

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



**Snohomish County**

**PLANNING COMMISSION**

**PLANNING & DEVELOPMENT SERVICES**

3000 Rockefeller Avenue, M/S #604, Everett, WA 98201  
(425) 388-3224

Clerk Email: [Brandi.Spores@snoco.org](mailto:Brandi.Spores@snoco.org)

**REGULAR MEETING AGENDA**  
**Snohomish County Planning Commission**

**February 25, 2020**  
**5:30 – 9:00 PM**

Snohomish County Administration Building-East  
1<sup>st</sup> Floor, Public Meeting Room 2  
3000 Rockefeller Avenue, Everett, WA 98201

For access to supporting documents reviewed by the Planning Commission, visit our website at <http://www.snohomishcountywa.gov> and enter “Planning Commission” in the search box.

**A. CALL TO ORDER, ROLL CALL, AND AGENDA REVIEW**

**B. APPROVAL OF MINUTES**

- [January 28, 2020](#): Regular Meeting

**C. STATUS OF PAST RECOMMENDATIONS AND FUTURE AGENDA ITEMS**

**D. UNFINISHED BUSINESS**

None

**E. NEW BUSINESS**

1. Digital Flood Insurance Rate Maps (DFIRMS): Briefing

Mitchell Brouse, PDS Senior Planner, 425-388-5127, [Mitchell.Brouse@snoco.org](mailto:Mitchell.Brouse@snoco.org)

PDS staff will brief the Planning Commission on proposed code amendments to SCC 30.43C, 30.65, and 30.91 concerning regulations in the special flood hazard areas. The proposed amendments to Snohomish County Code will: 1) adopt updated Flood Insurance Rate Maps with an effective date of June 19, 2020; 2) add standards for shallow flooding areas and coastal high hazard areas; 3) update the uses that are allowed in the density fringe; 4) add clarity and transparency to the code; and 5) add and update definitions to improve consistency with National Flood Insurance Program (NFIP) rules.

The Department of Planning and Development Services requests that the Planning Commission schedule a public hearing in March on the proposal. Following the public hearing, it is requested that the Planning Commission provide a recommendation to the Snohomish County Council regarding the proposed code amendments to SCC 30.43C, 30.65, and 30.91.

For further information, please review the following:

- [Briefing Staff Report dated February 18, 2020](#)



Snohomish County

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**PLANNING COMMISSION  
PLANNING & DEVELOPMENT SERVICES**

2. Accessory Apartment Code Update: Briefing

Mitchell Brouse, PDS Senior Planner, 425-388-5127, [Mitchell.Brouse@snoco.org](mailto:Mitchell.Brouse@snoco.org)

PDS Staff will again brief the Planning Commission on proposed code amendments to SCC title 30 regarding the siting and development of accessory apartments (also known as “accessory dwelling units”). Additional changes have been made since the Commission was briefed in late 2018. The proposed amendments to Snohomish County Code will work to: 1) reduce regulatory barriers to the siting of accessory apartments while maintaining protections on health, safety, and welfare; and 2) clarify and simplify accessory apartment provisions.

The Department of Planning and Development Services requests that the Planning Commission schedule a public hearing in March on the proposal. Following the public hearing, it is requested that the Planning Commission provide a recommendation to the Snohomish County Council regarding the proposed code amendments to SCC title 30.

For further information, please review the flowing:

- [Briefing Staff Report dated February 18, 2020](#)

3. Long Range Planning 2020 Work Program: Informational Briefing

David Killingstad, PDS Principal Planner, 425-262-2215, [David.Killingstad@snoco.org](mailto:David.Killingstad@snoco.org)

PDS Staff will brief the Planning Commission on the 2020 Long Range Planning Division Work Program including work on the 2023 Comprehensive Plan Update.

4. 2023 Comprehensive Plan Update Communications Plan: Informational Briefing

David Killingstad, PDS Principal Planner, 425-262-2215, [David.Killingstad@snoco.org](mailto:David.Killingstad@snoco.org)

PDS Staff will brief the Planning Commission on the Communications Plan and anticipated public outreach in 2020 for the 2023 GMA Comprehensive Plan Update.

5. Light Rail Communities: Informational Briefing

David Killingstad, PDS Principal Planner, 425-262-2215, [David.Killingstad@snoco.org](mailto:David.Killingstad@snoco.org)

Jay Larson, Public Works Transportation Planning Coordinator, 425-388-3614, [Jay.Larson@snoco.org](mailto:Jay.Larson@snoco.org)

PDS and Public Works Staff will brief the Planning Commission on the results of the station area planning phase and work beginning to develop a subarea plan.

**F. ADJOURN**



Snohomish County

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**PLANNING COMMISSION  
PLANNING & DEVELOPMENT SERVICES**

**PLANNING COMMISSION'S RANGE OF POSSIBLE ACTIONS:**

*At the conclusion of its public hearing, the County Planning Commission will consider transmitting a formal recommendation to County Council concerning adoption of the proposal. The Commission may make a recommendation to adopt or to not adopt the proposal. The Commission's recommendation may also propose amendments to the proposal. The Planning Commission is an advisory body and the final decision rests with the County Council.*

**PARTY OF RECORD / PUBLIC TESTIMONY:**

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**Snohomish County Planning Commissioners:**

*Merle Ash, District 1*

*Mark James, District 1*

*Tom Norcott, District 2*

*Raymond Sheldon, Jr., District 2*

*Robert Larsen, District 3*

*Loren Simmonds, District 3*

*Bob Wold, District 4*

*Neil Pedersen, District 4*

*James Kamp, District 5*

*Leah Everett, District 5*

*Keri Moore, Executive Appointee*

**Commission Staff (from Planning and Development Services (PDS) Department):**

*Barb Mock, Commission Secretary*

*Brandi Spores, Commission Clerk*



# Everett Daily Herald

## Affidavit of Publication

State of Washington }  
County of Snohomish } ss

Randie Pospical being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of Legal Notice - Snohomish County Planning Commission Agenda - February - Size 4x10 - Ad Number 2476749 as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 02/15/2020 and pending on 02/15/2020 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$343.20.

Subscribed and sworn before me on this

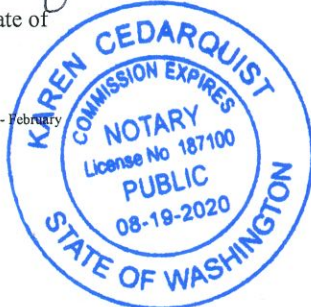
15th day of February

2020

Karen Cedarquist

Notary Public in and for the State of Washington.

Snohomish County Planning - Acct. # 14107010  
REQUESTED BY Brandi Spores  
Snohomish County Planning Commission Agenda - February



## Snohomish County PLANNING COMMISSION PLANNING & DEVELOPMENT SERVICES

REGULAR MEETING AGENDA  
Snohomish County Planning Commission  
February 25, 2020  
5:30 - 9:00 PM

Snohomish County Administration Building-East  
1st Floor, Public Meeting Room 2  
3000 Rockefeller Avenue, Everett, WA 98201

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### A. CALL TO ORDER, ROLL CALL, AND AGENDA REVIEW

### B. APPROVAL OF MINUTES

- January 28, 2020: Regular Meeting

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### D. UNFINISHED BUSINESS

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- Digital Flood Insurance Rate Maps (DFIRMS): Briefing**  
Mitchell Brouse, PDS Senior Planner, 425-388-5127, [Mitchell.Brouse@snoco.org](mailto:Mitchell.Brouse@snoco.org)  
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### F. ADJOURN

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#### Commission Staff (from Planning and Development Services (PDS) Department):

Barb Mock, Commission Secretary  
Brandi Spores, Commission Clerk

Published: February 15, 2020.

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**Snohomish County**

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**Planning and Development Services**

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

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**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](#)

# Accessory Apartments Code Update

Snohomish County Planning Commission

June 23, 2020



Snohomish County

# Overview

- February briefing overview
- Accessory Apartments background review
- Current Code
- Proposed Code Changes



# February Briefing Overview

- Background on Accessory Apartments
- Overview of research and planning about accessory dwelling units.
- Overview of current code.
- High level review of proposed code amendments.



Source: Sightline Institute: Missing Middle Homes Photo Library



# Accessory apartments

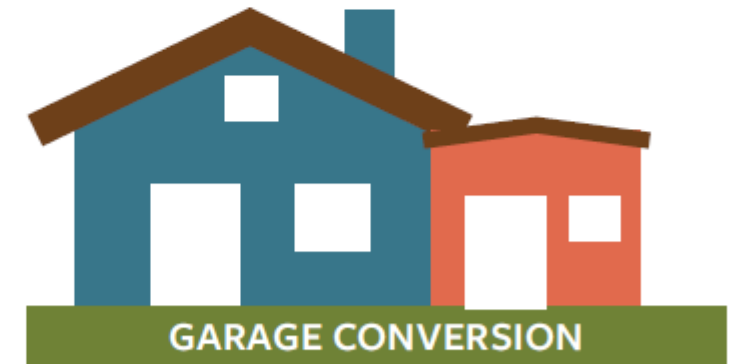
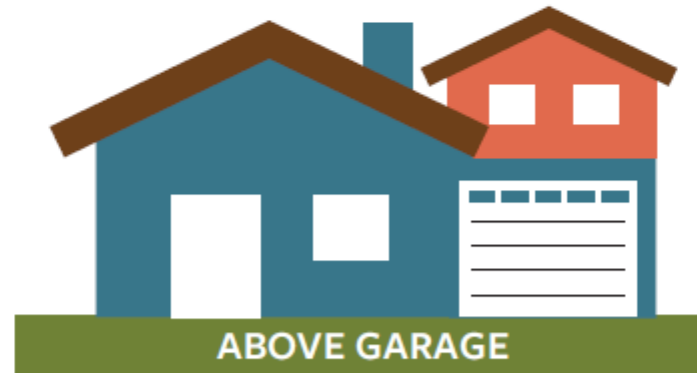
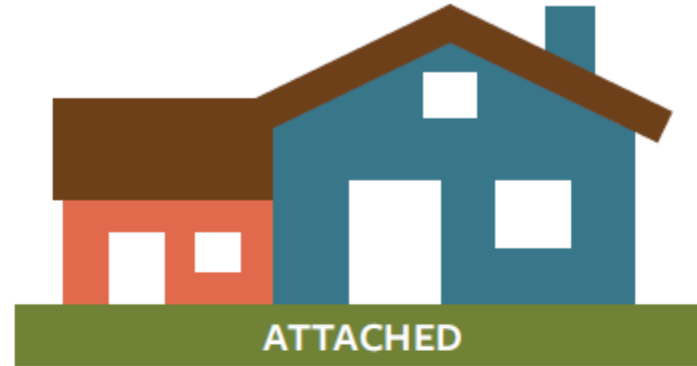
Also known as:

- 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.

