sections: SCC 30.28.10

Page 72, Lines 13-14, delete:

- d. The floor area of an accessory dwelling unit shall not exceed 1,600 square feet. Floor areas shall be exclusive of garages, porches, and unfinished basements;

Insert:

- d. The floor area of an accessory dwelling unit shall not exceed 1,200 square feet. Floor areas shall be exclusive of garages, porches, and unfinished basements;

New Ordinance Recitals, Findings, Conclusions or Sections to Add

Page 12, insert at Line 17:

Additionally, the proposed amendments restrict all ADUs to a maximum floor area of 1,200 square feet. This restriction will further ensure that ADUs in the rural area are subordinate to the primary single-family dwelling, which will help to protect rural character, quality, and identity.

Page 13, insert at Line 3:

Further, the proposed amendments set the maximum floor area for ADUs at 1,200 square feet, which is the approximate size of a two-bedroom apartment. Limiting the square footage to this level will help encourage the development of smaller units that cater to smaller households. This will further Objective HO 1.B by increasing housing diversity in single family areas that historically have uniform housing types.

Council Disposition: _____ **Date:** _____

AMENDMENT SHEET NO. 2

ORDINANCE NO. 21-018

Amendment Name: Limited Modification to 100' ADU Siting Criteria from Primary Dwelling in Rural Areas

Brief Description: Amendment would authorize the director to approve an ADU that is over 100' from a primary dwelling unit upon a showing that physical characteristics exist that would limit an ADU from being constructed within 100' of a primary dwelling unit. Physical characteristics include, but are not limited to: critical areas, sewage and septic systems, water systems, topographical features, and related setbacks or buffers.

Affected Ordinance Sections: Section 13

Affected Code Section: 30.28.010(3)(b)

Existing Ordinance Recitals, Findings, Conclusions or Sections to Delete or Modify:

On page 73, beginning at line 27,

REPLACE:

(b) Unless the accessory dwelling unit is proposed to be located in an existing structure that was legally constructed prior to [the effective date of this ordinance], the distance between the nearest walls of the primary dwelling and a proposed detached accessory dwelling unit shall not exceed 100 feet.

WITH:

(b) The distance between the nearest walls of the primary dwelling and a proposed detached accessory dwelling unit shall not exceed 100 feet except when:

(i) The accessory dwelling unit is proposed to be located in an existing structure that was legally constructed before [the effective date of this ordinance]; or

(ii) The applicant demonstrates that the physical characteristics of the property, including, but not limited to, critical areas, topography, sewage, septic, and water systems, and their associated buffers or setbacks, limit the siting of an accessory dwelling unit within 100 feet of the primary dwelling. In these circumstances the accessory dwelling unit shall be located as close as reasonably possible to the primary dwelling unit.

Council Disposition: _____ **Date:** _____

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 2.0003

FILE ORD 21-018



Snohomish County

Planning and Development Services

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

MEMORANDUM

TO: Snohomish County Planning Commission

Dave Somers
County Executive

FROM: Mitchell Brouse, Senior Planner
Planning and Development Services

SUBJECT: Code Amendment for Accessory Apartments

DATE: February 18, 2020

INTRODUCTION

The purpose of this staff report is to outline and provide an update regarding a non-project proposal to amend the requirements within Snohomish County Code (SCC) for accessory apartments. The Commission was briefed on this proposal in November of 2018, but the issue of housing has become more prevalent in both state and regional forums, making re-evaluation of this proposal appropriate. The proposed amendments seek to modernize code with regard to accessory apartments, by reducing restrictions that create barriers to construction while maintaining protections on health, safety, and welfare of neighborhoods.

BACKGROUND

Accessory apartments, commonly referred to as accessory dwelling units (ADUs), are separate, complete dwelling units, which are located on the same lot as, and subordinate to, a primary single family dwelling. They have complete living facilities, including a kitchen, sanitary facilities, and sleeping quarters and can be located in the same (attached) or a different (detached) structure as the on-site single family dwelling.

In addition to support for accessory apartments reflected in local planning documents, national and regional research shows that development of accessory apartments can help diversify the housing stock, increase the supply of senior and affordable housing and better accommodate the shrinking household size in the region.

According to the both the American Association of Retired Persons (AARP) and the American Planning Association (APA), accessory dwellings are good for communities for a number of reasons. First, they can be used to provide affordable housing options for a grown child or living options for an elderly family member who may be in need of assistance. They also can work to stabilize the housing market by providing an affordable housing option for renters and supplemental income for owners to help offset

the cost of a mortgage or other expense. Finally, having an accessory unit “can provide an elderly owner with a sense of security and an opportunity to exchange needed work around the house and yard for a discount on rent” (PAS Quick Notes 19, Accessory Dwelling Units, American Planning Association).

State law (Section 43.185A.215(3) Revised Code of Washington (RCW)) requires that certain counties and cities incorporate accessory apartments into their local development regulations, zoning regulations, or official land use controls. The Legislature deferred to the local legislative authority to establish regulations, conditions, procedures, and limitations related to the construction of accessory apartments.

Currently, two bills are being considered during the 2020 regular session of the Washington State Legislature (HB 2570 and SB 6617) as a continuation of discussions on the need for more affordable housing from the 2019 session. Both bills would limit local jurisdictions’ legislative authority to set regulations regarding accessory apartments, by restricting and setting conditions on topics, including, but not limited to, parking requirements, occupancy requirements, and where accessory apartments are allowed. While neither proposals significantly differs from what is being proposed by these amendments, if either bill were to be approved, Snohomish County would need to evaluate this proposal to ensure it complies with the updated Washington State Law.

According to the recent Snohomish County Housing Affordability Regional Taskforce (HART) 2020 Report, Snohomish County is facing a housing crisis. The housing supply in Snohomish County is lagging behind population growth. Between 2016 and 2018, the number of new housing units was 61% less than the increase in the number of households in the County. Data from the U.S. Census Bureau indicates that approximately 33% of Snohomish County households were housing cost-burdened in 2018, which means that they paid more than 30% of their income on housing. Finally, increases to housing costs are outpacing income growth, continuing to aggravate the situation. For example, between 2010 and 2017 median rent for a 2-bedroom apartment increased 49.5% and average single family home sale price increased 36%, while median household income increased only 17.7% over that same time period.

HART’s Five-Year Action Plan identifies accessory apartments as part of the solution by increasing the housing supply and providing housing units that meet a different cost level. Local zoning codes need to be revised to encourage the development of ADUs as a way to meet a key goal of promoting greater housing growth and diversity at all levels of affordability.

Various planning documents, including the 2015 Snohomish County General Policy Plan (GPP) and the 2013 Housing Characteristics and Needs Report have identified accessory apartments as one type of housing that can help the County reach its housing goals.

Existing county code allows accessory apartments as an administrative conditional use in most zones that also allow a single family dwelling. Additionally, accessory apartments are prohibited on substandard lots (SCC 30.23.235). Substandard lots are those that were platted legally, but due to changes to zoning, no longer meet the standards of the zoning district they are located in.

The existing code provides general development standards for accessory apartments (SCC 30.28.010). Those standards include limits on how the accessory apartment may be used and restrictions for construction and site development. The following is an overview of those existing standards:

- Either the primary single family dwelling or the accessory apartment shall be owner occupied and the owner shall file and record a declaration of owner occupancy.
- Accessory apartments shall be no smaller than 360 square feet, while maximum square footage is calculated based on the size of the primary dwelling.
- Attached accessory apartments shall preserve the architectural character of the single family dwelling. Only one main entrance allowed on the front of the building.
- All accessory apartments shall comply with the setback and lot coverage requirements in the zone for which they are located. Detached accessory apartments shall not extend beyond the front of the single family dwelling in residential, multiple-family, or commercial zones, unless they are appropriately screened.
- One off-street parking spot per accessory apartment shall be provided.

The existing code on accessory apartments is somewhat cumbersome and presents regulatory barriers for those seeking permits to construct accessory apartments. In particular, current code requires an administrative conditional use permit prior to construction, which adds cost, delays construction, and provides minimal protection to surrounding properties. Further, the existing prohibition of accessory apartments on substandard lots, creates situations where accessory apartments cannot be constructed on lots that were legally established and are large enough to accommodate a subordinate dwelling. Finally, other standards, such as maximum apartment area, add complication to the permitting process, while providing limited value. For example, under current code, a property with a 1,500 square foot dwelling could only build a 600 square foot accessory apartment, while a property with a 3,000 square foot dwelling could build a 1,050 square foot apartment.

PROPOSED CODE AMENDMENTS

The following is an overview of the proposed changes to Snohomish County Code regarding the development of accessory apartments:

Use Type. Update the use tables found in 30.22 to allow accessory apartments as a permitted use, rather than administrative conditional use, in all zones that allow a single family home. This will reduce the time, cost, and other barriers to accessory apartment construction without threatening health, safety, and welfare of neighborhoods.

Substandard Lots. Eliminate the accessory apartment prohibition on substandard lots. This will allow accessory apartments to be sited on properties that were created legally, but due to zoning changes, do not meet the standards of the zone they are located in. For example, there are situations in Snohomish County where a 10 acre property is located in the F-Forestry zone. Because the Forestry zone has a minimum lot size of 20 acres, current code prohibits an accessory apartment from being built.

