

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

3 SNOHOMISH COUNTY COUNCIL
4 Snohomish County, Washington

5
6 **December 5, 2023, Discussion Draft** ORDINANCE NO. 24-[REDACTED]

7
8 RELATING TO GROWTH MANAGEMENT;
9 INCREASING FLEXIBILITY REGARDING LOCATION OF PARKING;
10 AMENDING SECTION 30.26.020 OF THE SNOHOMISH COUNTY CODE

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

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

22
23 WHEREAS, the GMA requires Snohomish County (the “County”) to adopt a
24 comprehensive plan and implementing codes and regulations related to land use and
25 development within the County’s jurisdiction that are consistent with the comprehensive
26 plan; and

27
28 WHEREAS, on October 29, 2020, the Puget Sound Regional Council (PSRC)
29 adopted Vision 2050, a plan for the central Puget Sound region, which includes
30 Snohomish County; and

31
32 WHEREAS, Vision 2050 includes Housing Action H-Action-8 which calls on
33 counties to “review and amend, where appropriate and consistent with the Regional
34 Growth Strategy, development standards and regulations to reduce barriers to the
35 development of housing by providing flexibility and minimizing additional costs”; and

36
37 WHEREAS, the Snohomish County Housing Affordability Taskforce (HART)
38 published a report and five-year action plan in January 2020; and

39
40 WHEREAS, the County’s Growth Management Act Comprehensive Plan
41 (GMACP) includes the General Policy Plan (GPP) which contains policies that guide the
42 codes and regulations adopted in Title 30 of Snohomish County Code (“Title 30 SCC”);
43 and

1 WHEREAS, the County Council concurs with the findings of the Legislature that
2 Snohomish County is experiencing a housing affordability crisis and that code
3 amendments to provide more flexibility to construct lower cost parking designs can be
4 part of the solution; and
5

6 WHEREAS, the Snohomish County Council held a series of panel discussions
7 titled “Opening Doors to Home Ownership” on January 17, February 21, March 21, and
8 April 18, 2023, and during the fourth session discussed a need to update parking
9 standards to reduce overall parking and associated costs; and
10

11 WHEREAS, County Council staff briefed the Planning Commission on [REDACTED]
12 [REDACTED], 2024, and
13

14 WHEREAS, on [REDACTED], 2024, the Planning Commission held a public hearing
15 to receive public testimony concerning the code amendments contained in this
16 ordinance; and
17

18 WHEREAS, at the conclusion of the Planning Commission’s public hearing, the
19 Planning Commission recommended adoption of the code amendments contained in
20 this ordinance; and
21

22 WHEREAS, on [REDACTED], 2024, the County Council held a public hearing after
23 proper notice, and considered public comment and the entire record related to the code
24 amendments contained in this ordinance; and
25

26 WHEREAS, following the public hearing, the County Council deliberated on the
27 code amendments contained in this ordinance;
28

29 NOW, THEREFORE, BE IT ORDAINED:
30

31 **Section 1.** The County Council adopts the following findings in support of this
32 ordinance:
33

34 A. The foregoing recitals are adopted as findings as if set forth in full herein.
35

36 B. This ordinance will amend provisions in SCC 30.26.020 to increase flexibility
37 regarding the location of parking. In particular, the amendments will allow subdivisions
38 to have shared parking areas in tracts or on lots that are within 300 feet of the homes
39 rather than requiring parking to be located exactly on the new lots containing the
40 homes.

1
2 C. In considering the proposed amendments, the county evaluated factors including the
3 need to meet GMA mandates to provide housing for all economic segments of the
4 population.