# Washington state law

## Revised Code of Washington

- Counties must allow accessory apartments.
- Regulations determined locally.

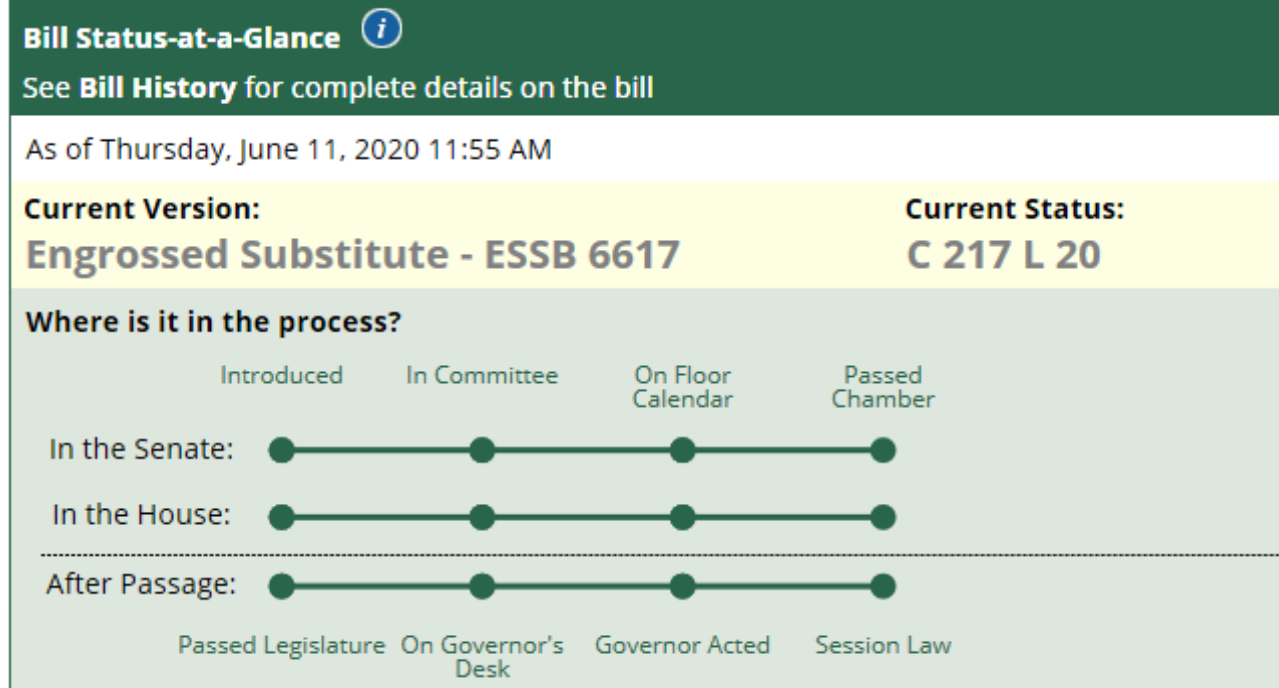
## SB 6617 and HB 2570

- SB 6617 passed.
- Requirements on counties removed.

## SB 6617 - 2019-20

Concerning accessory dwelling unit regulation.

Sponsors: [Lilias, Das](#)



Source: [leg.wa.gov](http://leg.wa.gov)



# 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





# 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:

- a) Comply with all other standards.
- b) Physical and legal access to water required.
- c) Septic system must meet the additional demand.
- d) Comply with parking standards.
- e) Design standards.



Source: Sightline Institute: Missing Middle Homes Photo Library



Snohomish County

# Update Development Standards

## Urban zones:

- a) 1 attached and 1 detached allowed per lot.
- b) Maximum 1,000 sq ft.



Source: Sightline Institute: Missing Middle Homes Photo Library

# HART

## Report and Five-Year Action Plan

Published January 2020





# Update Development Standards

## Rural, resource, and other zones:

- a) 1 ADU per lot
  - Detached only on lots that meet minimum lot size.
  - Mobile home as ADU on lots over 10 acres.
- b) Maximum 1,200 sq ft.
- c) Maximum 100 ft between detached ADU and SFD.
- d) SFD and ADU must share a driveway.



Source: Sightline Institute: Missing Middle Homes Photo Library

# 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.



# Questions?

Mitchell Brouse

Senior Planner

Planning & Development Services

[mitchell.brouse@snoco.org](mailto:mitchell.brouse@snoco.org)

(425) 388-5127



Snohomish County





## **REGULAR SESSION JUNE 23, 2020 MINUTES**

### **A. CALL TO ORDER, ROLL CALL, AND ANNOUNCEMENT OF THE AGENDA**

Commissioner Robert Larsen, Planning Commission Chair, called the meeting to order at 5:40 p.m. Of the ten (10) currently appointed commissioners nine (9) were in attendance (a quorum being six (6) members and a majority being six (6) members):

Merle Ash	James Kamp	Tom Norcott
Leah Everett	Robert Larsen	Neil Pederson
Mark James	Keri Moore	Raymond Sheldon

Loren Simmonds was absent for this meeting.

Ikuno Masterson, Planning and Development Services (PDS), Long Range Planning Manager, served as Planning Commission Secretary for this meeting.

[Agenda](#)

[Affidavit of Publication](#)

### **B. APPROVAL OF MEETING MINUTES**

The minutes of the [February 25, 2020](#) regular meetings were approved unanimously.

### **C. STATUS OF PAST RECOMMENDATIONS AND FUTURE AGENDA ITEMS**

Ikuno Masterson relayed to the Planning Commission the activities before the County Council for action during the last several months. Ms. Masterson reviewed the agenda topics for the upcoming Planning Commission meetings.

[Planning Commission Activities](#)

[Planning Commission Future Topics](#)

### **D. UNFINISHED BUSINESS**

None

### **E. NEW BUSINESS**

#### **1. 2020 County-initiated Comprehensive Plan Amendments: Briefing**

Steve Skorney, PDS Senior Planner, 425-262-2207, [Steve.Skorney@snoco.org](mailto:Steve.Skorney@snoco.org)

Steve Skorney briefed the Planning Commission on the annual consideration of county-initiated amendments to the GMA comprehensive plan. This year's package of proposed amendments consist of:



### GPP20-3 – Technical Map Corrections

The 2020 technical corrections consist of the following amendments to the maps and text of the General Policy Plan (GPP) and to Title 30, the Unified Development Code (UDC):

- a) Updates to Maps 1, 2, 4 and 5 of the General Policy Plan (GPP) to recognize properties that are no longer under county jurisdiction due to a city annexation;
- b) Corrections to identified mapping errors in certain municipal urban growth areas in Map 3 of the GPP;
- c) Updates to the public wastewater systems map in the Capital Facilities Plan due to recent sewer district annexations; and
- d) Removal of references to the outdated Freeway Service zone in the GPP and in the UDC.

For further information, please review:

[Briefing Staff Report dated June 5, 2020](#)

[Presentation](#)

After a brief discussion with the Commissioners, the Public Hearing has been tentatively set for July 28, 2020.

### 2. Accessory Apartment Code Update: Briefing

Mitchell Brouse, PDS Senior Planner, 425-388-5127, [Mitchell.Brouse@snoco.org](mailto:Mitchell.Brouse@snoco.org)

Mitchell Brouse presented proposed code amendments to SCC title 30 regarding the siting and development of accessory apartments (also known as “accessory dwelling units”). The Commission was also briefed on this topic in late 2018 and February 2020. The briefing provided an overview of the proposed code updates that will work to: 1) reduce regulatory barriers to the siting of accessory apartments while maintaining protections on public health, safety, and welfare; 2) clarify and simplify accessory apartment provisions; and 3) change the term "accessory apartments" to the more common, "accessory dwelling units".

For further information, please review the following:

[Briefing Staff Report dated February 18, 2020](#)

[Briefing Staff Report dated June 10, 2020](#)

[Presentation](#)

The Commissioners had a robust conversation around owner occupancy, square footage requirements, and parking. The Public Hearing has been tentatively set for July 28, 2020.

## **F. ADJOURN**

This regular meeting was adjourned at 6:45 p.m.

A recording of this meeting is available on the Planning Commission website.

[Video Recording](#)

[Audio Recording](#)

[Planning Commission Main Website](#)

EXHIBIT 2.0006

02/25/20 Planning Commission Meeting Recording

*Contact Clerk of the Council for recording at 425-388-3494 or [contact.council@snoco.org](mailto:contact.council@snoco.org)  
(G:\ECAF\Council\_Approved\2021\21-0033\Accessory Apartments ADUs)*



Snohomish County

PLANNING COMMISSION

PLANNING & DEVELOPMENT SERVICES

3000 Rockefeller Avenue, M/S #604, Everett, WA 98201  
(425) 388-3224

Clerk Email: [Brandi.Spores@snoco.org](mailto:Brandi.Spores@snoco.org)

**REGULAR (Remote) MEETING AGENDA**  
**Snohomish County Planning Commission**

**June 23, 2020**  
**5:30 – 9:00 PM**

Join the Zoom Meeting using the following link:

<https://zoom.us/j/99438992971?pwd=NzRYMlAxUTJFMHNSTs8wK0RgaW5wdz09>

or call (253) 215-8782

Meeting ID: 994 3899 2971

Password: 444823

For access to supporting documents reviewed by the Planning Commission, visit our website at <http://www.snohomishcountywa.gov> and enter "Planning Commission" in the search box.