Maximum Size. Eliminate the percentage based floor area restriction so maximum accessory apartment size is not dependent on the size of the single family dwelling. Assign a square footage based maximum size, around 1,000 sq. ft., which would be consistent with a two bedroom apartment and also consistent with many other jurisdictions' regulations on accessory apartments.

Accessory Apartments in the Urban Zones. Reduce restrictions in the urban zones to ease the process of permitting and to help increase housing stock and diversity. This would help ease the housing affordability crisis. The code changes under consideration would:

1. Allow more than one accessory apartment per lot;
2. Eliminate landscaping and buffering requirements;
3. Eliminate regulations that require the owner to live on site;
4. Reduce parking requirements, allowing parking to be shared with those that are required for the primary dwelling.

Accessory Apartments in Rural, Resource, and Other Zones. Establish separate restrictions in rural, resource, and other zones that will help maintain rural character and ensure that accessory apartments maintain a close association with the primary dwelling. Some of the changes under consideration may:

1. Continue to allow only one accessory apartment per lot;
2. Introduce a maximum separation distance between detached accessory apartments and the primary dwelling on lots of fewer than 10 acres;
3. Maintain the requirement for lots of fewer than 10 acres, that the owner live on site;
4. Require additional standards to ensure that accessory apartments do not threaten rural character.

General Reorganization. Restructure and reorganize SCC 30.28.010 to improve clarity, transparency, and usability.

Definitions. Update definitions to add clarity and consistency with the rest of title 30 SCC.

OVERVIEW OF PROPOSED FINDINGS

The following are key findings related to compliance with Washington State Law and Snohomish County policies, with additional findings included in the ordinance.

Compliance with State Law

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

GMA Goal 1 – “Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.”

Analysis: The amendments proposed would support GMA Goal 1, by increasing the number of accessory apartments allowed per lot in within the urban growth areas and by reducing regulatory restrictions on the construction of accessory apartments. They will facilitate more efficient land use by allowing development of new housing units in existing low-density urban areas with adequate access to public facilities and services.

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

Analysis: The code changes proposed would reduce regulations on accessory apartments in the urban areas to a greater extent than the rural areas, allowing pre-developed single family urban areas to accommodate a greater population capacity. The proposal would include additional restrictions on accessory apartments in rural areas that are intended to limit sprawl, while still encouraging housing diversity.

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, and encourage preservation of existing housing stock.”

Analysis: The proposed amendments would support the housing goal by eliminating superfluous restrictions on accessory apartments and setting a regulatory environment that will better facilitate the construction of accessory dwelling units. Development of accessory apartments diversifies the housing stock in otherwise uniform, low density, rural and urban residential areas. Further, accessory apartments work to broaden the range of housing cost in areas with historically uniform cost profiles.

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

Analysis: The proposed amendments would support GMA Goal 7 by reducing permitting requirements by shifting accessory apartments from an administrative conditional use to a permitted use in all zones where a single family dwelling is a permitted use.

Compliance with the Snohomish County Comprehensive Plan

The proposed amendments would be consistent with and will help implement a number of goals, objectives, and policies contained within the Snohomish County Growth Management Act Comprehensive Plan (GMACP) – General Policy Plan (GPP). The following goals, objectives, and policies apply to the code amendments as proposed in this report.

Objective LU 2.A – Increase residential densities within UGAs by concentrating and intensifying development in appropriate locations, particularly within designated centers and along identified transit emphasis corridors.

Policy LU 2.A.4 – “UGAs shall provide opportunities for a mix of affordable housing types (e.g. small lot detached, townhomes, duplex, triplex, 6 to 8 unit apartment and small group housing units) within designated residential areas.”

Analysis: The proposed code amendments would help facilitate the development of a mix of housing types in developed areas with uniform housing types, without requiring significant redevelopment. The

proposed amendments will reduce regulatory barriers on accessory apartments and will allow properties within the urban areas to construct up to two (2) accessory apartments.

Objective LU 6.A – “Reduce the rate of growth that results in sprawl in rural and resource areas.”

Policy LU 6.A.1 – “To help ensure that the rural population target is not exceeded, rural growth trends shall be monitored using the process and criteria established under Objective PE 2.B. If rural growth trends indicate that the rural population target may be exceeded, the county shall evaluate whether incentive programs or adjustments to planned densities or land uses are necessary to bring rural growth trends back into alignment with the adopted target.”

Analysis: The proposed code changes would reduce regulatory barriers on the construction of accessory apartments in the rural and resource areas, which will likely result in a slight increase in the amount of accessory apartments that are sited in these areas. That being said, accessory apartments can help alleviate the housing affordability crisis that is faced by Snohomish County and the Central Puget Sound Region. As is discussed in the background and below, meeting the County’s housing goals will require a comprehensive approach, which includes reducing barriers on accessory apartments.

Further, the proposed amendments include additional standards on the development of accessory apartments in the rural and resource areas compared to the urban areas. Those standards are intended to and designed such that accessory apartments are in close association, and truly subordinate to the primary dwelling. Accessory apartments fill an important niche in the housing market, such as providing options for older adults to age in place and allowing families to continue to live together as they expand. The additional standards will help ensure that accessory apartments in the rural areas cater to that niche.

While accessory apartment construction is one feature of rural growth, given the small number of accessory apartments anticipated, they are not likely to be the primary catalyst for it. Policy LU 6.A.1 requires the county to complete annual monitoring of rural growth trends. If monitoring shows that Snohomish County could exceed its rural population target, it is unlikely that accessory apartments would be the cause. However, a comprehensive approach to addressing rural growth would be undertaken.

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

Policy HO 1.B.4 – “The county shall encourage and support the development of innovative housing types that make efficient use of the county land supply such as residential units in mixed use developments, accessory dwelling units, cottage housing, co-housing, and live/work units.”

Analysis: The proposed code changes would work to further housing objective 1.B by reducing the regulatory barriers on the development of accessory apartments in both urban and rural areas. The

development of accessory apartments provides different housing types and affordability levels in areas with predominantly uniform housing types and levels of affordability.

Objective HO 2.B - Encourage the use of innovative urban design techniques and development standards to foster broad community acceptance of a variety of housing types affordable to all economic segments of the population.

Policy HO 2.B.1 – The county shall encourage a variety of housing types and densities in residential neighborhoods.”

Policy HO 2.B.4 – “The county shall encourage the integration of a variety of dwelling types and intensities in residential neighborhoods.”

Analysis: The proposed amendments would support Objective HO 2.B by facilitating the construction of accessory apartments which will provide alternate housing options and differing housing densities in residential neighborhoods. Further, the amendments would, through reduction of regulatory barriers, encourage integration of accessory apartments into residential neighborhoods that do not have a variety of dwelling types.

PROCEDURAL REQUIREMENTS

The proposed ordinance complies with all state law and Snohomish County Code procedural requirements. The following provides an outline of key procedural requirements:

Environmental Review

Staff is in the process of completing a State Environmental Policy Act (SEPA) checklist, which will be published at least fourteen (14) days in advance of the Planning Commission hearing.

Notification of State Agencies

As is required by RCW 36.70A.106(1), notification of intent to adopt the proposed code changes was transmitted to the Washington State Department of Commerce on February 19, 2020.

PDS RECOMMENDATION

The Department of Planning and Development Services recommends approval of the proposed code amendments outlined in this staff report.

cc: Ken Klein, Executive Director, Snohomish County Executive’s Office
Barb Mock, Director, Planning and Development Services
Mike McCrary, Deputy Director, Planning and Development Services
Ikuno Masterson, AICP, Manager, Planning and Development Services
Yorik Stevens-Wajda, AICP, Senior Legislative Analyst, Snohomish County Council

Attachments:

- a. [Snohomish County Housing Affordability Regional Taskforce 2020 Report and Five-Year Action Plan](#)
- b. [Snohomish County Housing Affordability Taskforce Webpage](#)
- c. [The ABCs of ADUs: A guide to Accessory Dwelling Units and how they expand housing options for people of all ages](#)
- d. [Burien Encourages Accessory Dwelling Units in New Reform](#)
- e. [Jumpstarting the Market for Accessory Dwelling Units: Lessons learned from Portland, Seattle and Vancouver](#)
- f. [House Bill 2570](#)
- g. [Senate Bill 6617](#)

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 2.0009

FILE ORD 21-018



Snohomish County

Planning and Development Services

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(425) 388-3311
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MEMORANDUM

TO: Snohomish County Planning Commission

Dave Somers
County Executive

FROM: Mitchell Brouse, Senior Planner
Planning and Development Services

SUBJECT: Accessory Apartments Code Update

DATE: June 10, 2020

INTRODUCTION

The purpose of this staff report is provide more specific information regarding a non-project proposal to amend the requirements within Snohomish County Code (SCC) for accessory apartments. The Commission has been briefed on this proposal at two past Planning Commission meetings. The first was in November of 2018. The project was placed on hold due to anticipated changes on this topic at the state legislature. The issue of housing has become more prevalent in both state and regional forums, making re-evaluation of this proposal appropriate. As a result of those discussions, a second briefing was provided to the Commission in February 2020, but due to the COVID public health emergency, the subsequent hearing was canceled but work continued. This staff report represents a continuation of the conversations with the Commission initiated in 2018 and evolution of the subject since that time.

