

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

MOTION NO. 23-541

REFERRING PROPOSED CODE REVISIONS TO INCREASE FLEXIBILITY
REGARDING LOCATION OF PARKING TO THE DEPARTMENT OF PLANNING
AND DEVELOPMENT SERVICES AND THE SNOHOMISH COUNTY
PLANNING COMMISSION

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

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

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

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

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

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

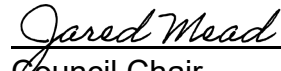
NOW, THEREFORE ON MOTION, the County Council hereby refers the potential code revisions, attached as "Exhibit A", to the Department of Planning and Development Services (PDS) for action as follows:

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

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


DATED this 3rd day of January, 2024.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



Council Chair

ATTEST:



Deputy Clerk of the Council

**EXHIBIT A – PROPOSED CODE REVISIONS
INCREASING FLEXIBILITY REGARDING LOCATION OF PARKING**

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

ORDINANCE NO. 24-

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

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

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

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

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

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

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

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

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

**EXHIBIT A – PROPOSED CODE REVISIONS
INCREASING FLEXIBILITY REGARDING LOCATION OF PARKING**

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

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

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

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

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

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

NOW, THEREFORE, BE IT ORDAINED:

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

- A. The foregoing recitals are adopted as findings as if set forth in full herein.
- B. This ordinance will amend provisions in SCC 30.26.020 to increase flexibility regarding the location of parking. In particular, the amendments will allow subdivisions to have shared parking areas in tracts or on lots that are within 300 feet of the homes rather than requiring parking to be located exactly on the new lots containing the homes.
- C. In considering the proposed amendments, the county evaluated factors including the need to meet GMA mandates to provide housing for all economic segments of the population.

**EXHIBIT A – PROPOSED CODE REVISIONS
INCREASING FLEXIBILITY REGARDING LOCATION OF PARKING**

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

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

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

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

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

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

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

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

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

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

**EXHIBIT A – PROPOSED CODE REVISIONS
INCREASING FLEXIBILITY REGARDING LOCATION OF PARKING**

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

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

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

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

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

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

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

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

**EXHIBIT A – PROPOSED CODE REVISIONS
INCREASING FLEXIBILITY REGARDING LOCATION OF PARKING**

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

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

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

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

I. Procedural requirements.

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

**EXHIBIT A – PROPOSED CODE REVISIONS
INCREASING FLEXIBILITY REGARDING LOCATION OF PARKING**

Memorandum: Avoiding Unconstitutional Takings of Private Property” to help local governments avoid the unconstitutional taking of private property. The process outlined in the State Attorney General’s 2018 advisory memorandum was used by the County in objectively evaluating the regulatory changes proposed by this ordinance.

Section 2. The County Council makes the following conclusions:

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

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

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

30.26.020 Location of parking spaces.

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

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

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

**EXHIBIT A – PROPOSED CODE REVISIONS
INCREASING FLEXIBILITY REGARDING LOCATION OF PARKING**

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

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

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

PASSED this ____ day of ____, 2024.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Council Chair

ATTEST:

Clerk of the Council

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

DATE: _____

County Executive

ATTEST:

Approved as to form only:

Deputy Prosecuting Attorney