**A. CALL TO ORDER, ROLL CALL, AND AGENDA REVIEW**

**B. APPROVAL OF MINUTES**

- [February 25, 2020](#): Regular Meeting

**C. STATUS OF PAST RECOMMENDATIONS AND FUTURE AGENDA ITEMS**

- [Report on Recent Snohomish County Planning Commission Activities](#)
- [Upcoming Planning Commission Meeting Topics](#)

**D. UNFINISHED BUSINESS**

None

**E. NEW BUSINESS**

1. 2020 County-initiated Comprehensive Plan Amendments: Briefing

Steve Skorney, PDS Senior Planner, 425-262-2207, [Steve.Skorney@snoco.org](mailto:Steve.Skorney@snoco.org)

The Planning Commission will be briefed on the annual consideration of county-initiated amendments to the GMA comprehensive plan according to the requirements of Chapter 30.73 SCC. Staff is requesting a public hearing be tentatively scheduled for July 28, 2020, for this year's package of proposed amendments that consist of:

GPP20-3 – Technical Map Corrections

The 2020 technical corrections consist of the following amendments to the maps and text of the General Policy Plan (GPP) and to Title 30, the Unified Development Code (UDC):



Snohomish County

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**PLANNING COMMISSION  
PLANNING & DEVELOPMENT SERVICES**

- a) Updates to Maps 1, 2, 4 and 5 of the General Policy Plan (GPP) to recognize properties that are no longer under county jurisdiction due to a city annexation;
- b) Corrections to identified mapping errors in certain municipal urban growth areas in Map 3 of the GPP;
- c) Updates to the public wastewater systems map in the Capital Facilities Plan due to recent sewer district annexations; and
- d) Removal of references to the outdated Freeway Service zone in the GPP and in the UDC.

For further information, please review:

- [Briefing Staff Report dated June 5, 2020](#)
- [Presentation](#)

2. Accessory Apartment Code Update: Briefing

Mitchell Brouse, PDS Senior Planner, 425-388-5127, [Mitchell.Brouse@snoco.org](mailto:Mitchell.Brouse@snoco.org)

PDS Staff will again brief the Planning Commission on proposed code amendments to SCC title 30 regarding the siting and development of accessory apartments (also known as "accessory dwelling units"). The Commission was also briefed on this topic in late 2018 and February 2020. The briefing will overview proposed code updates that will work to: 1) reduce regulatory barriers to the siting of accessory apartments while maintaining protections on health, safety, and welfare; 2) clarify and simplify accessory apartment provisions; and 3) change the term "accessory apartments" to "accessory dwelling units".

The Department of Planning and Development Services requests that the Planning Commission schedule a public hearing in July on the proposal. Following the public hearing, it is requested that the Planning Commission provide a recommendation to the Snohomish County Council regarding the proposed code amendments to SCC title 30.

For further information, please review the following:

- [Briefing Staff Report dated February 18, 2020](#)
- [Briefing Staff Report dated June 10, 2020](#)
- [Presentation](#)

**F. ADJOURN**



Snohomish County

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**PLANNING COMMISSION  
PLANNING & DEVELOPMENT SERVICES**

**PLANNING COMMISSION'S RANGE OF POSSIBLE ACTIONS:**

*At the conclusion of its public hearing, the County Planning Commission will consider transmitting a formal recommendation to County Council concerning adoption of the proposal. The Commission may make a recommendation to adopt or to not adopt the proposal. The Commission's recommendation may also propose amendments to the proposal. The Planning Commission is an advisory body and the final decision rests with the County Council.*

**PARTY OF RECORD / PUBLIC TESTIMONY:**

*You may become a party of record for any specific topic that comes before the Planning Commission by submitting a written request or testimony to Brandi Spores, Planning Commission Clerk, PDS, M/S 604, 3000 Rockefeller Avenue, Everett, WA 98201 or via email at [Brandi.Spores@snoco.org](mailto:Brandi.Spores@snoco.org).*

**WHERE TO GET COPIES OF DOCUMENTS AND WEBSITE ACCESS:**

*Please check [www.snohomishcountywa.gov](http://www.snohomishcountywa.gov) for additional information or the Snohomish County Department of Planning and Development Services, Reception Desk, 2<sup>nd</sup> Floor, County Administration Building-East, 3000 Rockefeller Avenue, Everett. For more information, call Brandi Spores, Planning Commission Clerk, at 425-388-3224.*

**AMERICANS WITH DISABILITIES ACT NOTICE:**

*Snohomish County facilities are accessible. The county strives to provide access and services to all members of the public. Sign language interpreters and communication materials in alternate form will be provided upon advance request of one calendar week. Contact Angela Anderson at 425-262-2206 Voice, or 425-388-3700 TDD*

**Snohomish County Planning Commissioners:**

Merle Ash, District 1  
Mark James, District 1  
Tom Norcott, District 2  
Raymond Sheldon, Jr., District 2  
Robert Larsen, District 3  
Loren Simmonds, District 3

Vacant, District 4  
Neil Pedersen, District 4  
James Kamp, District 5  
Leah Everett, District 5  
Keri Moore, Executive Appointee

**Commission Staff (from Planning and Development Services (PDS) Department):**

Barb Mock, Commission Secretary

Brandi Spores, Commission Clerk



## 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



**Snohomish County**

---

**Planning and Development Services**

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

**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

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**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					
Accessory Dwelling Unit ( <del>Apartment</del> )	((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 ( <del>Apartment</del> )	-((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																				
	SA-1	RC	RU	R-20,000	R-12,500	WFB															
Accessory Dwelling Unit ( <del>Apartment</del> )	((A)) P	((A)) P	((A)) P	((A)) P	((A)) P	((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
<b>UPDATE SECTION: SCC 30.23.235</b>	
<b>30.23.235 Development on substandard lots – General.</b> Development on substandard lots, including single-family development under SCC 30.23.240, is permitted, provided that it shall comply with the following requirements:	No changes are proposed.
(1) Development permitted on substandard lots regulated by this chapter shall be subject to compliance with all other applicable provisions of title 30 SCC.	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.
(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.	
(3) The development of new <del>((attached and detached accessory apartments and))</del> duplexes is prohibited.	Eliminate the prohibition of accessory apartments on substandard lots.
(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:  (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.	No changes are proposed.
<b>UPDATE SECTION: SCC 30.25.28</b>	
<b>30.25.28 <del>((Accessory apartments and temporary))</del> Temporary dwellings.</b>  <del>((Accessory apartments, where required by SCC 30.28.010(6), and temporary))</del> 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.	Remove the reference to accessory dwelling units in specific screening requirements as these requirements are proposed to be eliminated.
<b>UPDATE SECTION: SCC 30.26.030</b>	

Proposed Code Change				Description
<b>Table 30.26.030(1) Number of Parking Spaces Required</b>				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.
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>	

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><b>30.28.010 Accessory dwelling units (<del>apartments</del>).</b></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>	Update the title of the section to "Accessory dwelling units" to reflect popular nomenclature and add an introduction to the standards.
<p><del>(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.))</del></p>	Delete the existing (1) and replace with "general standards" below.
<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>	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><del>(2) ((The owner-occupant(s) shall reside in either the single family dwelling unit, the accessory apartment, or both.))</del></p>	Delete the existing (2) and replace with standards for urban zones below.



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) <i>Rural, resource, and other zones.</i> 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) <i>Maximum size.</i> 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) <i>Separation Distance.</i> 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) <i>Driveway.</i> 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><del>((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.))</del></p>	<p>Revise language and relocate to 30.28.010(1)(e).</p>
<p><del>((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.))</del></p>	<p>Revise language and relocate to 30.28.010(1)(f)</p>
<p><del>((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.))</del></p>	<p>Delete this requirement.</p>

Proposed Code Change	Description
(((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.))	Revise language and relocate to 30.28.010(1)(b)(c).
(((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.))	Revise language to reference SCC 30.26 and relocate to 30.28.010(1)(d).
(((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.))	Eliminate all owner occupancy requirements.

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><b>30.91A.035 Accessory dwelling unit.</b></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><b>30.91A.040 Accessory (<del>(apartment-)</del>) dwelling unit, attached (Attached accessory dwelling unit).</b></p> <p><del>((“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.))</del><u>“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.”</u></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><b>30.91A.050 Accessory (<del>(apartment-)</del>) dwelling unit, detached (Detached accessory dwelling unit).</b></p> <p><del>((“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.))</del><u>“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.”</u></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.

# Accessory Apartments Code Update

Snohomish County Planning Commission

June 23, 2020



Snohomish County

# Overview

- February briefing overview
- Accessory Apartments background review
- Current Code
- Proposed Code Changes



# February Briefing Overview

- Background on Accessory Apartments
- Overview of research and planning about accessory dwelling units.
- Overview of current code.
- High level review of proposed code amendments.



Source: Sightline Institute: Missing Middle Homes Photo Library



# Accessory apartments

Also known as:

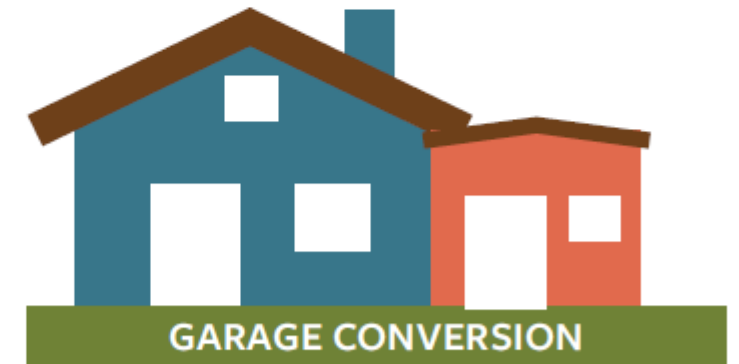
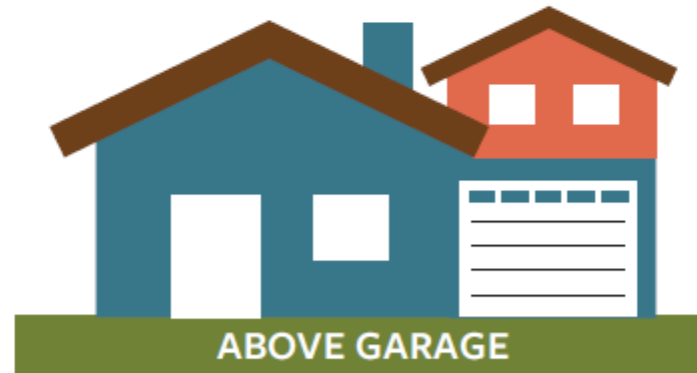
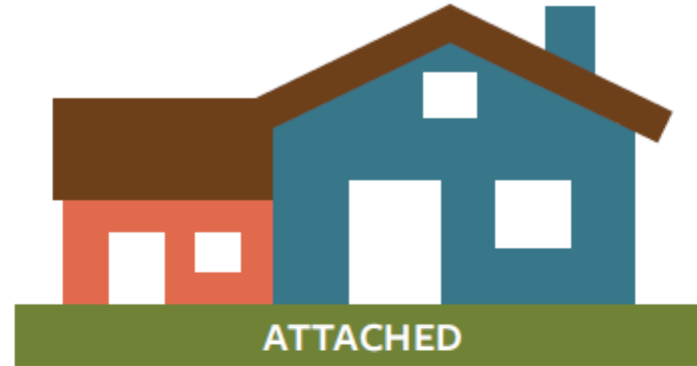
- Accessory dwelling unit
- Granny flat
- In-law suite
- Garage apartment
- ...