The amendments proposed by this ordinance seek to modernize code with regard to accessory apartments, by reducing restrictions that create barriers to construction while maintaining protections on health, safety, and welfare of neighborhoods. Additionally, the amendments would change the term “accessory apartment” to “accessory dwelling unit” throughout Snohomish County Code reflecting the more popular nomenclature being used today.

BACKGROUND

The Department of Planning and Development Services (PDS) provided a high-level briefing to the Planning Commission on the proposed code amendments on February 25, 2020. The briefing staff report, dated February 18, 2020, provides a detailed background and description of the proposal. During the Planning Commission discussion several questions and comments were posed by Commissioners that required additional staff research. Responses to these questions and comments are provided in Attachment B.

PROPOSED CODE AMENDMENTS

The updates to Snohomish County Code (SCC) proposed by this ordinance are intended to reduce the regulatory barriers to the construction of accessory dwelling units (ADUs) by removing and reducing superfluous restrictions. The proposed code amendments are structured such that they maintain appropriate protections on health, safety, and welfare, and contain reasonable limits on development in the rural areas intended to limit urban sprawl and the conversion of rural land and protect rural character. Detailed summaries of these code amendments can be found in Attachment A. Attachment A includes four tables outlining the proposed amendments to SCC title 30:

Table 1: Proposed Changes to SCC 30.22

Table 2: Proposed Changes to SCC 30.23, 30.25, and 30.26

Table 3: Proposed Changes to SCC 30.28.010

Table 4: Proposed Changes to SCC 30.91

OVERVIEW OF PROPOSED FINDINGS AND PROCEDURAL REQUIREMENTS,

Proposed findings and procedural requirements are outlined in the briefing Staff Report dated February 18, 2020.

PDS RECOMMENDATION

Planning and Development Services recommends approval of the proposed code amendments outlined by this staff report.

Cc:

Ken Klein, Executive Director, Snohomish County Executive's Office

Barb Mock, Director, Planning and Development Services

Mike McCrary, Deputy Director, Planning and Development Services

Ikuno Masterson, AICP, Manager, Planning and Development Services

Yorik Stevens-Wajda, AICP, Senior Legislative Analyst, Snohomish County Council

Enclosed:

Attachment A: Summary of Proposed Code Amendments

Attachment B: Response to Planning Commission Questions

ATTACHMENT A

Summary of Proposed Code Amendments

The proposed amendments to Snohomish County Code would alter SCC 30.22 Uses Allowed in Zones, 30.23 General Development Standards – Bulk Regulations, 30.25 General Development Standards – Landscaping, 30.26 General Development Standards – Parking, 30.28 General Development Standards – Miscellaneous, and 30.91 Definitions. Additionally, other non-substantive changes are proposed to various other sections to change the term “accessory apartment” to “accessory dwelling unit”. Those sections include SCC 30.24, 30.28, 30.31A, 30.35A, 30.41G, 30.66C, and 30.91D. The following tables outline the specific changes that are being proposed to each code section.

Table 1, below, outlines the proposed changes to SCC 30.22:

TABLE 1: PROPOSED CHANGES TO SCC 30.22

Proposed Code Change																	Description		
Update Use Matrices																			
30.22.100 Urban Zone Categories Use Matrix.																			
Type of Use	R- 9,600	R- 8,400	R- 7,200	T	LDM R	MR	NB	PCB	CB	FS	IP	BP	LI	HI	MHP	UC	Change accessory dwelling units from an administrative conditional use to a permitted use in all districts that allow single family dwellings.		
Accessory Dwelling Unit ((Apartment))	((A)) P	((A)) P	((A)) P	((A)) P	((A)) P	((A)) P													
30.22.110 Rural and Resource Zone Categories Use Matrix.																			
Type of Use	Rural Zones						Resource Zones											Change accessory dwelling units from an administrative conditional use to a permitted use in all districts that allow single family dwellings.	
	RD	RRT- 10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC								
Accessory Dwelling Unit ((Apartment))	((A)) P	((A)) P	((A)) P	((A)) P	P			((A)) P	((A)) P	((A)) P	((A)) P								
30.22.120 Other Zones Categories Use Matrix.																			
Type of Use	Other Zones																		Change accessory dwelling units from an administrative conditional use to a permitted use in all districts that allow single family dwellings.
	SA-1	RC	RU	R- 20,000	R- 12,500	WFB													
Accessory Dwelling Unit ((Apartment))	((A)) P																		

Table 2 outlines proposed updates to SCC 30.23, 30.25, and 30.26. Changes to these sections complement the changes outlined in Table 3, describing specific changes to development standards for accessory dwelling units.

TABLE 2: PROPOSED CHANGES TO SCC 30.23, 30.25, and 30.26

Proposed Code Change	Description
UPDATE SECTION: SCC 30.23.235	
<p>30.23.235 Development on substandard lots – General.</p> <p>Development on substandard lots, including single-family development under SCC 30.23.240, is permitted, provided that it shall comply with the following requirements:</p>	<p>No changes are proposed.</p>
<p>(1) Development permitted on substandard lots regulated by this chapter shall be subject to compliance with all other applicable provisions of title 30 SCC.</p>	<p>Language is proposed to be updated to comply with state standards and to adopt the updated flood insurance study and flood insurance rate maps with an effective date of June 19, 2020.</p>
<p>(2) Where the combination of substandard lots is required or proposed for the development of a single-family dwelling, or other building or structure, the lands involved shall be combined and considered to be a single undivided parcel. No portion of said parcel shall be used, altered or sold in any manner which diminishes compliance with lot area and width requirements, nor shall any division be made which creates a lot with a width or area below the requirements permitted by this title. A site plan depicting the lot combination shall be recorded with the auditor prior to permit issuance.</p>	
<p>(3) The development of new ((attached and detached accessory apartments and)) duplexes is prohibited.</p>	<p>Eliminate the prohibition of accessory apartments on substandard lots.</p>
<p>(4) Except as provided in SCC 30.23.235(3) and SCC 30.23.240, substandard lots may be used for development permitted under this title and associated incidental uses, provided that the development:</p> <ul style="list-style-type: none"> (a) Complies with the setback requirements of SCC 30.23.030; (b) Complies with the Snohomish Health District standards; and (c) Does not exceed the lot coverage requirement in SCC 30.23.030. 	<p>No changes are proposed.</p>
UPDATE SECTION: SCC 30.25.28	
<p>30.25.28 ((Accessory apartments and temporary)) Temporary dwellings.</p> <p>((Accessory apartments, where required by SCC 30.28.010(6), and temporary)) Temporary dwellings shall be screened with a six-foot high sight-obscuring fence (gaps no greater than one-quarter inch) or by five feet in width of Type A landscaping.</p>	<p>Remove the reference to accessory dwelling units in specific screening requirements as these requirements are proposed to be eliminated.</p>
UPDATE SECTION: SCC 30.26.030	

Proposed Code Change				Description
Table 30.26.030(1) Number of Parking Spaces Required				
USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, FS, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, MC, SA-1, RC, RU, R-20,000, R-12,500	NOTES	
Accessory Dwelling Unit (Apartment)	1 per unit; see note	1 per unit	<u>Note: In the urban zones, one of the two required spaces for the single-family dwelling can be used to fulfil the required parking for one accessory dwelling unit. If there is more than one accessory dwelling unit on a lot, there shall be at least 1 space per dwelling unit.</u>	Update the number of parking spots required for accessory dwelling units in urban areas. Allow one of the two parking spots that is required for the single family dwelling to be used to fulfil parking requirements for one ADU.

Table 3 outlines the proposed changes to the development standards for accessory dwelling units contained in SCC 30.28.010. The updates are shown in strikethrough/underline format. All language to be deleted is denoted by strikethrough and proposed new language is underlined.

TABLE 3: PROPOSED CHANGES TO SCC 30.28.010

Proposed Code Change	Description
<p>30.28.010 Accessory dwelling units (apartments).</p> <p><u>Accessory dwelling units are allowed subordinate to a single-family dwelling in zones where single-family dwellings are permitted as indicated in SCC 30.22.100, 30.22.110, and 30.22.120.</u></p>	<p>Update the title of the section to “Accessory dwelling units” to reflect popular nomenclature and add an introduction to the standards.</p>
<p>(1) ((An owner-occupant of a single family dwelling unit may establish only one accessory apartment, which may be either attached to, or detached from, the single family dwelling. A detached accessory apartment may not be located on a lot on which a temporary dwelling is located.))</p>	<p>Delete the existing (1) and replace with “general standards” below.</p>
<p>(1) <u>General standards.</u> All accessory dwelling units shall comply with the following standards:</p> <p><u>(a) Development of accessory dwelling units shall be subject to compliance with all other applicable provisions of title 30 SCC.</u></p> <p><u>(b) Development of accessory dwelling units shall be subject to physical and legal availability of water and the applicant providing documentation that the water supply is potable and of adequate flow.</u></p> <p><u>(c) Applicants must provide documentation that the existing or proposed sewage or septic system is capable of handling the additional demand placed upon it by the attached or detached accessory dwelling unit.</u></p> <p><u>(d) Accessory dwelling unit shall meet the off-street parking requirements in Chapter 30.26 SCC.</u></p> <p><u>(e) Attached accessory dwelling units shall be designed such that the architectural character of the primary dwelling is preserved. Exterior materials, roof form, window spacing, and proportions shall match that of the primary dwelling.</u></p> <p><u>(f) Detached accessory dwelling units shall be constructed such that exterior materials, roof form, window spacing, and proportions approximate those of the single family dwelling. A detached accessory dwelling unit proposed for location within an existing accessory structure, is not required to approximate the exterior features of the existing single family dwelling. A mobile home, where allowed as a detached accessory dwelling unit pursuant to SCC 30.28.010(4)(a), is not required to approximate the exterior features of the existing single family dwelling.</u></p>	<p>Update the code section to include standards that apply to all accessory dwelling units, regardless of the zone that they are located in. Subsection (a), (c), (d), and (f) are standards from existing code which are proposed to be relocated and adopted as updated language. Subsection (b) is a slight extension of an existing standard, adding the requirement that ADUs are subject to the physical and legal access to water.</p>
<p>(2) ((The owner-occupant(s) shall reside in either the single family dwelling unit, the accessory apartment, or both.))</p>	<p>Delete the existing (2) and replace with standards for urban zones below.</p>