- 5
- 6 1. Snohomish County is facing an affordable housing crisis and housing stock
7 shortage. The purpose of the proposed amendments is to provide additional
8 means to diversify the County's urban housing stock.
9
 - 10 2. The housing authorized by this ordinance would be generally attainable to middle
11 income households seeking to own their residence for whom increasing
12 multifamily densities does not generally assist and where opportunities to expand
13 the Urban Growth Area to provide ownership opportunities are limited.
14

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

- 17
- 18 1. GMA Goal 2 – Reduce sprawl. Reduce the inappropriate conversion of
19 undeveloped land into sprawling, low-density development.
20

21 This ordinance provides for infill development on sites urban areas by allow
22 compact housing without the usual drive aisle for access separating the homes.
23

- 24 2. GMA Goal 4 – Housing. Encourage the availability of affordable housing to all
25 economic segments of the population of this state, promote a variety of
26 residential densities and housing types, and encourage preservation of existing
27 housing stock.
28

29 This ordinance encourages affordable housing by allowing clustered parking
30 designs that reduce the cost of construction.
31

32 E. The proposed amendments will better achieve, comply with, and implement the goals
33 and policies of the Puget Sound Regional Council's Multicounty Planning Policies
34 (MPPs), including the following goals and policies:
35

- 36 1. MPP Housing Goal – The region will preserve, improve, and expand its housing
37 stock to provide a range of affordable, healthy, and safe housing choices to every
38 resident. The region will continue to promote fair and equal access to housing for
39 all people.
40

1 The proposed amendments will help to expand and improve the diversity of the
2 housing stock by reducing regulatory barriers on the construction of clustered
3 parking for subdivisions.

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

7
8 MPP-H-2 – Achieve and sustain — through preservation, rehabilitation, and new
9 development — a sufficient supply of housing to meet the needs of low-income,
10 moderate-income, middle-income, and special needs individuals and households
11 that is equitably and rationally distributed throughout the region.

12
13 The proposed amendments will support MPP-H-1 and MPP-H-2 by allowing for
14 the construction of subdivisions with clustered parking, such homes will be
15 generally more affordable to middle-income households than homes providing
16 parking on individual lots.

17
18 F. The proposed amendments will better achieve, comply with, and implement the
19 Housing Goal of the Countywide Planning Policies (CPPs), which provides: “Snohomish
20 County and its cities will promote an affordable lifestyle where residents have access to
21 safe, affordable, and diverse housing options near their jobs and transportation options.”
22 The proposed amendment will help to diversify the housing options in urban areas that
23 are close to employment and transportation options.

24
25 G. In considering the proposed amendments, the county considered the goals,
26 objectives, and policies of the Snohomish County GMA Comprehensive Plan (GMACP)
27 – General Policy Plan (GPP). The proposed amendments will work to support,
28 implement, and balance the following goals, objectives, and policies in the GPP:

- 29
30 1. Goal LU 1 – Establish and maintain compact, clearly defined, well designed
31 UGAs.

32
33 Objective LU 1.A – Establish UGAs with sufficient capacity to accommodate the
34 majority of the county’s projected population, employment, and housing growth
35 over the next 20 years.

36
37 Policy LU 1.A.9 – Ensure the efficient use of urban land by adopting reasonable
38 measures to increase residential, commercial and industrial capacity within urban
39 growth areas prior to expanding urban growth boundaries. The County Council
40 will use the list of reasonable measures in accordance with the guidelines for

1 review contained in Appendix D of the Countywide Planning Policies to evaluate
2 all UGA boundary expansions.

3
4 The amendment proposed by this ordinance would reduce regulatory barriers on
5 the construction of housing in urban areas. This is a reasonable measure that
6 increases residential capacity in UGAs thereby helping accommodate growth and
7 the maintenance of compact UGAs.

- 8
9 2. Objective HO 1.B – Ensure that a broad range of housing types and affordability
10 levels is available in urban and rural areas.

11
12 The proposed amendments reduce regulatory barriers on the development of
13 housing in urban areas, supporting the development of a broad range of housing
14 types and affordability. It will have no effect on housing in rural areas.

15
16 H. The proposed amendments implement action items and strategies in the HART
17 Report.

- 18
19 1. Action Item 1.A.6 which provides: “Increase housing variety allowed at a range of
20 affordability levels in single family zones [...] including consideration of zoning for
21 duplex [and other housing types]”. The proposed amendment will comply with
22 action item 1.A.6 by revising Snohomish County regulations to facilitate the
23 construction of more duplexes as attached single family (i.e. subdivided)
24 dwellings.
- 25
26 3. Strategy 1.B.6, which says in part that the “cost of building structured parking or
27 reserving a substantial portion of a project site for parking can significantly
28 increase the per-unit cost and/or reduce the number of units that can be built”.
29 Although this strategy specifically relates to low-income housing, its point about
30 the cost of constructing parking is applicable to all housing, including housing in
31 subdivisions built for middle income households.