Source: Sightline Institute: Missing Middle Homes Photo Library



# Types of accessory apartments:



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

# Washington state law

## Revised Code of Washington

- Counties must allow accessory apartments.
- Regulations determined locally.

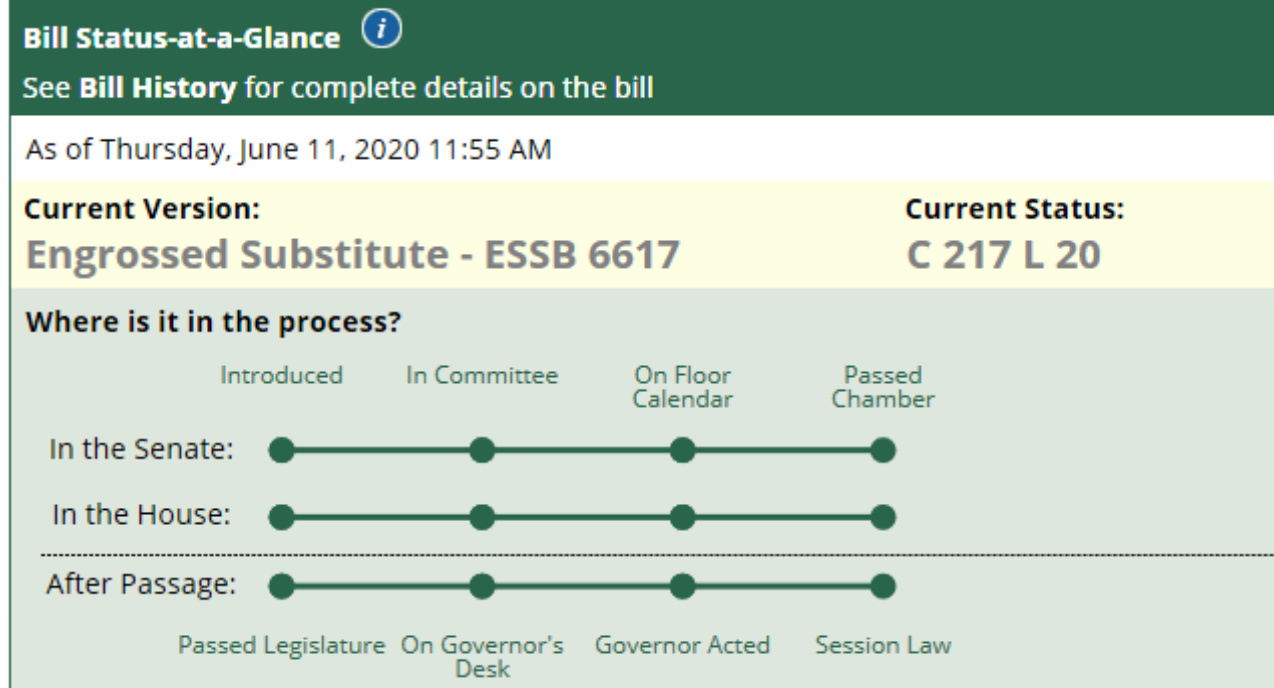
## SB 6617 and HB 2570

- SB 6617 passed.
- Requirements on counties removed.

## SB 6617 - 2019-20

Concerning accessory dwelling unit regulation.

Sponsors: [Lilias, Das](#)



Source: [leg.wa.gov](http://leg.wa.gov)



# 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







# 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.



# Update Development Standards

## Standards for all ADUs:

- a) Comply with all other standards.
- b) Physical and legal access to water required.
- c) Septic system must meet the additional demand.
- d) Comply with parking standards.
- e) Design standards.



Source: Sightline Institute: Missing Middle Homes Photo Library

# Update Development Standards

## Urban zones:

- a) 1 attached and 1 detached allowed per lot.
- b) Maximum 1,000 sq ft.



Source: Sightline Institute: Missing Middle Homes Photo Library

# HART

## Report and Five-Year Action Plan

Published January 2020





# Update Development Standards

## Rural, resource, and other zones:

- a) 1 ADU per lot
  - Detached only on lots that meet minimum lot size.
  - Mobile home as ADU on lots over 10 acres.
- b) Maximum 1,200 sq ft.
- c) Maximum 100 ft between detached ADU and SFD.
- d) SFD and ADU must share a driveway.



Source: Sightline Institute: Missing Middle Homes Photo Library

# 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.



# Questions?

Mitchell Brouse  
Senior Planner  
Planning & Development Services  
[mitchell.brouse@snoco.org](mailto:mitchell.brouse@snoco.org)  
(425) 388-5127



Snohomish County

PLANNING COMMISSION

PLANNING & DEVELOPMENT SERVICES

3000 Rockefeller Avenue, M/S #604, Everett, WA 98201

Clerk Contact: [Brandi.Spores@snoco.org](mailto:Brandi.Spores@snoco.org); (425) 388-3224

## REGULAR SESSION JULY 28, 2020 MINUTES

### A. CALL TO ORDER, ROLL CALL, AND ANNOUNCEMENT OF THE AGENDA

Commissioner Robert Larsen, Planning Commission Chair, called the meeting to order at 5:32 p.m. Of the ten (10) currently appointed commissioners nine (10) were in attendance (a quorum being six (6) members and a majority being six (6) members):

Merle Ash

James Kamp @6:52

Neil Pederson

Leah Everett

Keri Moore @5:34

Raymond Sheldon

Mark James

Tom Norcott

Loren Simmonds

Robert Larsen

Ikuno Masterson, Planning and Development Services (PDS), Long Range Planning Manager, served as Planning Commission Secretary for this meeting.

[Affidavit of Publication](#)

### B. APPROVAL OF MEETING MINUTES

The minutes of the [June 23, 2020](#) regular meetings were approved unanimously.

### C. STATUS OF PAST RECOMMENDATIONS AND FUTURE AGENDA ITEMS

Ikuno Masterson relayed to the Planning Commission the activities before the County Council for action during the last several months.

- [Report on Recent Snohomish County Planning Commission Activities](#)
- [Upcoming Planning Commission Meeting Topics](#)

### D. UNFINISHED BUSINESS

#### 1. 2020 County-initiated Comprehensive Plan Amendments: Hearing

Steve Skorney, PDS Senior Planner, 425-262-2207, [Steve.Skorney@snoco.org](mailto:Steve.Skorney@snoco.org)

Steve Skorney provided an overview of the annual consideration of county-initiated amendments to the GMA comprehensive plan according to the requirements of Chapter 30.73 SCC.

The 2020 package of amendments consist of:

GPP20-3 – Technical Corrections

The 2020 technical corrections consist of the following amendments to the maps and text of the General Policy Plan (GPP) and to Title 30, the Unified Development Code (UDC):

- a) Updates to Maps 1, 2, 4 and 5 of the General Policy Plan (GPP) to recognize properties that are no longer under county jurisdiction due to a city annexation;
- b) Corrections to identified mapping errors in the Future Land Use Map (Map 1 of the GPP) and the Municipal Urban Growth Areas Map (Map 3 of the GPP);
- c) Updates to the public wastewater systems map in the Capital Facilities Plan due to recent sewer district annexations; and
- d) Removal of references to the outdated Freeway Service zone in the GPP and in the UDC.

Commissioners had no questions for staff and Chair Larsen opened the public hearing.

The 2020 County-Initiated Comprehensive Plan Amendments **Public Hearing opened at 5:39 pm**

No one from the public asked to speak so the **Public Hearing was closed at 5:40 pm.**

Commissioner Larsen asked for comments from the Commissioners and with no further questions or comments he requested a motion.

**Motion** was made by Commissioner Norcott and seconded by Commissioner Everett recommending **approval** of the proposed 2020 county-initiated comprehensive plan amendments as contained in the July 10, 2020, Planning and Development Services (PDS) staff report.

**VOTE (Motion):**

9 in favor (*Ash, Everett, James, Larsen, Moore, Norcott, Pederson, Sheldon and Simmonds*)

0 opposed

0 abstention

James Kamp was absent at the time of this motion.

**Motion PASSED**

For further information, please review:

- [Hearing Staff Report dated July 10, 2020](#)
- [Briefing Staff Report dated June 5, 2020](#)
- [Presentation](#)

2. Accessory Apartment Code Update: Hearing

Mitchell Brouse, PDS Senior Planner, 425-388-5127, [Mitchell.Brouse@snoco.org](mailto:Mitchell.Brouse@snoco.org)

The Planning Commission was briefed by Mitchell Brouse on proposed code amendments related to accessory apartments on February 25, 2020 and June 23, 2020 and gave a brief overview of the code update at this meeting. The proposed amendments would work to: 1) reduce regulatory barriers to the siting of accessory apartments while maintaining protections on health, safety, and welfare; 2) clarify and simplify accessory apartment provisions; and 3) change the term "accessory apartments" to "accessory dwelling units". The Planning Commission will now hold a public hearing on the proposal.

Commissioners had no questions for staff at this time and Chair Larsen opened the public hearing.

The Accessory Apartment Code Update **Public Hearing opened at 5:50 pm**

Three members of the public came forward to endorse the update to the Accessory Apartment Code. They appreciate the larger square footage offered and glad that the owner occupancy requirement is to be removed if approved. **Public Hearing was closed at 5:59 pm.**

Commissioner Larsen asked for comments from the Commissioners, the discussion was mostly around making the square foot maximum for rural and urban the same and increasing it to 1600 square feet. There was a brief discussion about the impacts to the environment but it was generally acknowledged that the impact of these units would be less than a new development elsewhere. With no further questions or comments he requested a motion.

**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.

**VOTE (Motion):**

9 in favor (*Ash, Everett, James, Larsen, Moore, Norcott, Pederson, Sheldon and Simmonds*)

0 opposed

0 abstention

James Kamp was absent at the time of this motion.