Proposed Code Change	Description										
<p>(2) <u>Urban zones.</u> Accessory dwelling units are permitted uses in the urban zones on lots with a single-family dwelling in accordance with SCC 30.22.100 and the following standards:</p> <p><u>(a) One attached accessory dwelling unit and one detached accessory dwelling unit may be established on lots that contain a legally established single-family dwelling.</u></p> <p><u>(b) Maximum size.</u> The floor area for an accessory dwelling unit shall not exceed 1,000 square feet. Floor areas shall be exclusive of garages, porches, or unfinished basements.</p>	<p>Update code to allow up to 2 ADUs (one attached and one detached) on lots in urban areas. Further, replace the calculation-based maximum size with a standard of 1,000 square feet.</p>										
<p>(3) ((The minimum floor area for an attached or detached accessory apartment shall be 360 square feet, but in no case shall the original single family dwelling unit be reduced below 900 square feet. These floor areas shall be exclusive of garages, porches, or unfinished basements. The floor area of an attached accessory apartment shall not exceed the following percentage of floor area of the single family dwelling unit to which it is accessory, or the following fixed amount, whichever is applicable:</p> <table border="1" data-bbox="121 581 894 760"> <caption>Table 30.28.010(1) Accessory Apartments Maximum Floor Area</caption> <thead> <tr> <th>If the floor area of the single family dwelling unit is:</th> <th>The floor area of the attached accessory apartment shall not exceed:</th> </tr> </thead> <tbody> <tr> <td>Under 2,000 sq. ft.</td> <td>40%</td> </tr> <tr> <td>2,000 sq. ft. or more, but less than 3,000 sq. ft.</td> <td>35% or 800 sq. ft., whichever is greater</td> </tr> <tr> <td>3,000 sq. ft. or more, but less than 5,000 sq. ft.</td> <td>30% or 1,050 sq. ft., whichever is greater</td> </tr> <tr> <td>Over 5,000 sq. ft.</td> <td>20% or 1,500 sq. ft., whichever is greater</td> </tr> </tbody> </table> <p>The floor area of a detached accessory apartment shall not exceed 40 percent of the floor area of the single family dwelling unit to which it is accessory, or 850 square feet, whichever is less. The square footage of a mobile home allowed as a detached accessory apartment pursuant to SCC 30.91A.050 may exceed this limitation; provided, that the floor area remains less than the square footage of the existing owner occupied home.))</p>	If the floor area of the single family dwelling unit is:	The floor area of the attached accessory apartment shall not exceed:	Under 2,000 sq. ft.	40%	2,000 sq. ft. or more, but less than 3,000 sq. ft.	35% or 800 sq. ft., whichever is greater	3,000 sq. ft. or more, but less than 5,000 sq. ft.	30% or 1,050 sq. ft., whichever is greater	Over 5,000 sq. ft.	20% or 1,500 sq. ft., whichever is greater	<p>Delete the existing (3) and replace with standards for rural zones below.</p>
If the floor area of the single family dwelling unit is:	The floor area of the attached accessory apartment shall not exceed:										
Under 2,000 sq. ft.	40%										
2,000 sq. ft. or more, but less than 3,000 sq. ft.	35% or 800 sq. ft., whichever is greater										
3,000 sq. ft. or more, but less than 5,000 sq. ft.	30% or 1,050 sq. ft., whichever is greater										
Over 5,000 sq. ft.	20% or 1,500 sq. ft., whichever is greater										

Proposed Code Change	Description
<p><u>(3) Rural, resource, and other zones. Accessory dwelling units are permitted uses in the rural, resource, and other zones on lots with a single-family dwelling in accordance with SCC 30.22.110 and 30.22.120 and the following standards:</u></p> <p><u>(a) In accordance with the following, one accessory dwelling unit may be established on lots that contain a legally established single-family dwelling:</u></p> <p><u>(i) Detached accessory dwelling units are prohibited on lots that do not meet the minimum required lot area, pursuant to SCC 30.23.030.</u></p> <p><u>(ii) A mobile home that is subordinate to the single-family dwelling may be allowed as a detached accessory dwelling unit on lots equal to or greater than 10 acres.</u></p> <p><u>(b) Maximum size. The floor area for an accessory dwelling unit shall not exceed 1,200 square feet. Floor areas shall be exclusive of garages, porches, or unfinished basements.</u></p> <p><u>(c) Separation Distance. Unless the accessory dwelling unit is proposed to be located in an existing structure that was legally constructed prior to [the effective date of this ordinance], the distance between the nearest walls of the primary dwelling and a proposed detached accessory dwelling unit shall not exceed 100 feet.</u></p> <p><u>(d) Driveway. Accessory dwelling units shall utilize the same driveway as the primary single family dwelling.</u></p>	<p>Update section (3) to provide standards for the development of ADUs in rural areas.</p> <p>(a) One ADU allowed per lot. Detached ADUs allowed only on lots that meet the minimum lot size.</p> <p>(b) Allow ADUs up to 1,200 square feet.</p> <p>(c) Allow a maximum distance between the primary dwelling and a detached ADU of 100 feet.</p> <p>(d) Require that ADUs utilize the same driveway as the primary dwelling.</p>
<p>((4) For an attached accessory apartment, the architectural character of the single family dwelling shall be preserved. Exterior materials, roof form, and window spacing and proportions shall match that of the existing single family dwelling. Only one main entrance shall be permitted on the front (street face) of the dwelling. Entrances for the attached accessory apartment shall be on the side or in the rear of the dwelling.))</p>	<p>Revise language and relocate to 30.28.010(1)(e).</p>
<p>((5) The exterior materials, roof form, and window spacing and proportions of a proposed detached accessory apartment structure shall approximate those of the existing single family dwelling. A detached accessory apartment proposed for location within an existing structure, is not required to approximate the exterior features of the existing single family dwelling. A mobile home, where allowed as a detached accessory apartment pursuant to SCC 30.91A.050, is not required to approximate the exterior features of the existing single family dwelling if the existing owner occupied home is a mobile home or if the minimum planting standards for screening set forth at SCC 30.25.028 are incorporated in the building permit application.))</p>	<p>Revise language and relocate to 30.28.010(1)(f)</p>
<p>((6) In zones categorized as residential, multiple family or commercial, no portion of a detached accessory apartment shall extend beyond the building front of the existing single family dwelling, unless screening, landscaping, or other measures are provided to ensure compatibility with the immediate neighborhood. Where a proposed detached accessory apartment extends beyond the building front of the existing single family dwelling as described above, the building permit application site plan shall depict the existing and proposed screening, landscaping or other measures to ensure visual compatibility with the immediate neighborhood. The location of existing or proposed structures on the subject property and surrounding structures in the immediate vicinity shall be shown on the site plan. The site plan shall show the amount, type and spacing of proposed planting materials. Plant materials, species and design shall be approved by the department. Landscaping modifications, installation and maintenance requirements and minimum planting standards set forth at SCC 30.25.015 shall apply.))</p>	<p>Delete this requirement.</p>

Accessory Dwelling Units

Index # - File Name: 2.0009_PlanningComm_Briefing StaffReport_ADU2_6.10.20.pdf

Proposed Code Change	Description
<p>((7) An applicant must provide documentation that the water supply is potable and of adequate flow and that the existing or proposed sewage or septic system is capable of handling the additional demand placed upon it by the attached or detached accessory apartment.))</p>	<p>Revise language and relocate to 30.28.010(1)(b)(c).</p>
<p>((8) One off-street parking space shall be provided and designated for the attached or detached accessory apartment (in addition to the two off-street parking spaces required for the primary single family dwelling unit). Additional spaces shall be provided to accommodate any additional vehicles owned and/or used by occupants of the attached or detached accessory apartment. Driveways may be counted as one parking space but no parking areas other than driveways shall be created in front yards.))</p>	<p>Revise language to reference SCC 30.26 and relocate to 30.28.010(1)(d).</p>
<p>((9) An owner-occupant of a single family dwelling with an attached or detached accessory apartment shall file, on a form available from the department, a declaration of owner occupancy with the department prior to issuance of the building permit for the attached or detached accessory apartment. The initial declaration of owner occupancy shall be recorded with the county auditor prior to filing the declaration with the department. If the department receives information calling into question the owner-occupied status of the property, the department may request a renewed recording of the owner occupancy declaration. This renewal shall be submitted to the department upon request. Within 30 days of a sale or transfer of the property, the new property owner(s) shall record a declaration of owner occupancy with the county auditor. A copy of this recorded declaration shall be submitted to the department referencing the assessor's tax parcel number.))</p>	<p>Eliminate all owner occupancy requirements.</p>

Table 4 outlines proposed updates to definitions within Snohomish County Code Title 30, contained within section 30.91 SCC. Within each row of the table, the right hand column describes whether the proposed code change will update or add a new definition that does not currently exist in Snohomish County Code.

