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**EXECUTIVE RECOMMENDED
AMENDMENT SHEET
ORDINANCE NO. 23-033**

Amendment Name: Allowing A Complete Development Application to Opt-in to the Requirements of Ordinance No. 23-033

Brief Description: This amendment adds section SCC 30.23.055, which allows an applicant with existing development application under review to opt-in to Ordinance No. 23-033, including the allowance for a five-foot building height bonus to developments with a daylight basement.

Affected Code Sections: SCC 30.23.055

New Recitals, Findings, or Conclusions to Support the Amendment

Page 3, line 1, insert new findings following Finding C.7:

8. Allowing vested development applications to opt-in to the proposed building height amendments will help the County better achieve the objective of denser development and affordable housing goals in the comprehensive plan and incentivize more developments to avoid regrading existing topography where appropriate.
9. Under the current code, existing vested projects on sloping lots can achieve a maximum building height design only by significantly regrading sites to create a finished grade that removes existing slopes. Allowing vested development applications to opt-in to the new regulations will ensure projects on sloping lots can achieve the same maximum building height by constructing buildings with daylight basements without significant regrading of existing slopes.
10. Allowing vested development applications to opt-in to the new regulations will lessen the impacts to existing topography and ensure that developers use a consistent set of standards to achieve maximum building height design without excessive grading.

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

None

New Ordinance Section to Insert:

Page 17, After line 11 insert a new section 7 and re-number remaining sections of the ordinance:

Section 7. A new section is added to chapter 30.23 of the Snohomish County Code to read:

1 **30.23.055 Allowing a Complete Development Application to Opt-in to the Requirements of**
2 **Ordinance No. 23-033.**
3

4 (1) An applicant with an existing residential development application determined to be complete
5 by the department prior to the effective date of Ordinance 23-033, may voluntarily submit a
6 signed waiver to the department requesting the development application be reviewed under the
7 provisions in Amended Ordinance No. 23-033. All other development regulations in effect as of
8 the date the original development application was determined to be complete shall apply.

9 (2) Applicants submitting a signed waiver shall have 6 months from the effective date of
10 Amended Ordinance 23-033 to submit a revised site plan and building elevation plan.

11 (3) Applicants shall be responsible for demonstrating any proposed changes to building height
12 consistent with the requirements of Ordinance No. 23-033 remain in compliance with the
13 setback requirements of chapter 30.23 SCC, the compatibility standards of chapter 30.23A
14 SCC, and any other applicable development regulations in effect as of the date the original
15 development application was determined to be complete.

16 (4) Any plans re-submitted under this section shall require notice of application pursuant to
17 chapter 30.70 SCC and be subject to any applicable fees. All parties of record for the complete
18 application will receive notice of the proposed change.

19 (5) The department shall include in its written decision for a Type 1 permit or staff
20 recommendation on a Type 2 permit a statement explaining which building height requirements
21 apply.

22 (6) This section SCC 30.23.055 is repealed effective 6 months from the date of adoption of
23 Amended Ordinance No. 23-033.
24

25 **Council Disposition:** _____ **Date:** _____