**Motion PASSED**

For further information, please review the flowing:

- [Briefing Staff Report dated June 10, 2020](#)
- [Briefing Staff Report dated February 18, 2020](#)

**E. NEW BUSINESS**

1. Special Flood Hazard Areas: Briefing

Mitchell Brouse, PDS Senior Planner, 425-388-5127, [Mitchell.Brouse@snoco.org](mailto:Mitchell.Brouse@snoco.org)

Mitchell Brouse provided a briefing on proposed permanent code amendments concerning regulations in the special flood hazard areas. The proposed amendments include all changes included in the interim official controls, which are required for Snohomish County's continued participation in the NFIP, and other discretionary code amendments, including proposed updates to the permitted uses in the density fringe. This briefing built upon the one presented to the Commission on February 25, 2020. On May 27, 2020, the County Council approved Ordinance 20-029, adopting changes to SCC 30.43C, 30.65, and 30.91, which were necessary to ensure compliance with National Flood Insurance Program (NFIP) standards, as interim official controls. The official controls are set to expire on December 13, 2020.

After a brief discussion with the Commissioners, the Public Hearing has been tentatively set for August 25, 2020.

For further information, please review the flowing:

- [Briefing Staff Report dated July 10, 2020](#)
- [Presentation](#)

**F. ADJOURN**

This regular meeting was adjourned at 6:57 p.m.

A recording of this meeting is available on the Planning Commission website.

[Recording](#)

[Agenda](#)

[Planning Commission Main Website](#)



## EXHIBIT 2.0012

### 07/28/20 Planning Commission Meeting Recording

*Contact Clerk of the Council for recording at 425-388-3494 or [contact.council@snoco.org](mailto:contact.council@snoco.org)*

*(G:\ECAF\Council\_Approved\2021\21-0033\Accessory Apartments ADUs*



Snohomish County

PLANNING COMMISSION

PLANNING & DEVELOPMENT SERVICES

3000 Rockefeller Avenue, M/S #604, Everett, WA 98201  
(425) 388-3224

Clerk Email: [Brandi.Spores@snoco.org](mailto:Brandi.Spores@snoco.org)

**REGULAR (Remote) MEETING AGENDA**  
**Snohomish County Planning Commission**

**July 28, 2020**  
**5:30 – 9:00 PM**

Join the Zoom Meeting using the following link:

<https://zoom.us/j/91707223456?pwd=VG5STDV1YWdpc0w3VnVGZk9zdWxXZz09>

or call (253) 215-8782

Meeting ID: 917 0722 3456

Password: 136323

For access to supporting documents reviewed by the Planning Commission, visit our website at <http://www.snohomishcountywa.gov> and enter "Planning Commission" in the search box.

**A. CALL TO ORDER, ROLL CALL, AND AGENDA REVIEW**

**B. APPROVAL OF MINUTES**

- [June 23, 2020](#): Regular Meeting

**C. STATUS OF PAST RECOMMENDATIONS AND FUTURE AGENDA ITEMS**

- [Report on Recent Snohomish County Planning Commission Activities](#)
- [Upcoming Planning Commission Meeting Topics](#)

**D. UNFINISHED BUSINESS**

1. 2020 County-initiated Comprehensive Plan Amendments: Hearing

Steve Skorney, PDS Senior Planner, 425-262-2207, [Steve.Skorney@snoco.org](mailto:Steve.Skorney@snoco.org)

The Planning Commission will hold a public hearing on the annual consideration of county-initiated amendments to the GMA comprehensive plan according to the requirements of Chapter 30.73 SCC.

The 2020 package of amendments consist of:

GPP20-3 – Technical Corrections

The 2020 technical corrections consist of the following amendments to the maps and text of the General Policy Plan (GPP) and to Title 30, the Unified Development Code (UDC):

- a) Updates to Maps 1, 2, 4 and 5 of the General Policy Plan (GPP) to recognize properties that are no longer under county jurisdiction due to a city annexation;
- b) Corrections to identified mapping errors in the Future Land Use Map (Map 1 of the



Snohomish County

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**PLANNING COMMISSION**

**PLANNING & DEVELOPMENT SERVICES**

GPP) and the Municipal Urban Growth Areas Map (Map 3 of the GPP);

- c) Updates to the public wastewater systems map in the Capital Facilities Plan due to recent sewer district annexations; and
- d) Removal of references to the outdated Freeway Service zone in the GPP and in the UDC.

For further information, please review:

- [Hearing Staff Report dated July 10, 2020](#)
- [Briefing Staff Report dated June 5, 2020](#)
- [Presentation](#)

2. Accessory Apartment Code Update: Hearing

Mitchell Brouse, PDS Senior Planner, 425-388-5127, [Mitchell.Brouse@snoco.org](mailto:Mitchell.Brouse@snoco.org)

The Planning Commission was briefed on proposed code amendments related to accessory apartments on February 25, 2020 and June 23, 2020. The proposed amendments would work to: 1) reduce regulatory barriers to the siting of accessory apartments while maintaining protections on health, safety, and welfare; 2) clarify and simplify accessory apartment provisions; and 3) change the term "accessory apartments" to "accessory dwelling units". The Planning Commission will now hold a public hearing on the proposal.

PDS staff recommends that the Planning Commission forward the proposed code amendments to the Snohomish County Council with a recommendation to adopt the amendments in the form presented at the June 23, 2019 Planning Commission hearing.

For further information, please review the following:

- [Briefing Staff Report dated June 10, 2020](#)
- [Briefing Staff Report dated February 18, 2020](#)

**E. NEW BUSINESS**

1. Special Flood Hazard Areas: Briefing

Mitchell Brouse, PDS Senior Planner, 425-388-5127, [Mitchell.Brouse@snoco.org](mailto:Mitchell.Brouse@snoco.org)

On May 27, 2020, the County Council approved Ordinance 20-029, adopting changes to SCC 30.43C, 30.65, and 30.91, which were necessary to ensure compliance with National Flood Insurance Program (NFIP) standards, as interim official controls. The official controls are set to expire on December 13, 2020. At the July Planning Commission meeting, PDS staff will provide a briefing on proposed permanent code amendments concerning regulations in the special flood hazard areas. The proposed amendments include all changes included in the interim official controls, which are required for



Snohomish County

**PLANNING COMMISSION**

**PLANNING & DEVELOPMENT SERVICES**

Snohomish County's continued participation in the NFIP, and other discretionary code amendments, including proposed updates to the permitted uses in the density fringe. This briefing will build upon the one presented to the Commission on February 25, 2020.

The Department of Planning and Development Services requests that the Planning Commission schedule a public hearing in August on the proposal. Following the public hearing, it is requested that the Planning Commission provide a recommendation to the Snohomish County Council regarding the proposed code amendments to SCC 30.43C, 30.65, and 30.91. For further information, please review the following:

- [Briefing Staff Report dated July 10, 2020](#)
- [Presentation](#)

**F. ADJOURN**

**PLANNING COMMISSION'S RANGE OF POSSIBLE ACTIONS:**

*At the conclusion of its public hearing, the County Planning Commission will consider transmitting a formal recommendation to County Council concerning adoption of the proposal. The Commission may make a recommendation to adopt or to not adopt the proposal. The Commission's recommendation may also propose amendments to the proposal. The Planning Commission is an advisory body and the final decision rests with the County Council.*

**PARTY OF RECORD / PUBLIC TESTIMONY:**

*You may become a party of record for any specific topic that comes before the Planning Commission by submitting a written request or testimony to Brandi Spores, Planning Commission Clerk, PDS, M/S 604, 3000 Rockefeller Avenue, Everett, WA 98201 or via email at [Brandi.Spores@snoco.org](mailto:Brandi.Spores@snoco.org).*

**WHERE TO GET COPIES OF DOCUMENTS AND WEBSITE ACCESS:**

*Please check [www.snohomishcountywa.gov](http://www.snohomishcountywa.gov) for additional information or the Snohomish County Department of Planning and Development Services, Reception Desk, 2<sup>nd</sup> Floor, County Administration Building-East, 3000 Rockefeller Avenue, Everett. For more information, call Brandi Spores, Planning Commission Clerk, at 425-388-3224.*

**AMERICANS WITH DISABILITIES ACT NOTICE:**

*Snohomish County facilities are accessible. The county strives to provide access and services to all members of the public. Sign language interpreters and communication materials in alternate form will be provided upon advance request of one calendar week. Contact Angela Anderson at 425-262-2206 Voice, or 425-388-3700 TDD*

**Snohomish County Planning Commissioners:**

Merle Ash, District 1  
Mark James, District 1  
Tom Norcott, District 2  
Raymond Sheldon, Jr., District 2  
Robert Larsen, District 3  
Loren Simmonds, District 3

Vacant, District 4  
Neil Pedersen, District 4  
James Kamp, District 5  
Leah Everett, District 5  
Keri Moore, Executive Appointee

**Commission Staff (from Planning and Development Services (PDS) Department):**

Barb Mock, Commission Secretary

Brandi Spores, Commission Clerk



## Accessory Dwelling Units

Index # - File Name: 2.0016\_ADU\_Public Comment\_Futurewise\_1.pdf

**From:** [Spores, Brandi](#)  
**To:** ["Tim@futurewise.org"](mailto:Tim@futurewise.org)  
**Cc:** [Brouse, Mitchell](#)  
**Subject:** FW: Comments on the proposed Accessory Apartment Code Update for PC July 28 public hearing  
**Date:** Monday, July 27, 2020 11:21:00 AM  
**Attachments:** [Futurewise Coms on SnoCo PC ADU Update Public Hearing July 27 2020.pdf](#)

---

Tim,

Thank you for your public comment! I have forwarded all three emails to the commissioners for their review prior to the meeting tomorrow.

**Brandi Spores** | *Administrative Assistant*

[Snohomish County Planning and Development Services](#)

3000 Rockefeller Avenue M/S 604 | Everett, WA 98201

425-388-3224 | [brandi.spores@snoco.org](mailto:brandi.spores@snoco.org)

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**From:** Spores, Brandi  
**Sent:** Monday, July 27, 2020 11:17 AM  
**To:** Ash, Merle <Merle.Ash@snoco.org>; James, Mark <mark.james@snoco.org>; Kamp, James <james.kamp@snoco.org>; Keri Moore <kmoore@snohd.org>; Larsen, Robert <Robert.Larsen@snoco.org>; Leah Everett <Leah.Everett@snoco.org>; Loren Simmonds <Loren.Simmonds@snoco.org>; Neil Pedersen <Neil.Pedersen@snoco.org>; Norcott, Thomas <Thomas.Norcott@snoco.org>; Sheldon Jr., Raymond <raymond.sheldon@snoco.org>  
**Cc:** Brouse, Mitchell <Mitchell.Brouse@co.snohomish.wa.us>  
**Subject:** FW: Comments on the proposed Accessory Apartment Code Update for PC July 28 public hearing

Commissioners,

Please see the below public comment email and the attached document. There will be two more emails with further attachments to follow. If you want a paper copy of this and any other public comments I can meet you at the county campus tomorrow morning with copies. Please let me know as soon as possible if you would like paper copies.