TABLE 4: PROPOSED CHANGES TO SCC 30.91

Proposed Code Change	Description
<p>30.91A.035 Accessory dwelling unit.</p> <p>“Accessory dwelling unit” means a dwelling unit that is located on the same lot as, under the same ownership as, and subordinate to a single family dwelling unit. An accessory dwelling unit is intended for use as a complete, independent living facility, which does not substantially alter the single-family character of the lot or neighborhood. An accessory dwelling unit must include facilities for living, sleeping, eating, cooking, and sanitation for not more than one family in accordance with state and local law. Also referred to as “accessory apartment.”</p>	<p>Adds a new definition for the term “accessory dwelling unit”.</p>
<p>30.91A.040 Accessory ((apartment-)) dwelling unit, attached (Attached accessory dwelling unit).</p> <p>(“Accessory apartment attached” means a dwelling unit that is in the same structure as, under the same ownership as, and subordinate to an owner occupied single family dwelling unit. An attached accessory apartment is intended for use as a complete, independent living facility, and does not substantially alter the single family character, and appearance of the structure or its conformity with the character of the neighborhood. An attached accessory apartment must include facilities for living, sleeping, eating, cooking, and sanitation for not more than one family in accordance with the state and local law.)“Accessory dwelling unit, attached” (“Attached accessory dwelling unit”) means an accessory dwelling unit that is located in the same structure as the primary dwelling. Also referred to as “attached accessory apartment.”</p>	<p>Updates the definition of “attached accessory apartment” to “attached accessory dwelling unit”. Simplifies language to refer to the newly defined term “accessory dwelling unit”.</p>
<p>30.91A.050 Accessory ((apartment-)) dwelling unit, detached (Detached accessory dwelling unit).</p> <p>(“Accessory apartment detached” means a dwelling unit other than a mobile home, which is located on the same lot and under the same ownership as, and subordinate to, an owner occupied single family dwelling unit, except that a mobile home may be allowed as a detached accessory apartment on lots ten acres or larger located outside of a UGA when the accessory apartment remains subordinate to the existing owner occupied home and meets the requirements of chapter 30.28 SCC. A detached accessory apartment is intended for use as a complete, independent living facility, and does not substantially alter the single family character, and appearance of the structure or its conformity with the character of the neighborhood. A detached accessory apartment must include facilities for living, sleeping, eating, cooking, and sanitation for not more than one family in accordance with the state and local law.)“Accessory dwelling unit, detached” (“Detached accessory dwelling unit”) means an accessory dwelling unit that is physically separated from and located in a different structure than the primary dwelling. Also referred to as “detached accessory apartment.”</p>	<p>Updates the definition of “detached accessory apartment” to “detached accessory dwelling unit”. Simplifies language to refer to the newly defined term “accessory dwelling unit”.</p>

ATTACHMENT B
Response to Planning Commission Questions
February 25, 2020 Briefing

During the February 25, 2020 briefing, the Planning Commission posed several questions and comments that required follow up by staff. Those questions and comments and PDS staff response are included below:

A. Accessory dwelling units being used as short term and vacation rentals:

Staff Response: PDS considered the effect of accessory apartments being used as short term rentals in lieu of them being used for long term housing. Santa Cruz, CA prohibits accessory dwelling units from being used as short term rentals, and county staff considered proposing a similar restriction. After evaluating such a regulation, County staff determined that implementation of this rule would be difficult, due in large part because Snohomish County does not regulate short term rentals. Adding a prohibition for using accessory apartments in this way would further delay this effort to increase housing opportunities.

B. Why is PDS recommending elimination of owner occupancy requirements for accessory dwelling units?

Staff Response: A main goal of this proposal is to reduce regulatory barriers that work as a disincentive to construction of accessory dwelling units. Standards that require the owner to live on site creates a restriction that limits the current and future flexibility on how the unit can be used. In particular, homeowners may opt to not make the investment in an accessory apartment if there is not enough flexibility to adjust how they use the apartment and the property in the future.

Additionally, the Urban Land Institute, in collaboration with other organizations, evaluated various accessory apartment codes in the Northwest in an effort to understand how local governments can help to jumpstart the market for accessory dwellings. In part, they found that “homeowners appear to greatly value the ability to use an ADU (accessory dwelling unit) flexibly.” Further stating, “local governments need to resist the inevitable pressures to unduly restrict not only how they are built, but how they are used after they are built. If homeowners lack the confidence that a new ADU can be used in the way they see fit at the time they need it, fewer of them will commit the considerable financial and logistical resources to build one” (Jumpstarting the Market for Accessory Dwelling Units: Lessons Learned from Portland, Seattle, and Vancouver, Karen Chapple et. al.).

C. Is it appropriate to reduce parking requirements for accessory apartments in the urban areas?

Staff Response: Similar to occupancy requirements, PDS is proposing a reduction in the required parking requirements in the urban areas in an effort to reduce the regulatory barriers to construction of accessory dwelling units. Requiring additional parking for accessory apartments adds additional restrictions that can be costly and that could prevent property owners, who otherwise would build an apartment or convert existing space, from constructing them. In addition, because accessory apartments are often sited sporadically throughout neighborhoods their impact on parking is not significant.

Beyond the regulatory barriers that are created by parking requirements, a study of accessory dwelling units in Portland found that among Portland households, those that lived in ADUs, on

average, own about 60% the number of vehicles as those that live in single-family dwellings (<https://accessorydwellings.org/2014/07/16/do-adus-cause-neighborhood-parking-problems/>). In addition, the same study found that the vast majority of vehicles found in Portland's single family neighborhoods belonged to residences of single family dwellings. To be precise, it was estimated that single family residences accounted for 226,440 vehicles while accessory dwelling units only accounted for 744 vehicles. This is attributed to both, the fact that households that live in single family dwellings own fewer vehicles on average, and that ADUs tend to be dispersed throughout neighborhoods and are not the dominant land use.

D. Is it anticipated that construction of accessory apartments will increase traffic congestion? Are there any traffic studies evaluating this?

Staff Response: Concerns about traffic congestion are very similar to those about parking. As was illustrated in the study about parking in Portland, the vast majority of residences in single family neighborhood are single family dwellings (SFDs). Additionally, even after the reduction of regulatory standards ADUs tend to be sited very sporadically throughout these neighborhoods. Further, as was illustrated above, occupants of ADUs often own fewer vehicles than those that live in SFDs. While ADUs may affect site-specific locations, it is unlikely that ADUs will significantly contribute to increased congestion on a community-wide basis.

In addition, looking at this issue in the macro, accessory apartments are one tool to help limit sprawl and encourage more compact urban development. Urban areas that are more compact can help to reduce automobile dependability and increase the viability of transit and other alternate modes of transportation, which can help to reduce traffic congestion throughout the county.

E. How did staff determine the proposed maximum square footage restrictions?

Staff Response: PDS recommends that a maximum square footage for accessory dwelling units be maintained. ADUs are intended to be a secondary dwelling that is subordinate to a primary dwelling. The general intent of accessory apartments is not to provide a full additional single family dwelling, but to provide a 1 or 2 bedroom apartment in an area where it is traditionally not allowed. With that in mind, the code proposed by PDS includes a maximum square footage of 1,000 square feet for accessory apartments in the urban zones and 1,200 square feet in the rural, resource, and other zones.

The recommended square footage limits are based on three main factors: 1) the average size of a two bedroom apartment; 2) the standards from other jurisdictions; and 3) the overarching goal of this proposed project to simplify the accessory apartment regulations.

While there are limited comprehensive studies that investigate average apartment size, square footage was evaluated by RENTCafe Blog. That study found that the average new apartment in the United States in 2018 was 941 square feet, while the average 2 bedroom apartment averaged 1,138 square feet. Additionally, the Pacific Northwest region generally has and constructs smaller apartments, with new apartments in 2018 averaging 805 square feet, about 15% less than the national average (<https://www.rentcafe.com/blog/rental-market/real-estate-news/us-average-apartment-size-trends-downward/>). Beyond that data, anecdotal evidence supports this conclusion. A quick search through 2 bedroom apartments shows that, in general, they fall around 1,000 square feet.

Further, the size restrictions proposed by staff are consistent with other jurisdictions throughout the region. For reference, King County allows ADUs up to 1,000 square feet, Pierce County allows them up to 1,000 square feet in the UGA and 1,250 outside the UGA, and Whatcom County allows ADUs up to 1,248 square feet.

Finally, the proposed code change will eliminate the current formula based system in favor of a standardized limit. The existing code is not particularly user friendly and standardizing the process will add consistency and usability for the public.

F. Is PDS proposing to create exemptions from required setback, lot coverage, or drainage regulations for the construction of accessory apartments as a part of this code project?

