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SNOHOMISH COUNTY COUNCIL  
SNOHOMISH COUNTY, WASHINGTON

AMENDED ORDINANCE NO. 04-003  
RELATING TO STANDARDS FOR  
PLANNED RESIDENTIAL DEVELOPMENTS;  
AMENDING SCC CHAPTERS 30.23, 30.25 AND 30.42B

WHEREAS, significant revisions to the Planned Residential Development (PRD) provisions were approved on May 2, 2001, by Ordinance 01-005; and

WHEREAS, a significant lack of use of the PRD provisions has resulted since the adoption of Ordinance 01-005; and

WHEREAS, the Snohomish County Economic Stimulation Plan Task Force has directed that PRD provisions be revised in a manner that will promote usage of the PRD concept; and

WHEREAS, the proposed amendments will provide additional incentive for use of the PRD provisions by increasing project design flexibility and unit yield; and

WHEREAS, the proposed amendments will provide additional incentive for use of alleys within project design for subdivisions and PRDs.

THEREFORE, BE IT ORDAINED:

**Section 1.** The Snohomish county council adopts the following findings and conclusions:

- A. The current PRD provisions were adopted pursuant to Ordinance 01-005 on May 2, 2001.
- B. One objective in updating the PRD provisions enacted by Ordinance 01-005 was to establish and maintain a set of usable regulations.
- C. The number of applications received by PDS for PRD projects after the enactment of Ordinance 01-005 are significantly less than those submitted under prior versions of the PRD regulations, denoting very little use of the current PRD provisions.
- D. The lack of use of the PRD provisions has effectively eliminated a very desirable residential development option from those available in the county.

- E. Use of the PRD development option allows a higher density residential development than permitted under other development options in exchange for significant project amenities such as open space, landscaping, and enhanced design features.
- F. The proposed amendments will increase subdivision and PRD design flexibility by reducing building setbacks from alleys and permitting both public and private alleys.
- G. The proposed amendments will increase PRD residential unit yield and project design flexibility, and are recommended in response to Snohomish County Economic Stimulus Plan Task force directives that seek to provide more incentive for the use of the PRD provisions.
- H. A determination of nonsignificance was issued for the proposed action on October 2, 2002, pursuant to the provisions of the State Environmental Policy Act (WAC 97-11) and chapter 30.61 SCC, and satisfies the requirements of SEPA.
- I. The proposed amendments are in the best interest of the county and will promote the general public health, safety and welfare.

**Section 2.** Snohomish County Code Section 30.23.125, last amended by Ordinance 02-064, on December 9, 2002, is amended to read:

30.23.125 Setback exceptions from alleys.

~~((The required setbacks))~~ A building setback shall not be required from an alley ((shall be 25 feet from the centerline of the alley and at least five feet from the right-of-way line)). Vehicular parking shall not be permitted in an alley.

**Section 3.** Snohomish County Code Section 30.25.010, last amended by Ordinance 02-064, on December 9, 2002, is amended to read:

30.25.010 Purpose and applicability.

(1) The intent of this chapter is to require landscaping to enhance compatibility between uses and zones and to build continuity within neighborhoods while reducing the impacts of new development, minimizing the impact of parking areas and detention facilities, and implementing the policies of the comprehensive plan.

(2) This chapter shall apply to all new multiple family and nonresidential development, and to projects in the multiple residential and commercial zones containing more than one single family or duplex structure, and to all stormwater detention facilities, except as provided in SCC 30.25.010(4).

(3) This chapter shall not apply to an application for an individual single family or duplex residence.

(4) This chapter shall not apply to applications for planned residential developments under chapter 30.42B SCC, except that the parking lot landscaping requirements of SCC 30.25.020, and the landscape modification provisions of SCC 30.25.040 shall apply to PRD projects.

**Section 4.** Snohomish County Code Section 30.25.040, last amended by Ordinance 02-064, on December 9, 2002, is amended to read:

**30.25.040 Landscaping modifications.**

(1) An applicant may request modification of landscaping requirements as part of project review.

(2) The decision maker (either the department or the hearing examiner) may approve a request for modification when:

(a) The proposed landscaping represents an equal or better result than would be achieved by strictly following the requirements of the code; or

(b) The proposed landscaping fulfills its intended purpose as described in this chapter, or when applicable, chapter 30.42B SCC.

(3) The decision on a request for general modification may be appealed as follows:

(a) As part of the project if the project is subject to administrative appeal; or

(b) As a Type I decision pursuant to chapter 30.71 SCC if the project is not subject to administrative appeal.

(4) Notice of the request and of the department decision or recommendation on a landscaping modification shall be provided:

(a) Pursuant to SCC 30.70.050 and 30.72.030 if the project is a Type 2 application; or

(b) Pursuant to SCC 30.70.050 and 30.71.040, if the project is a Type 1 application or is a project not subject to administrative appeal.