**Brandi Spores** | *Administrative Assistant*

[Snohomish County Planning and Development Services](#)

3000 Rockefeller Avenue M/S 604 | Everett, WA 98201

425-388-3224 | [brandi.spores@snoco.org](mailto:brandi.spores@snoco.org)

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**From:** Tim Trohimovich [<mailto:Tim@futurewise.org>]

**Sent:** Monday, July 27, 2020 9:40 AM

**To:** Spores, Brandi <[Brandi.Spores@co.snohomish.wa.us](mailto:Brandi.Spores@co.snohomish.wa.us)>; Brouse, Mitchell  
<[Mitchell.Brouse@co.snohomish.wa.us](mailto:Mitchell.Brouse@co.snohomish.wa.us)>

**Subject:** Comments on the proposed Accessory Apartment Code Update for PC July 28 public hearing

**CAUTION :** This email originated from outside of this organization. Please exercise caution with links and attachments.

Dear Ms. Spores and Mr. Brouse:

Enclosed please find Futurewise's comments on the proposed Accessory Apartment Code Update for the July 28, 2020, Planning Commission public hearing. The enclosures will be included in two follow-up emails.

Thank you and the Planning Commission for considering our comments.

Tim Trohimovich  
Director of Planning & Law  
Futurewise  
816 Second Ave., Suite 200  
Seattle, WA 98104  
[tim@futurewise.org](mailto:tim@futurewise.org)  
(206) 343-0681 Ext. 102

Accessory Dwelling Units

Index # - File Name: 2.0017\_ADU\_Public Comment\_Futurewise\_2.pdf

**From:** [Tim Trohimovich](#)  
**To:** [Spores, Brandi](#); [Brouse, Mitchell](#)  
**Subject:** RE: Comments on the proposed Accessory Apartment Code Update for PC July 28 public hearing  
**Date:** Monday, July 27, 2020 9:41:54 AM  
**Attachments:** [SOW2016 Snohomish.pdf](#)

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**CAUTION :** This email originated from outside of this organization. Please exercise caution with links and attachments.

Hi:

Here is the first enclosure.

Tim Trohimovich  
Director of Planning & Law  
Futurewise  
816 Second Ave., Suite 200  
Seattle, WA 98104  
tim@futurewise.org  
(206) 343-0681 Ext. 102

---

**From:** [Tim Trohimovich](#)  
**Sent:** Monday, July 27, 2020 9:39 AM  
**To:** [brandi.spores@snoco.org](mailto:brandi.spores@snoco.org); [Mitchell.Brouse@snoco.org](mailto:Mitchell.Brouse@snoco.org)  
**Subject:** Comments on the proposed Accessory Apartment Code Update for PC July 28 public hearing

Dear Ms. Spores and Mr. Brouse:

Enclosed please find Futurewise's comments on the proposed Accessory Apartment Code Update for the July 28, 2020, Planning Commission public hearing. The enclosures will be included in two follow-up emails.

Thank you and the Planning Commission for considering our comments.

Tim Trohimovich  
Director of Planning & Law  
Futurewise  
816 Second Ave., Suite 200  
Seattle, WA 98104  
tim@futurewise.org  
(206) 343-0681 Ext. 102

**From:** [Tim Trohimovich](#)  
**To:** [Spores, Brandi](#); [Brouse, Mitchell](#)  
**Subject:** RE: Comments on the proposed Accessory Apartment Code Update for PC July 28 public hearing  
**Date:** Monday, July 27, 2020 9:43:32 AM  
**Attachments:** [chrisrdp.pdf](#)  
[GMS-BAS-Citations-Final.pdf](#)

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**CAUTION :** This email originated from outside of this organization. Please exercise caution with links and attachments.

Hi:

Here are the second and third enclosures.

Tim Trohimovich  
Director of Planning & Law  
Futurewise  
816 Second Ave., Suite 200  
Seattle, WA 98104  
[tim@futurewise.org](mailto:tim@futurewise.org)  
(206) 343-0681 Ext. 102

---

**From:** [Tim Trohimovich](#)  
**Sent:** Monday, July 27, 2020 9:40 AM  
**To:** [brandi.spores@snoco.org](mailto:brandi.spores@snoco.org); [Mitchell.Brouse@snoco.org](mailto:Mitchell.Brouse@snoco.org)  
**Subject:** RE: Comments on the proposed Accessory Apartment Code Update for PC July 28 public hearing

Hi:

Here is the first enclosure.

Tim Trohimovich  
Director of Planning & Law  
Futurewise  
816 Second Ave., Suite 200  
Seattle, WA 98104  
[tim@futurewise.org](mailto:tim@futurewise.org)  
(206) 343-0681 Ext. 102

---

**From:** [Tim Trohimovich](#)  
**Sent:** Monday, July 27, 2020 9:39 AM  
**To:** [brandi.spores@snoco.org](mailto:brandi.spores@snoco.org); [Mitchell.Brouse@snoco.org](mailto:Mitchell.Brouse@snoco.org)  
**Subject:** Comments on the proposed Accessory Apartment Code Update for PC July 28 public hearing



Dear Ms. Spores and Mr. Brouse:

Enclosed please find Futurewise's comments on the proposed Accessory Apartment Code Update for the July 28, 2020, Planning Commission public hearing. The enclosures will be included in two follow-up emails.

Thank you and the Planning Commission for considering our comments.

Tim Trohimovich  
Director of Planning & Law  
Futurewise  
816 Second Ave., Suite 200  
Seattle, WA 98104  
tim@futurewise.org  
(206) 343-0681 Ext. 102

Accessory Dwelling Units

Index # - File Name:

**From:** [Spores, Brandi](#)  
**To:** ["Melissa Arnone"](#)  
**Subject:** RE: ADU testimony  
**Date:** Monday, July 27, 2020 8:58:00 AM

---

Hi Melissa,

Thank you for your public comment! I have forwarded your email to the commissioners for their review prior to the meeting tomorrow.

**Brandi Spores** | *Administrative Assistant*  
[Snohomish County Planning and Development Services](#)  
3000 Rockefeller Avenue M/S 604 | Everett, WA 98201  
425-388-3224 | [brandi.spores@snoco.org](mailto:brandi.spores@snoco.org)

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**From:** Melissa Arnone [mailto:arnone.melissa@gmail.com]  
**Sent:** Sunday, July 26, 2020 11:24 AM  
**To:** Spores, Brandi <Brandi.Spores@co.snohomish.wa.us>  
**Subject:** ADU testimony

**CAUTION :** This email originated from outside of this organization. Please exercise caution with links and attachments.

Will you please pass this email on to the appropriate members of the planning commission for Tuesdays meeting?

My name is Melissa Arnone and I am writing in support of approving the Accessory Dwelling Unit (apartment) code amendments. Allowing for more ADU's to be constructed would enable more extended families to live near each other and help each other. Housing is hard to come by in Snohomish County and it is almost impossible to buy a home that isn't outrageously priced. A young family like mine would benefit from the ability to be near family long term until we find the perfect property to build on- that is even harder to find right now! Please pass these amendments to help Snohomish County families have more choices for housing. Thank you!

**From:** [Melonie Brown](#)  
**To:** [Spores, Brandi](#)  
**Cc:** [Masterson, Ikuno; Don; Melissa](#)  
**Subject:** Re: Planning meeting participation  
**Date:** Monday, July 27, 2020 8:53:07 AM

---

**CAUTION :** This email originated from outside of this organization. Please exercise caution with links and attachments.

Thank you, Brandi! Just checking - my email to the Planning Commission will be included to them as well, correct? This is what I understood from Ms. Masterson. I would like them to have access to as it succinctly says what matters most to my husband and I.

Thanks for letting me know,  
Melonie

On Mon, Jul 27, 2020, 8:35 AM Spores, Brandi <[Brandi.Spores@co.snohomish.wa.us](mailto:Brandi.Spores@co.snohomish.wa.us)> wrote:

Hi Melonie!

You can absolutely attend the meeting tomorrow, we are only meeting online using Zoom for now. I have attached the agenda that contains all of the documentation along with the Zoom meeting information. You can either use your computer to join the meeting or call the number provided. If you use your computer you will be able to follow the slides on the screen along with the presenter. The agenda does contain links to all of the documents, and the presentations, that the commissioners have been provided prior to me going on vacation.

Please let me know if you have any questions or if I can help with Zoom at all.

**Brandi Spores** | *Administrative Assistant*

[Snohomish County Planning and Development Services](#)

3000 Rockefeller Avenue M/S 604 | Everett, WA 98201

425-388-3224 | [brandi.spores@snoco.org](mailto:brandi.spores@snoco.org)

---

**From:** Melonie Brown [mailto:[meloniebrown1@gmail.com](mailto:meloniebrown1@gmail.com)]

**Sent:** Sunday, July 26, 2020 10:56 PM

**To:** Masterson, Ikuno <[Ikuno.Masterson@co.snohomish.wa.us](mailto:Ikuno.Masterson@co.snohomish.wa.us)>

**Cc:** Don <[acrosstheboardconstruction@gmail.com](mailto:acrosstheboardconstruction@gmail.com)>; Melissa <[arnone.melissa@gmail.com](mailto:arnone.melissa@gmail.com)>; Spores, Brandi <[Brandi.Spores@co.snohomish.wa.us](mailto:Brandi.Spores@co.snohomish.wa.us)>

**Subject:** Re: Planning meeting participation

**CAUTION :** This email originated from outside of this organization. Please exercise caution with links and attachments.