32
33 I. Procedural requirements.

- 34
35 1. State Environmental Policy Act (SEPA), chapter 43.21C RCW, requirements with
36 respect to this non-project action have been satisfied through the completion of
37 an environmental checklist and the issuance on [REDACTED], 2024 of a
38 Determination of Non-Significance (DNS) for this non-project proposal to Amend
39 Title 30 Snohomish County Code (SCC).
- 40
41 2. The proposal is a Type 3 legislative action pursuant to SCC 30.73.010.

- 1
2 3. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance was
3 transmitted to the Washington State Department of Commerce for distribution to
4 state agencies on [REDACTED], 2024, and assigned material number [REDACTED].
5
6 4. The public participation process used in the adoption of this ordinance complies
7 with all applicable requirements of the GMA and the SCC.
8
9 5. The Washington State Attorney General last issued an advisory memorandum,
10 as required by RCW 36.70A.370, in September of 2018 entitled “Advisory
11 Memorandum: Avoiding Unconstitutional Takings of Private Property” to help
12 local governments avoid the unconstitutional taking of private property. The
13 process outlined in the State Attorney General’s 2018 advisory memorandum
14 was used by the County in objectively evaluating the regulatory changes
15 proposed by this ordinance.
16

17 Section 2. The County Council makes the following conclusions:

- 18
19 1. The proposed amendments are consistent with the goals, policies, and objectives
20 of the MPPs, CPPs, and GPPs.
21
22 2. The proposed amendments are consistent with applicable federal, state, and
23 local laws and regulations.
24
25 3. The County has complied with all SEPA requirements with respect to this non-
26 project action.
27
28 4. The regulations proposed by this ordinance do not result in an unconstitutional
29 taking of private property for a public purpose.
30
31

32 **Section 3.** The County Council bases its findings and conclusions on the entire
33 legislative record, including all testimony and exhibits. Any finding which should be
34 deemed a conclusion, and any conclusion that should be a finding, is hereby adopted
35 as such.
36
37

38 **Section 4.** Snohomish County Code 30.26.020, last amended by Amended
39 Ordinance 16-013 on March 7, 2017, is amended to read:
40

1 **30.26.020 Location of parking spaces.**

2 Parking spaces shall be located as specified in this section. Where a distance is
3 specified, the distance shall be the walking distance measured from the nearest point of
4 the parking facilities to the nearest available entrance of the building which it serves.

5 (1) Parking for single and multifamily dwellings shall be within 300 feet of ~~((and on~~
6 ~~the same lot or building site with))~~ the building it serves. If the parking is not on the
7 same lot or building site as the building, it shall be on a lot or tract that provides a
8 parking easement and is configured in a way that provides safe walking conditions to
9 the building served by the parking.

10 (2) Parking for uses not specified above shall not be over 300 feet from the building
11 it serves. Parking spaces for uses on land subject to a binding site plan (BSP) with
12 record of survey shall be located on land within the BSP area per recorded covenants,
13 conditions, and restrictions (CCRs) or declaration.

14 (3) All parking spaces shall be located out of the public right-of-way and on land
15 zoned in a manner which would allow the particular use the parking will serve.

16 (4) Parking shall be set back from lakes, streams, wetlands, and other bodies of
17 water as necessary to comply with the shoreline management and critical areas
18 regulations. See chapters 30.44, 30.62A and 30.67 SCC.

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

30
31 PASSED this ____ day of ____, 2024.

32
33 SNOHOMISH COUNTY COUNCIL
34 Snohomish County, Washington

35
36 _____
37 Council Chair

38 ATTEST:

39 _____
40

1 Clerk of the Council

2

3 () APPROVED

4 () EMERGENCY

5 () VETOED

DATE: _____

6

7

8

County Executive

9

10

11 ATTEST:

12

13 _____

14

15

16 Approved as to form only:

17

18 _____

19 Deputy Prosecuting Attorney