Staff Response: No, this proposed code update does not include any exemptions from the bulk regulations or drainage requirements. PDS currently has another ongoing code project that is assessing the lot coverage regulations. Beyond that, PDS staff recommend that accessory apartments should be required to meet the bulk standards of the zone that the principal residence is located. If a proposed development cannot meet those requirements, the proposal is, in most circumstances, unfit for the property in question or needs to be redesigned to work within the standards. In rare circumstances, proposals may be eligible to receive a variance from the regulations in accordance with the procedures and criteria set forth in SCC 30.43B.

G. Update on Senate Bill 6617.

Staff Comment: Senate Bill 6617 was adopted by the State Legislature on March 10, 2020 and approved by Governor Jay Inslee on March 27, 2020. Prior to adoption, the Bill was updated to remove all requirements for counties. As adopted, the law has no effect on the regulation of accessory dwelling units in unincorporated Snohomish County.



Snohomish County

SNOHOMISH COUNTY PLANNING COMMISSION

July 28, 2020

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

SUBJECT: Planning Commission Recommendation Regarding the Accessory
Apartment Code Update

Dear Snohomish County Council:

The Snohomish County Planning Commission, at a briefing held on June 23, 2020, and at a public hearing held on July 28, 2020, reviewed and discussed the Accessory Apartment Code Update.

A motion was made by Commissioner Ash and seconded by Commissioner Norcott recommending approval of the proposed code amendments contained in the staff report with an amendment to increase the dwelling unit size to allow a unit up to 1600 square feet in both the rural and urban settings. The Planning Commission voted 9 in favor (*Ash, Everett, James, Larsen, Moore, Norcott, Pederson, Sheldon and Simmonds*), 0 opposed and 0 abstentions to recommend adoption of the Accessory Apartment Code Update as written with an amendment to increase the allowed square footage.

This recommendation was made following the close of the July 28, 2020 public hearing, after due consideration of information presented, and is based on the findings and conclusions presented with the code amendments, with which the Commission concurred.

Respectfully submitted,

Robert Larsen, Chairman
Snohomish County Planning Commission

cc: Dave Somers, Snohomish County Executive
Barbara Mock, Director, Planning and Development Services



Legislation Text

File #: 2021-0033, Version: 1

Executive/Council Action Form (ECAF)

ITEM TITLE:

Ordinance 20-018, 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

DEPARTMENT: Planning and Development Services

ORIGINATOR: Mitchell Brouse, Senior Planner

EXECUTIVE RECOMMENDATION: Approve

PURPOSE: Transmit a proposed ordinance that amends Snohomish County Code Chapter 30.22, 30.23, 30.24, 30.25, 30.26, 30.28, 30.31A, 30.35A, 30.41G, 30.66C and subtitle 30.9 SCC to adopt updated regulations regarding the development of attached and detached accessory dwelling units (also referred to as accessory apartments).

BACKGROUND: Accessory dwelling units (ADUs), also referred to as accessory apartments, are separate complete dwelling units, located on the same lot as a single-family dwelling unit, and are secondary and incidental to the primary dwelling. They can be located in the same structure as a primary single-family dwelling (attached) or be located in a separate detached structure from the primary dwelling (detached). Snohomish County has allowed attached ADUs since 1992 and detached ADUs since 1994 as permitted uses, subject to specific development standards, in most districts that allow single-family dwellings. Both attached and detached ADUs were changed from a permitted use to an administrative conditional use (ACUP) in 2002. Finally, in 2012, development standards for substandard lots were adopted into Snohomish County Code, prohibiting the construction of ADUs on all substandard lots in unincorporated Snohomish County. The proposed ordinance would: shift attached and detached ADUs from an ACUP to a permitted use in all zoning districts that allow single-family dwellings; update development standards related to the construction of ADUs, including adding standards for ADUs in the rural areas that will protect rural character and limit sprawl; and eliminate the prohibition of ADUs on substandard lots.

FISCAL IMPLICATIONS:

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

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

DEPARTMENT FISCAL IMPACT NOTES: Click or tap here to enter text.

CONTRACT INFORMATION:

ORIGINAL _____ CONTRACT# _____ AMOUNT _____
AMENDMENT _____ CONTRACT# _____ AMOUNT _____

Contract Period

ORIGINAL START _____ END _____
AMENDMENT START _____ END _____

OTHER DEPARTMENTAL REVIEW/COMMENTS: Approved as to form by PA (Laura Kisielius).
Reviewed/approved by Finance

Title 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

Description Proposed non-project proposal to amend Snohomish County Code (SCC) Title 30 to update regulations related to accessory dwelling units (ADUs).

Date: February 25, 2021

Staff Contact: Mitchell Brouse, Senior Planner, mitchell.brouse@snoco.org

	Place an "X" in the appropriate box				Comments
	Increase	Decrease	Neutral	Uncertain	
Housing					
Capacity/Targets	X				The proposed amendments will allow increased densities in single family areas, by allowing 2 ADUs per lot in the urban areas.
Cost of Housing Development:		X			The proposed amendments will simplify the process to construct ADUs.
• Infrastructure			X		
• Site			X		
• Building const.			x		
• Fees		X			The proposed amendments will shift ADUs from an administrative conditional use (ACUP) to a permitted use, reducing the permitting fees associated with construction.
• Yield			X		
Timing		X			The proposed amendments change ADUs from an ACUP to a permitted use. The reduction in application burden will result in less time associated with ADU permitting.

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

Jobs					
Capacity/Targets			X		
Cost of Commercial or Industrial Development:			X		
	Place an "X" in the appropriate box				Comments
	Increase	Decrease	Neutral	Uncertain	
Jobs					
• Infrastructure			X		
• Site			X		
• Building const.			X		
• Fees			X		
• Yield			X		
Time to Create Jobs			X		
# Family Wage Jobs			X		

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

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

Title Ordinance No. 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

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Date: February 25, 2021

Staff Contact: Mitchell Brouse, Senior Planner, mitchell.brouse@snoco.org

	Place an "X" in the appropriate box			Comments
	Increase	Decrease	Neutral	
County Provided				
• Airport			X	No impacts are anticipated.
• General Government			X	No impacts are anticipated.
• Law and Justice			X	No impacts are anticipated.
• Parks			X	No impacts are anticipated.
• Roads			X	No impacts are anticipated.
• Solid Waste			X	No impacts are anticipated.
• Surface Water			X	No impacts are anticipated.
Non-County Provided				
• Electric Power			X	No impacts are anticipated.
• Fire Suppression			X	No impacts are anticipated.
• Public Water Supply			X	No impacts are anticipated.
• Sanitary Sewer			X	No impacts are anticipated.
• Telecommunications			X	No impacts are anticipated.

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

ECAF NO.:
ECAF RECEIVED:

**ORDINANCE
INTRODUCTION SLIP**

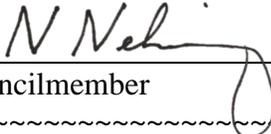
SNOHOMISH COUNTY COUNCIL

EXHIBIT # 3.1.5

FILE ORD 21-018

TO: Clerk of the Council

TITLE OF PROPOSED ORDINANCE:

~~~~~  
  
\_\_\_\_\_  
Councilmember Date

Clerk's Action: Proposed Ordinance No. \_\_\_\_\_

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

~~~~~  
STANDING COMMITTEE RECOMMENDATION FORM

On _____, the Committee considered the item and by ____ Consensus /
____ Yeas and ____ Nays, made the following recommendation:

_____ Move to Council to schedule public hearing _____

Public Hearing Date _____ **at** _____

_____ Move to Council as amended to schedule public hearing

_____ Move to Council with no recommendation

This item ____ should/ ____ should not be placed on the Consent Agenda.

(Consent agenda may be used for routine items that do not require public hearing and do not need discussion at General Legislative Session)

This item ____ should/ ____ should not be placed on the Administrative Matters Agenda

(Administrative Matters agenda may be used for routine action to set time and date for public hearings)



Committee Chair



Snohomish County Council

Committee: Planning & Community Development **Analyst:** Yorik Stevens-Wajda
ECAF: 2021-0033
Proposal: Proposed Ordinance 21-018 **Date:** April 2, 2021

Consideration

Ordinance 21-018 would amend the county’s development regulations (SCC [30.23.050](#) and [30.70.210](#)) to increase the allowed building height for schools and to increase the threshold for a minor revision to an approved development application for K-12 schools.

Background

Accessory dwelling units

Accessory dwelling units (also known as “ADU’s” or “accessory apartments”) are separate, complete dwelling units, located on the same lot as a single-family dwelling unit, which are secondary and incidental to the primary dwelling. ADUs can be located in the same structure as a primary single-family dwelling (attached) or in a separate detached structure from the primary dwelling (detached).

Current Proposal

Most sections of the proposed ordinance revise terminology. Sections with more significant policy changes are highlighted below:

Sections 4-6 (see pages 15, 26, 32): Change the permit type from Administrative Conditional Use to Permitted Use for all zones that allow ADUs: R-9,600, R-8,400, R-7,200, T, LDMR, MR, RD, RRT-10, R-5, RB, CRC, F, F&R, A-10, MC, SA-1, RC, RU, R-20,000, R-12,500, WFB

Section 8 (see pages 57-58): Allow ADUs on substandard lots in the urban area (currently prohibited), and allow attached ADUs on substandard lots in rural, resource, and other zones (Section 13 of the ordinance maintains the prohibition on detached ADUs on substandard lots in the rural, resource, and other zones). A “substandard lot” is a lot that was lawfully established and met the lot area and lot width requirements when it was established but does not conform to the lot area and width required to create a new lot in the zone in which it is currently located (SCC [30.91L.195](#)).