(5) In considering requests for modification of perimeter landscaping requirements, the following strategies shall be favored:

(a) Preservation of existing vegetation, particularly healthy trees standing 50 feet or more in height or other groupings of natural vegetation in consolidated locations;

(b) Better accommodation of existing physical conditions on site, including incorporation of elements to provide for wind protection or improve solar access;

(c) Incorporation of elements to protect or improve upon water quality;

(d) Increased landscaping width adjacent to residential uses or zones or in other strategic locations; and

(e) Provision of a unique focal point of interest or better useable open space.

(6) A modification is not required to provide more than the minimum width, density, or quality of landscaping.

**Section 5.** Snohomish County Code Section 30.42B.040, last amended by Ordinance 02-064, on December 9, 2002, is amended to read:

30.42B.040 Unit yield and bonus.

(1) For all PRDs, except retirement apartment and retirement housing PRDs, the maximum number of dwelling units permissible shall be 120 percent of the maximum number of units permitted by the underlying zone as determined in SCC 30.42B.040(2), unless adjusted per the provisions of SCC 30.42B.040(3).

(2) The maximum number of dwelling units permitted in a PRD shall be computed as follows:

(a) Determine the net development area on the project site. Net development area is the gross site area (in square feet) less critical areas and their buffers, lakes, and ponds.

(b) Divide the net development area by the minimum lot area permitted by the underlying zone, or where LDMR and MR standards apply, by 4,000 square feet and 2,000 square feet respectively. For retirement apartment PRDs and retirement housing PRDs in the LDMR zone divide by 4,000 square feet and in the MR zone and commercial zones divide by 2,000 square feet.

(c) Divide the area comprised of critical areas and their buffers by the minimum lot area of the underlying zone used for the calculation in SCC 30.42B.040(2)(b).

(d) Add the numerical unit yield results of subsections SCC 30.42B.040(2)(b) and (2)(c) and ((M)) multiply the resulting number of units by 2.2 for retirement housing PRDs, 1.54 for retirement apartment PRDs, and 1.2 for all other PRDs.

(3) In the R-7,200, R-8,400, and R-9,600 zones, the maximum number of dwelling units allowed pursuant to SCC 30.42B.040(2) shall be reduced so that the maximum net density (number of dwelling units per acre in the net development area) does not exceed ~~((seven))~~ nine dwelling units per net acre. Except that, a maximum net density of 12 dwelling units per net acre is allowed when the PRD is accepted in the reduced drainage discharge housing demonstration program of chapter 30.34B SCC.

~~—(4)—~~ Whenever the calculated number of dwelling units results in a fractional equivalent of 0.5 or more, the fraction shall be rounded up to the next whole number, fractions of less than 0.5 shall be rounded down.

**Section 6.** Snohomish County Code Section 30.42B.100, last amended by Ordinance 02-064, on December 9, 2002, is amended to read:

30.42B.100 Design Criteria – General.

(1) The design criteria contained in SCC 30.42B.100 through 30.42B.150 are applicable to all PRDs.

(2) Unless specifically modified by this chapter, all requirements of the underlying zone shall apply within the PRD.

(3) PRDs located in the R-7,200, R-8,400, and R-9,600 zones and that are not accompanied by a concurrent subdivision or short subdivision approval, wherein each dwelling unit is to be placed on a single lot, shall be subject to a declaration of condominium pursuant to chapters 64.32 and/or 64.34 RCW. The applicant shall commit to use of the condominium provisions at the time of PRD application.

(4) All housing types listed in the bulk requirements table of SCC 30.42B.145(2) shall be allowed in any PRD in the zones specified in SCC 30.42B.020, except as follows:

(a) Single family dwellings shall not be permitted in the Multiple Residential (MR) zone;

(b) Multifamily dwellings shall not be permitted in the R-7,200, R-8,400 and R-9,600 zones, except that, a multiple family structure containing three or four dwellings units shall be permitted when the PRD is accepted in the reduced drainage discharge housing demonstration program of chapter 30.34B SCC, and approved consistent with the provisions of the program; and

(c) Single family dwellings, duplexes, ~~((and))~~ townhouses, and multiple family structures containing three or four dwellings units shall not be permitted in the R-7,200, R-8,400, or R-9,600 zones without concurrent subdivision or short subdivision approval, or condominium approval for ~~((each))~~ all dwelling units.

(5) Townhouse development in a PRD shall not be subject to the requirements of SCC 30.22.100 and 30.22.120, or the standards specified in chapter 30.31E SCC.

**Section 7.** Snohomish County Code Section 30.42B.115, last amended by Ordinance 02-064, on December 9, 2002, is amended to read:

30.42B.115 Design criteria – open space.