Hi, Ms. Masterson,

You mentioned in a previous email that emails can be read at the upcoming Planning Commission meeting this Tuesday, July 28, 2020. In addition, now that she is back to work tomorrow, per your recommendation, I'm requesting that Brandi Spores contact me at her earliest convenience (by the end of the day on Monday, please) - to let me know how my daughter and I can attend the meeting this Tuesday evening at 5:30 pm - either in-person if absolutely necessary or preferable via your current virtual format. It is vital that we attend the hearing in some manner. The email to the Commission below describes our reason for attending the hearing - I have also attached this letter as a separate document:

**To the Snohomish County Planning Commissioners:**

**My husband, Don, and I attended your Feb. 25th, 2020 planning meeting due to our interest in discussing accessory dwelling units (ADUs). At the time we bought our property in 2006, our 5 acre parcel on Ebey Mountain was zoned RF5 and at that time it was our understanding that an ADU could be added on 5-acre substandard lots (on forestry land under 20 acres). The zoning was changed at some point after we bought our property to only allow an ADU on 10 acres or more of privately owned forestry land - we were not directly notified of this significant change nor were any of our neighbors on Ebey Mountain Rd east of Arlington who all own 5 acre parcels of land zoned RF5.**

**As we are all aware and have become sensitive to, the difficulties with finding affordable and available housing in our county has become more and more prevalent**



and pressing as our populations have grown over the years and housing affordability has risen to a crisis level. To remediate some of this urgent issue, we would like to advocate that lots in the forest on fewer than 10 acres allow one ADU with the additional stipulation that the owner remains on the lot in the other house (if this stipulation is deemed warranted by the Planning Commission). We understand that our ADU should be located on the same lot as, under the same ownership as, and subordinate to our own single family dwelling unit. Our ADU will meet the maximum separation distance between houses to prevent sprawl and to maintain our rural character here in the woods. We currently have an existing building on our property that meets this criteria. We would like exceptions to be made for landowners to allow access to permits for existing buildings to be used as ADUs, based on county codes, of course. Our ADU will be intended for use as a complete, independent living facility and it will also serve the purpose of increasing the housing supply in the county.

Our goal for presenting this request is to provide an affordable housing option for our grown daughter and her family, including our three wonderful grandkids, so that they can enjoy the life we do here in the forest, for the long term! In the future, our ADU would also be a valuable source of retirement income for my husband and me and a wonderful place for a renter to live with his or her own family.

Thank you for your time and attention to the valuable goal of reducing regulatory barriers to the siting of ADUs while maintaining protections on health, safety, and welfare for all involved.

Sincerely,

**Don & Melonie Brown**

On Tue, Jul 21, 2020 at 1:08 AM Masterson, Ikuno  
<[Ikuno.Masterson@co.snohomish.wa.us](mailto:Ikuno.Masterson@co.snohomish.wa.us)> wrote:

Yes – virtual will be the rule if at all possible. We used Zoom at the last meeting. Brandi won't be back till Monday, but she can give you details. You are certainly welcome to submit your testimony as an email to the Commissioners as well. Thanks for inquiring.

**Ikuno Masterson**, AICP/LEED AP | *Manager, Long Range Planning*

Snohomish County Planning and Development Services

3000 Rockefeller Avenue M/S 604 | Everett, WA 98201

O: 425-388-3153 | C: 425-309-5417 | [ikuno.masterson@snoco.org](mailto:ikuno.masterson@snoco.org)

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---

**From:** Melonie Brown [mailto:[meloniebrown1@gmail.com](mailto:meloniebrown1@gmail.com)]

**Sent:** Monday, July 20, 2020 5:18 PM

**To:** Masterson, Ikuno <[Ikuno.Masterson@co.snohomish.wa.us](mailto:Ikuno.Masterson@co.snohomish.wa.us)>

**Cc:** Don <[acrosstheboardconstruction@gmail.com](mailto:acrosstheboardconstruction@gmail.com)>; Melissa <[arnone.melissa@gmail.com](mailto:arnone.melissa@gmail.com)>;  
Spores, Brandi <[Brandi.Spores@co.snohomish.wa.us](mailto:Brandi.Spores@co.snohomish.wa.us)>

**Subject:** Planning meeting participation

**CAUTION :** This email originated from outside of this organization. Please exercise caution with links and attachments.

Hello! Next week, at the Tues., July 28th meeting, at 5:30 pm you have an Accessory Dwelling Units hearing planned on the agenda.

Will the public be able to physically attend the meeting or, better yet, is there a way to attend virtually? My husband and I were at the previous meeting related to this subject in May and I'd like to attend this one next week.

Thanks for letting me know the process at your earliest convenience!

Melonie & Don Brown

Accessory Dwelling Units

Index # - File Name: 2.0020\_ADU\_Public\_Comment\_Brown.pdf

(360) 421-4149

[meloniebrown1@gmail.com](mailto:meloniebrown1@gmail.com)

## Accessory Dwelling Units

Index # - File Name: 2.0021\_ADU\_Public\_Comment\_Pattison.pdf

**From:** [Spores, Brandi](#)  
**To:** "Mike Pattison "  
**Subject:** FW: Comments on Planning Commission ADU Hearing  
**Date:** Monday, July 27, 2020 9:04:00 AM  
**Attachments:** [ADU Issue Brief.pdf](#)  
[image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

---

Hi Mike,

Thank you for your public comment! I have forwarded your email to the commissioners for their review prior to the meeting tomorrow.

**Brandi Spores** | *Administrative Assistant*

[Snohomish County Planning and Development Services](#)

3000 Rockefeller Avenue M/S 604 | Everett, WA 98201

425-388-3224 | [brandi.spores@snoco.org](mailto:brandi.spores@snoco.org)

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**From:** Spores, Brandi  
**Sent:** Monday, July 27, 2020 9:03 AM  
**To:** Planning\_Commissioners  
**Cc:** Brouse, Mitchell <Mitchell.Brouse@co.snohomish.wa.us>  
**Subject:** FW: Comments on Planning Commission ADU Hearing

Commissioners,

Please see the below public comment email and the attached document. If you want a paper copy of this and any other public comments I can meet you at the county campus tomorrow morning with copies. Please let me know as soon as possible if you would like paper copies.

**Brandi Spores** | *Administrative Assistant*

[Snohomish County Planning and Development Services](#)

3000 Rockefeller Avenue M/S 604 | Everett, WA 98201

425-388-3224 | [brandi.spores@snoco.org](mailto:brandi.spores@snoco.org)

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**From:** Mike Pattison [<mailto:mpattison@MBAKS.COM>]  
**Sent:** Friday, July 24, 2020 12:41 PM  
**To:** Spores, Brandi <[Brandi.Spores@co.snohomish.wa.us](mailto:Brandi.Spores@co.snohomish.wa.us)>  
**Subject:** Comments on Planning Commission ADU Hearing

**CAUTION** : This email originated from outside of this organization. Please exercise caution with links and attachments.

Dear Commissioners,

Attached please find an issue brief from the Master Builders Association of King and Snohomish Counties on Accessory Dwelling Units, which you will be having a public hearing on at your next meeting.

Please accept this briefing as our public comment on the issue.

Thank you for your consideration!

Mike Pattison



**Mike Pattison** | Senior Snohomish County Manager

p 425.460.8203  
335 116<sup>th</sup> Ave. SE, Bellevue, WA 98004

[mbaks.com](http://mbaks.com)

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**From:** [Spores, Brandi](#)  
**To:** ["abi8@msn.com"](mailto:abi8@msn.com)  
**Cc:** [Brouse, Mitchell](#)  
**Subject:** FW: Questions and Clarifications....please!  
**Date:** Monday, July 27, 2020 9:21:00 AM  
**Attachments:** [PlanningCommissionADULetterJuly2020.docx](#)

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Heather,

Thank you for your public comment! I have forwarded your email to the commissioners for their review prior to the meeting tomorrow.

**Brandi Spores** | *Administrative Assistant*

[Snohomish County Planning and Development Services](#)

3000 Rockefeller Avenue M/S 604 | Everett, WA 98201

425-388-3224 | [brandi.spores@snoco.org](mailto:brandi.spores@snoco.org)

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**From:** Spores, Brandi  
**Sent:** Monday, July 27, 2020 9:19 AM  
**To:** Planning Commissioners  
**Cc:** Brouse, Mitchell <[Mitchell.Brouse@co.snohomish.wa.us](mailto:Mitchell.Brouse@co.snohomish.wa.us)>  
**Subject:** FW: Questions and Clarifications....please!

Commissioners,

Please see the below public comment email and the attached document. If you want a paper copy of this and any other public comments I can meet you at the county campus tomorrow morning with copies. Please let me know as soon as possible if you would like paper copies.

**Brandi Spores** | *Administrative Assistant*

[Snohomish County Planning and Development Services](#)

3000 Rockefeller Avenue M/S 604 | Everett, WA 98201

425-388-3224 | [brandi.spores@snoco.org](mailto:brandi.spores@snoco.org)

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**From:** Brouse, Mitchell  
**Sent:** Friday, July 24, 2020 8:02 AM  
**To:** Spores, Brandi <[Brandi.Spores@co.snohomish.wa.us](mailto:Brandi.Spores@co.snohomish.wa.us)>  
**Cc:** Masterson, Ikuno <[Ikuno.Masterson@co.snohomish.wa.us](mailto:Ikuno.Masterson@co.snohomish.wa.us)>  
**Subject:** Fw: Questions and Clarifications....please!

Hi Brandi,

Can you please send the attached letter to the Planning Commission in advance of the hearing on Tuesday?

Thanks!

Mitchell

---

**From:** Michael and Heather Bruce <[abi8@msn.com](mailto:abi8@msn.com)>

**Sent:** Thursday, July 23, 2020 6:06 PM

**To:** Brouse, Mitchell <[Mitchell.Brouse@co.snohomish.wa.us](mailto:Mitchell.Brouse@co.snohomish.wa.us)>

**Cc:** Mead, Jared <[Jared.Mead@co.snohomish.wa.us](mailto:Jared.Mead@co.snohomish.wa.us)>; Low, Sam <[Sam.Low@co.snohomish.wa.us](mailto:Sam.Low@co.snohomish.wa.us)>

**Subject:** Re: Questions and Clarifications....please!

**CAUTION :** This email originated from outside of this organization. Please exercise caution with links and attachments.

Hi, Mitchell...

Thank you for your kind regards. I'm about as well as an old broad can be in this environment of craziness. I DO remember the good old days.....sigh. I swear I'm moving to Mayberry regardless of the poor grammer...lol. I hope you and those you care about are doing well and staying covid free...this is so insane, it's hard to believe.