Sections 10-11 (see page 61): Remove the requirement that ADUs be screened with a six-foot high sight-obscuring fence or five-foot landscaping strip.

Section 12 (see page 62): Maintain requirement for one off-street parking space per accessory dwelling unit, but add the following note:

In the urban zones, one of the two required spaces for the single-family dwelling can be used to fulfill the required parking for one accessory dwelling unit. If there is more than one accessory dwelling unit on a lot, there shall be at least one space per dwelling unit. For example, a lot that has a single-family dwelling and two accessory dwelling units shall have three total parking spaces.

Section 13 (see pages 71-74)

- Remove the requirement that either the primary residence or the ADU be occupied by the owner of the property.
- Replace the existing maximum ADU size table, which ranges from under 800 square feet to 1,500 square feet depending on the size of the primary residence, with a flat maximum of 1,600 square feet. Note: the planning commission recommended maximum size, contained in the base ordinance, is 1,600 square feet; the executive recommended maximum ADU size, contained in Amendment 1, is 1,200 square feet.

Urban growth area

- Allow two ADUs per parcel in the urban growth area, one attached and one detached (currently limited to one).

Rural, resource, and other zones

- Prohibit detached ADUs on lots in the R-5 zone that are less than 5 acres (note: the minimum lot size in the R-5 zone is 200,000 square feet, or 4.59 acres) and on lots in the RC zone that are less than 100,000 square feet. Note: Section 8 of the ordinance removes the existing prohibition on attached ADUs on substandard lots in rural, resource, and other zones.
- Require detached ADUs to be located within 100 feet of the primary residence and to use the same driveway as the primary residence.

Handling: Normal

Executive Recommendation: Yes

Planning Commission Recommendation: Yes

Environmental Review: [Determination of Nonsignificance](#) issued March 29, 2021

Fiscal Impacts: No fiscal impacts expected.

Approved-as-to-form: Yes

Risk Management: N/A

Amendments: As of April 2nd, one executive-recommended amendment sheet has been proposed:

Amendment 1 would limit the size of Accessory Dwelling Units to 1,200 square feet, consistent with the original proposal brought to the planning commission in 2020. The planning commission recommended increasing the maximum size to 1,600 square feet.

Accessory Apartment Code Update

Snohomish County Council

Planning & Community Development Committee

April 6, 2020



Overview

- Accessory Apartments background
- Current Code
- Proposed Code Changes
- Planning Commission Recommendation



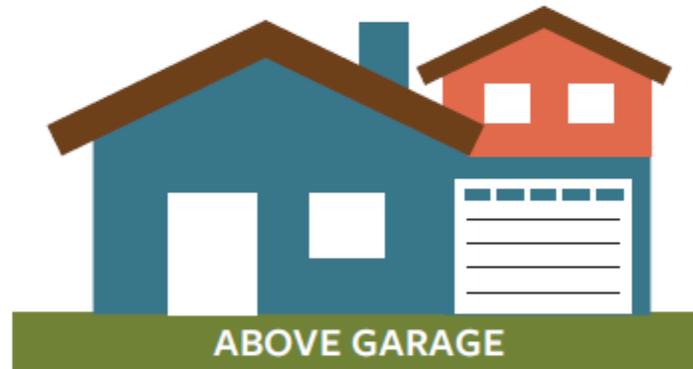
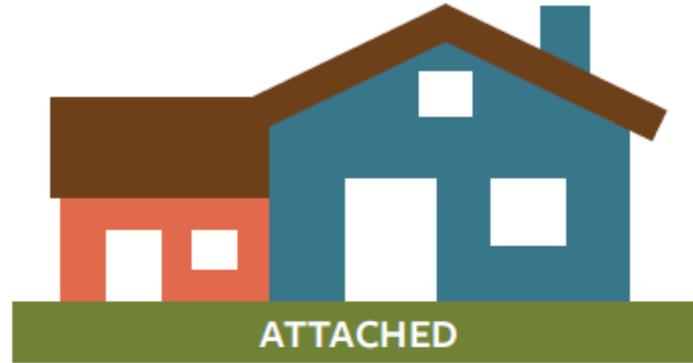
Accessory apartments

- Also known as:
 - Accessory dwelling unit
 - Granny flat
 - In-law suite
 - Garage apartment
 - ...



Source: Sightline Institute: Missing Middle Homes Photo Library

Types of accessory apartments:



▲ Accessory dwelling units (or ADUs) come in many shapes and styles.

Growth Management Act (GMA) Considerations

GMA Goal 1 – “Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.”

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

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, and encourage preservation of existing housing stock.”



Research

Accessory apartments can:

- Provide affordable housing option for older adults
- Assist with aging in place
- Provide supplemental income
- Allow families to live together
- Increase density
- Diversify housing supply



Source: Sightline Institute: Missing Middle Homes Photo Library

Local policy

- Comprehensive Plan
- HART Five Year Action Plan
 - Housing affordability
 - Action steps

Snohomish County, WA

	2010	2017	% Increase
2-bedroom apartment rent	\$ 901	\$ 1,347	49.5%
Average single-family home price	\$400,000	\$544,449	36%
Median household income	\$ 66,300	\$ 78,020	17.7%

Rent Reasonableness Survey, Dupree and Scott;
U.S. Census Bureau American Community Survey 2013-2017

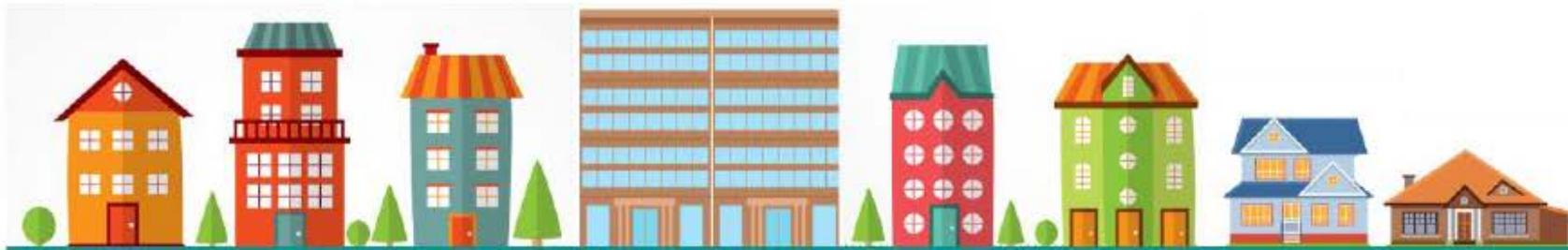
Source: HART Report and Five-Year Action Plan, January 2020

