



CO00003204

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

AMENDED ORDINANCE NO. 03-075

RELATING TO STANDARDS FOR LOT SIZE AVERAGING
IN SUBDIVISIONS AND SHORT SUBDIVISIONS;
AMENDING SCC 30.23.210

WHEREAS, the Growth Management Act, Chapter 36.70A RCW (hereinafter referred to as the GMA) requires Snohomish County to designate urban growth areas (UGA) within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature (RCW 36.70A.110(1));

WHEREAS, the GMA (RCW 36.70A.110(2)) requires that Snohomish County accommodate a certain level of population growth pursuant to population forecasts issued periodically by the Washington State Office of Financial Management;

WHEREAS, pursuant to the GMA, Snohomish County has designated urban growth areas that are intended to accommodate the majority of the forecasted population growth allocated to unincorporated Snohomish County;

WHEREAS, Snohomish County desires to allow urban growth to occur in the unincorporated UGAs at densities that are consistent with its obligations under the GMA to accommodate forecasted population growth and encourage infill development in the UGAs at urban densities; and

WHEREAS, the use of lot size averaging in subdivisions and short subdivisions is one zoning tool that can be used to provide infill development at urban densities;

NOW, THEREFORE, BE IT ORDAINED:

Section 1. The Snohomish County Council makes the following findings of fact and conclusions:

- A. A substantial portion of the new housing units created in Snohomish County's UGAs are developed through the subdivision and short subdivision processes.
- B. In order to meet Snohomish County's obligations to accommodate forecasted population growth in the UGAs in a manner that is consistent with the GMA and Snohomish County's Comprehensive Plan, it is necessary to provide an incentive to developers to develop new lots at higher densities in the UGAs than were traditionally developed in "suburban" style housing developments.

- C. Snohomish County desires, in compliance with its adopted Comprehensive Plan, to accommodate and encourage a range of housing styles and prices within the UGAs.
- D. The price of raw land has risen significantly in the UGAs in the last ten years. Allowing a broader range of lot sizes in the UGAs will allow the development of new homes on smaller lots, which will increase the supply of more affordable housing in the UGAs.
- E. Lot size averaging is one important method for encouraging a range of lot sizes and prices in new subdivisions and short subdivisions.
- F. By increasing the range of lot sizes permitted through lot size averaging and reducing setbacks on smaller lots, Snohomish County will encourage the development of more affordable housing in the UGAs.

Section 2. Snohomish County Code Section 30.23.210, last amended by Ordinance 02-064, on December 9, 2002, is amended to read:

30.23.210 Lot size averaging.

(1) A subdivision or short subdivision will meet the minimum lot area of the zone in which it is located if the area in lots plus critical areas and their buffers and areas designated as ((dedicated for permanent and generally usable common)) open space or recreational uses, if any, divided by the total number of lots equals or exceeds the minimum lot area of the zone in which the property is located. In no case shall the density achieved be greater than the gross site area divided by the underlying zoning.

(2) This section shall only apply within zones having a minimum lot area requirement of 12,500 square feet or less.

(3) Each single lot shall be at least ((6,000))3,000 square feet in area.

(4) ((Not more than a 25 percent increase over required minimum lot area for any single lot shall be credited in computing average lot area)) Lots in subdivisions and short subdivisions created under the provisions of this section shall have a maximum lot coverage of 55%;

(5) Lots with less than the prescribed minimum lot area for the zone in which they are located shall have a minimum lot width of at least ((60))40 feet, and right-of-way setbacks of 15 feet, except that garages must be setback 18 feet from the right-of-way (with the exception of alleys) and corner lots may reduce one right-of-way setback to no less than 10 feet;

(6) Preliminary subdivisions approved utilizing lot averaging shall not be recorded by divisions unless such divisions individually or together as cumulative, contiguous parcels, satisfy the requirements of this section.

(7) Roadways and surface detention/retention facilities shall not count toward the calculations for lot size averaging.

Section 3. Severability and savings. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by the Growth Management Hearings Board (Board) or by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided, however, that if any section, sentence, clause or phrase is held to be invalid or unconstitutional by the Board or by a court of competent jurisdiction, then the section, sentence, clause or phrase in effect prior to the effective date of this ordinance shall be in full force and effect for that individual section, sentence, clause or phrase as if this ordinance had never been adopted.

PASSED this 24th day of September, 2003.

ATTEST:

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Sheila McCausser
Clerk of the Council, asst.

Yang D. Nelson
Chairperson

- APPROVED
 EMERGENCY
 VETOED

DATE:

9/26/03

ATTEST:

Patricia S. Sanders

[Signature]
County Executive

Approved as to form only:

Deputy Prosecuting Attorney

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