Thanks for your responses.....I do have one comment. Currently I THINK, code allows a guest house/building in the form of a mobile home. We have one, legally placed here (and taxed) and are on a 5.25 acre piece. We have considered replacing it with a newer one and making THAT the ADU. Not my first choice, but finances being what they are with the continued rise in costs (that are not consistant with income increases....read that: inflation is killing us all), I have considered doing that. (The tax assessment from last year caused my mortgage to go up \$200 a month.)

You're saying that I cannot do that. So, I am thinking that if code allows temporary or guest quarters in the form of a mobile home on properties less than 10 acres, why not allow it as an ADU? I get that most people don't want to have mobile homes around as they tend to detract from the environment especially as they get older (this one does, which is why I want to replace it). There appears to be some inconsistency in the code. Again, I am almost always in favor of loosening the reins of control on what citizens can do with their OWN property.

I have attached the letter I'd like to go to the Planning Commission members. How can I be assured that it gets to them ahead of time for their consideration?....as opposed to as the

hearing starts? or is that allowed?

Thank you again....I'll keep in touch and appreciate any news you may want to throw my way if you think it applies.

Heather Bruce  
Clearview Coot  
360 668 7415

---

**From:** Brouse, Mitchell <[Mitchell.Brouse@co.snohomish.wa.us](mailto:Mitchell.Brouse@co.snohomish.wa.us)>  
**Sent:** Thursday, July 23, 2020 11:02 AM  
**To:** Michael and Heather Bruce <[abi8@msn.com](mailto:abi8@msn.com)>  
**Subject:** Re: Questions and Clarifications....please!

Hello Heather,

I hope you are well. I have offered responses to your questions in red below. Thank you for your interest in this work and your kind words. Please let me know if you have any other questions.

Best,  
Mitchell

**Mitchell Brouse, AICP** | *Senior Planner, Long Range Planning*  
[Snohomish County Planning and Development Services](#)  
3000 Rockefeller Avenue M/S 604 | Everett, WA 98201  
425-388-5127 | [mitchell.brouse@snoco.org](mailto:mitchell.brouse@snoco.org)

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**From:** Michael and Heather Bruce <[abi8@msn.com](mailto:abi8@msn.com)>  
**Sent:** Wednesday, July 22, 2020 10:37 AM  
**To:** Brouse, Mitchell <[Mitchell.Brouse@co.snohomish.wa.us](mailto:Mitchell.Brouse@co.snohomish.wa.us)>  
**Subject:** Questions and Clarifications....please!

**CAUTION :** This email originated from outside of this organization. Please exercise caution with links and attachments.

Hello, Mitchell!

I was able to access the video of the last meeting. Sounds like most of the meeting re the ADU

issue happened at a previous meeting. Is there a video of the Feb 25th meeting?

The briefing at the meeting in February included some more background information on ADUs. There is audio of the meeting that is accessed from the same page as the video for the June meeting. Here is the link, the audio is accessed through the speaker

symbol: <https://snohomishcountywa.gov/AgendaCenter/Search/?term=&CIDs=1,&startDate=&endDate=&dateRange=&dateSelector=>

I want to be sure that I'm understanding this correctly. I printed off the 12 page June 10th memorandum and would appreciate some clarification. On page 7, section 13, letter "i" and "ii" it says:

(i) Detached accessory dwelling units are prohibited on lots that do not meet the minimum required lot area, pursuant to SCC 30.23.030.

(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.

Question on (i): If a person has an existing single family dwelling on a 3 acre lot in 5 acre rural zoning, will they be allowed to add an ADU or will they have to get special permission or will it be disallowed altogether?

If the code is amended as proposed, that person would be able to construct an attached ADU. Under the current code, an ADU is prohibited on that lot.

Question on (ii): Is that saying that if you have 5 acre piece, with a single family dwelling on it, you're not allowed to use a mobile home as an ADU? Only properties that are 10 acres and more can use mobile homes?

This portion of the code is consistent with the existing standards. Currently, a mobile home is only allowed as an ADU on properties that exceed 10 acres. The proposal would maintain that standard.

After doing a literal measurement of what 100 feet from my home looks like, I am going to strongly encourage an increase of that measurement to be up to 200 (or more) feet on RURAL properties. The reason that many of us move to rural properties is for elbow room and quietude and a true appreciation for our rural locations. As a senior wanting to build an ADU to rent out and augment my income, I would not want to be FORCED to live 100 feet or less away from a family with kids hopping around being (as they should be) kids. If I want to be farther away to preserve privacy (and sanity), I think that should be written into the code as an option. Some people may want to build closer and others may not. In my case, I cannot.

because there is a barn in the only place that could be 100 feet from my home. Inasmuch as there will be only ONE ADU allowed on a rural property, it won't make "urban sprawl" to have more space between the main home and an ADU. It's simply just farther away and more appealing to both a renter and an owner.

I encourage you to share your comments with the Planning Commission for them to consider when they make a recommendation.

Also, somewhere in some dark archives, I thought I read that a new ADU will not be taxed for a certain amount of time. Is this true and can you clarify what that amount of time is? Will it be taxed at the same rate as the primary residence? I just got an assessment that bumped the value of my OLD 1975 bio-degrading mobile home from \$1800 to \$4000, which is, of course, ridiculous, but that would increase my taxes regardless. It is considered taxable personal property.

I cannot advise you on how construction of an ADU would affect your taxes or on how your current taxes are determined. If you have questions about this, I recommend contacting the Assessor's Office. Here is the link to their webpage: <https://snohomishcountywa.gov/5167/Assessor>

Will all the permitting fees and other requirements be the same as if one were building a full size residence? Or is this a by the square foot situation? or ?

I am reaching out to some of our permitting folks to get an answer to this, but generally permit fees are based on the value of the construction.

Thank you, yet again, for your time and effort on drafting up an understandable proposal that takes us a lot of steps closer to tax payers being able to utilize their land in the most cost effective and time saving way.

Heather Bruce

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**From:** Brouse, Mitchell <[Mitchell.Brouse@co.snohomish.wa.us](mailto:Mitchell.Brouse@co.snohomish.wa.us)>

**Sent:** Tuesday, July 21, 2020 8:09 AM

**To:** Michael and Heather Bruce <[abi8@msn.com](mailto:abi8@msn.com)>

**Subject:** Re: Found it, I think!

Hi Heather,

I'm sorry to hear about your hard drive crash, hope you didn't lose anything.



You are correct, that is the most recently updated version of the proposed code amendments.

Best,  
Mitchell

**Mitchell Brouse, AICP** | *Senior Planner, Long Range Planning*

[Snohomish County Planning and Development Services](#)

3000 Rockefeller Avenue M/S 604 | Everett, WA 98201

425-388-5127 | [mitchell.brouse@snoco.org](mailto:mitchell.brouse@snoco.org)

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**From:** Michael and Heather Bruce <[abi8@msn.com](mailto:abi8@msn.com)>

**Sent:** Monday, July 20, 2020 11:19 PM

**To:** Brouse, Mitchell <[Mitchell.Brouse@co.snohomish.wa.us](mailto:Mitchell.Brouse@co.snohomish.wa.us)>

**Subject:** Found it, I think!

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Hello, Mitchell,

I dug through old files (before hard drive crash) and found this. Is this the most recently update of the proposal that the Planning Commission is making recommendations on, on July 28th?

[https://www.snohomishcountywa.gov/DocumentCenter/View/74162/Planning-Commission-Briefing-Staff-Report\\_ADU2\\_61020](https://www.snohomishcountywa.gov/DocumentCenter/View/74162/Planning-Commission-Briefing-Staff-Report_ADU2_61020)

Thank you for your time!

Heather Bruce

**From:** [Antonio Norsworthy](#)  
**To:** [Spores, Brandi](#)  
**Cc:** [Brouse, Mitchell](#); [Mock, Barb](#)  
**Subject:** Re: Planning Commission Hearing on Accessory Dwelling Units  
**Date:** Tuesday, March 03, 2020 2:32:39 PM  
**Attachments:** [image002.png](#)

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Excellent. Thank you so much for the quick follow up!

Antonio N

On Tue, Mar 3, 2020 at 2:17 PM Spores, Brandi <[Brandi.Spores@co.snohomish.wa.us](mailto:Brandi.Spores@co.snohomish.wa.us)> wrote:

Good Afternoon Antonio,

Thank you for your inquiry. We will be meeting on March 17<sup>th</sup> at 5:30 pm for the hearing on Accessory Dwelling Units. When you arrive at the meeting there will be a sign-in sheet for those who would like to speak. Please note that there will be a sign in sheet for each of the hearings. Make sure you sign in on the Accessory Dwelling Units sheet, your name will be called during public testimony time. You will be given 3 minutes to speak. You can also send a letter to the commissioners prior to the public hearing. The letter will be forwarded to the commissioners immediately, they will have the opportunity to read and digest your comments prior to the hearing. You can still speak at the meeting and reference your letter, if you opt to send one.

Please let me know if you have any further questions.

**Brandi Spores** | *Administrative Assistant*

[Snohomish County Planning and Development Services](#)

3000 Rockefeller Avenue M/S 604 | Everett, WA 98201

425-388-3224 | [brandi.spores@snoco.org](mailto:brandi.spores@snoco.org)

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**From:** Antonio Norsworthy [mailto:[anorsworthy@alaska.edu](mailto:anorsworthy@alaska.edu)]  
**Sent:** Tuesday, March 03, 2020 1:56 PM  
**To:** Spores, Brandi <[Brandi.Spores@co.snohomish.wa.us](mailto:Brandi.Spores@co.snohomish.wa.us)>; Mock, Barb <[Barbara.Mock@co.snohomish.wa.us](mailto:Barbara.Mock@co.snohomish.wa.us)>  
**Subject:** Planning Commission Hearing on Accessory Dwelling Units

**CAUTION :** This email originated from outside of this organization. Please exercise caution with links and attachments.

Hello,

I was unfortunately unable to attend the 2/25 SnoCo Planning Commission hearing on Accessory Dwelling Units, however based on the published recording I understand the commission will be holding a public hearing for this topic on 3/11. The current agenda published online still shows "March ??" as the next special meeting -- can you please confirm the date and time?

<b>March ??, 2020</b> (Special Meeting)	<ul style="list-style-type: none"><li>• Digital Flood Insurance Rate Maps (DFIRMS): Hearing</li><li>• Accessory Dwelling Units: Hearing</li><li>• Long Range Planning 2020 Work Program: Informational Briefing</li></ul>
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Also I would like to attend the hearing and contribute my testimony--is there any registration required? Or any additional rules or requirements I should be aware of?

Thank you

Antonio N