HART

Report and Five-Year Action Plan

Published January 2020



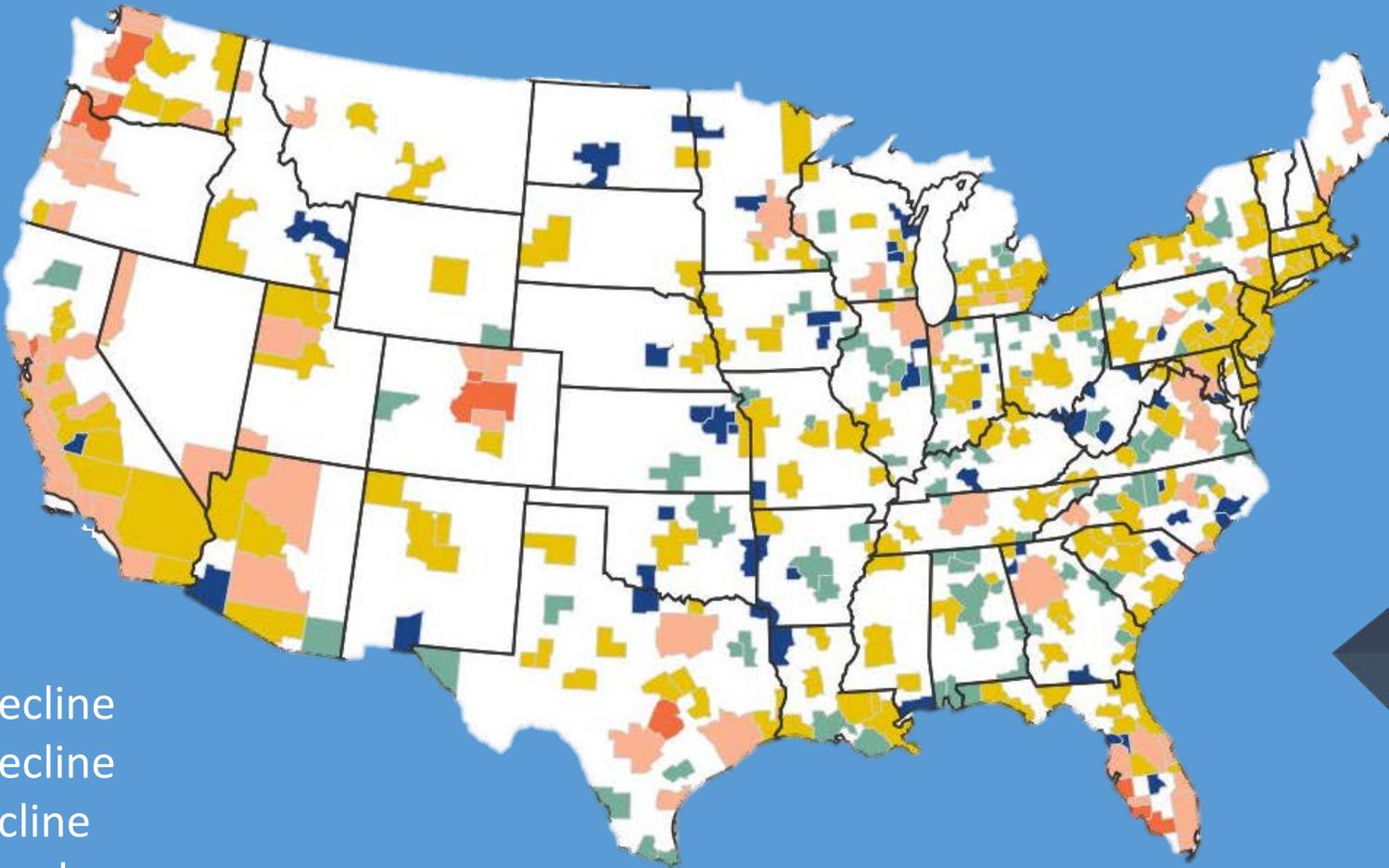


	0-30% AMI Rental: <i>Government support needed in all markets</i>	31-50% AMI Rental: <i>Government support needed in many markets</i>	51-80% AMI Rental: <i>Government incentives needed in some markets</i> Home Ownership: <i>Subsidy or Incentives needed in many markets</i>	81-100% AMI Rental or Home Ownership: <i>Permissive zoning or zoning flexibility needed in some markets</i>	100% AMI and above <i>Market Rent & Home Ownership</i>	Total
Current Need	29,425	23,955	17,955	9,465	10,285	91,085
Growth to 2040	11,672	9,502	7,122	3,754	4,080	36,130
Subtotal	41,097	33,457	25,077	13,219	14,365	127,215

Figure 1: Snohomish County Cost-burdened Household Projections*

Source: HART Report and Five-Year Action Plan, January 2020

Change in Units with Rents under \$800, 2011-2017 (%)



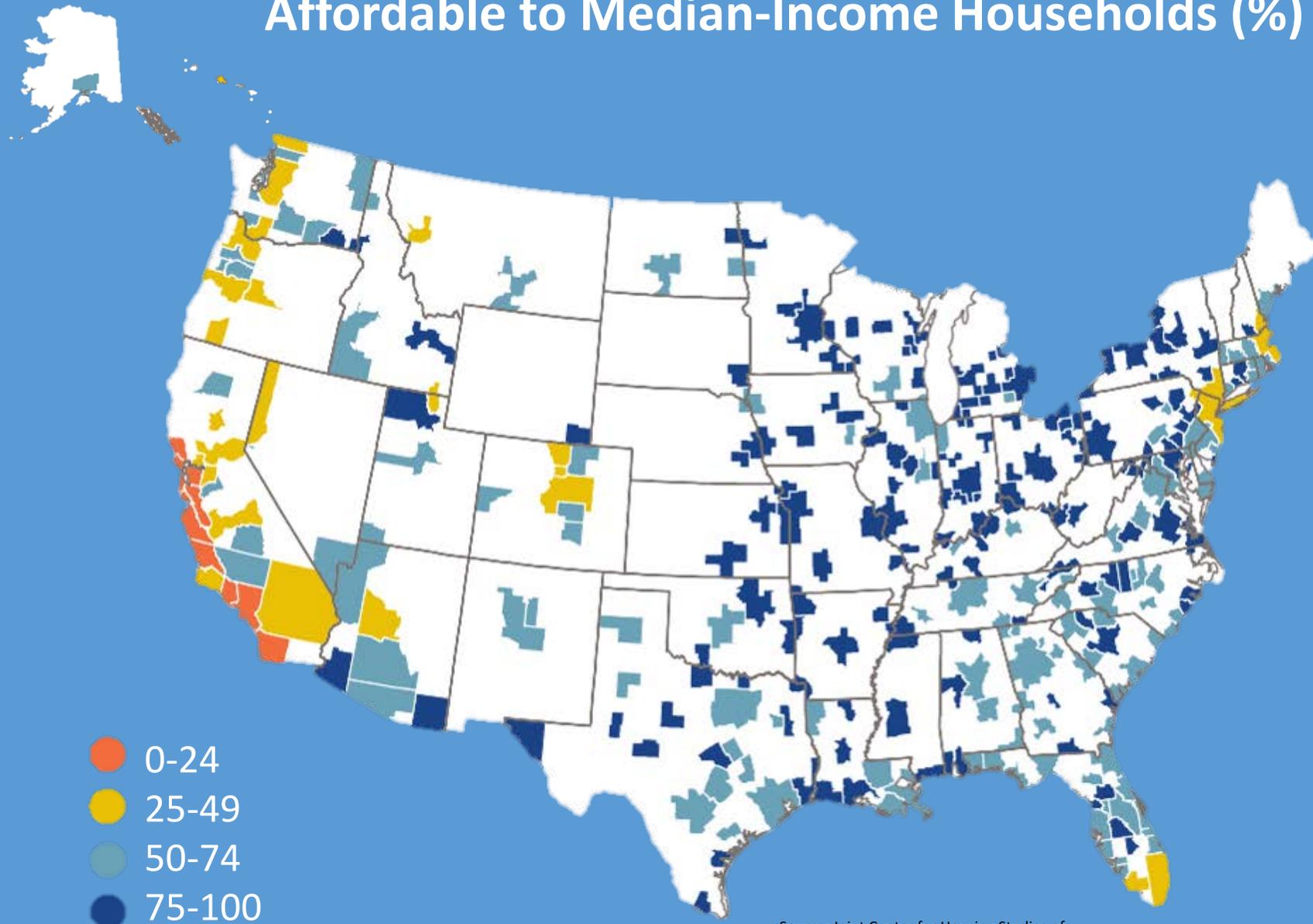
- 50-67 Decline
- 25-49 Decline
- 5-24 Decline
- Unchanged
- 5-85 Increase

Locally
there has been a
50-67% decline in
low rent
housing



**LOW
RENT STOCK**
in most metros
has declined
substantially
since 2011

Share of Recently Sold Homes Affordable to Median-Income Households (%)



- 0-24
- 25-49
- 50-74
- 75-100

Source: Joint Center for Housing Studies of Harvard University

AFFORDABILITY OF HOMEOWNERSHIP
for potential buyers varies widely across the Country



Locally, only 25-49% of recently sold homes are affordable to median-income households

Existing county code

- Administrative Conditional Use.
- Prohibited on substandard lots.
- Development Standards:
 - Owner shall live on site
 - No smaller than 360 sq. ft.
 - Maximum size determined by a formula
 - Architectural standards
 - Screening
 - One parking spot per unit



Proposed Code Updates



Snohomish County



General code changes

- Change "Accessory Apartment" to "Accessory Dwelling Unit" (ADU).
- Change ADUs to permitted use in all districts with SFDs
- Eliminate substandard lot prohibition.
- Parking Spaces Required:
 - In urban areas, allow SFD and ADU to share required parking.



Snohomish County

Update Development Standards

Standards for all ADUs:

- Eliminate occupancy requirements
- Require physical and legal access to water.
- Septic system must meet the additional demand.
- Floor area limited to 1,600 sq ft
- Comply with parking standards.
- Design standards.



Source: Sightline Institute: Missing Middle Homes Photo Library

Update Development Standards

Urban zones:

- 1 attached and 1 detached per lot.



Source: Sightline Institute: Missing Middle Homes Photo Library

Rural, resource, and other zones:

- 1 ADU per lot
 - Detached only on lots that meet minimum lot size.
 - Mobile home on lots over 10 acres.
- Maximum 100 ft between detached ADU and SFD.
- Shared a driveway required

Definitions

Add: 30.91A.035 Accessory Dwelling Unit:

- ...a dwelling unit that is located on the same lot as, under the same ownership as, and subordinate to a single family dwelling unit.
- ...intended for use as a complete, independent living facility, which does not substantially alter the single-family character of the lot or neighborhood....



Definitions

Update: 30.91A.040 Attached Accessory Dwelling Unit

- ...an ADU that is located in the same structure as the primary dwelling.

Update: 30.91A.050 Detached Accessory Dwelling Unit

- ...an ADU that is physically separated from and located in a different structure than the primary dwelling.



Recommendations

Planning Commission:

- Recommended approval
- Maximum floor area: 1,600 sq ft

Executive Recommendation:

- Maximum floor area: 1,200 sq ft



Source: Sightline Institute: Missing Middle Homes Photo Library



Snohomish County

Questions?

Mitchell Brouse

Senior Planner

Planning & Development Services

mitchell.brouse@snoco.org

(425) 388-5127



Snohomish County

Eco, Debbie

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

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 3.3.1

FILE ORD 21-018

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 | 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

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

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 3.3.2

FILE ORD 21-018

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!