(1) Total open space shall be provided in every PRD consistent with the following standards:

(a) Within a PRD, a minimum of ~~((25))~~ 20 percent of the gross site area shall be established as total open space;

(b) Total open space shall be used for:

(i) usable open space;

(ii) critical areas and their required buffers;

(iii) site perimeter landscaping and other required landscaped areas outside of right-of-ways;

(iv) landscaped, unfenced stormwater detention/retention ponds; and

(v) all other open space areas owned in common by all residents or owners in the PRD, but not including items listed in SCC 30.42B.115(1)(c);

(c) total open space shall not include any of the following:

(i) lots, dwellings, and associated private yards, outdoor storage areas, and building setback areas;

(ii) public or private street right-of-way including sidewalks and planter strips;

(iii) parking lots, driveways and other areas of motorized vehicle access;

(iv) stormwater detention or retention ponds which are fenced; or

(v) submerged lands when not defined as critical areas pursuant to chapter 30.62 SCC.

(d) Where possible, open space tracts shall be located adjacent to permanently designated open space areas on adjacent properties;

(e) Total open space shall be permanently established in clearly designated, separate tracts. Tracts shall be owned by:

(i) the landowner, when no individual building lots are created and the property is held under single ownership;

(ii) all lot owners and condominium owners jointly, with an equal and undivided interest; or

(iii) a homeowners association, when consistent with SCC 30.42B.210(6);

(f) Total open space shall be protected in perpetuity by a recorded covenant, in a form approved by the director. The recorded covenant must restrict uses of the total open space to those specified in the approved PRD site plan and must provide for the maintenance of the total open space in a manner which assures its continuing use for the intended purpose; and

(g) The applicant shall propose a method for separating private use areas from adjacent open space tracts within the PRD that is acceptable to the department. The type of permanent marking of the open space tracts proposed shall provide a clear and distinctive separation of properties at the open space boundary.

(2) Usable open space shall be provided as a component of total open space and shall be consistent with the following standards:

(a) Usable open space shall be developed for active and/or passive recreation purposes that serve the needs of the PRD residents. Usable open space shall consist of buildable land areas that do not contain:

(i) critical areas and their buffers; and

(ii) utility easements that exist on the project site at the time of application submittal;

(b) The following are examples of active and passive recreation activities that may be allowed in usable open space:

(i) open play areas;

(ii) pedestrian or bicycle paths;

(iii) picnic areas with tables and benches;

(iv) gazebos, benches and other resident gathering areas;

(v) community gardens;

(vi) any active recreation use listed in subsection 3 below;

(vii) nature interpretive areas;

(viii) flower gardens when in conjunction with pedestrian paths, and

(ix) unfenced detention ponds consistent with the provisions of SCC

30.42B.125(2)(b)(ii);

(c) The total site requirement for usable open space shall be no less than

600 square feet per dwelling unit:

- ~~(( (i) 700 square feet per dwelling unit for sites 10 acres or less, and  
(ii) 600 square feet per dwelling unit for sites greater than 10 acres,))~~

except that usable open space for retirement apartments and retirement housing on sites of any size shall be 200 square feet per dwelling unit;

(d) ~~((For sites 10 acres or less, at least 66 percent and for sites greater than 10 acres, at least 50))~~ 40 percent of the required usable open space shall be located in a single open space tract or permanent easement. ~~((and located in a central internal location. The centrally located tract shall provide a minimum of 25 percent of the tract's perimeter adjacent to internal streets for access and visibility)).~~ Alternatively, the applicant shall be permitted to satisfy this ~~((The director may waive the single tract))~~ requirement when no more than three open space tracts are created that provide a comparable open space use to that otherwise required. Power line, utility rights-of-way and other similar easement may be incorporated into useable open space and counted towards the open space requirements of this section, provided they are developed with active recreational improvements. ~~((The director may also waive the central location requirement if an alternative location provides reasonable access for all project residents.))~~ Remaining usable open space shall be adequate in design and size for the intended passive and/or active recreation. No usable open space shall have any dimension less than 20 feet (except for segments containing trails, which shall not be less than ~~((42))~~ 10 feet in width), unless the applicant can demonstrate and the director of the department can concur, that a lesser dimension will not inhibit the use of the open space for its designated purpose;

(e) Usable open space shall be accessed by all-weather pedestrian pathways and/or sidewalks from all lots and dwellings within the PRD;

(f) Usable open space designed for children shall not be located adjacent to any street designated as a collector/arterial unless properly designed with fencing, located away from street edges and other provisions to ensure adequate child safety. Usable open space designed for children shall be open, accessible, and visible from adjacent dwellings in order to enhance security;

(g) Usable open space shall have the appropriate location, slope, soils, and drainage to be considered for recreational development;

(h) Usable open space shall not contain above ground utility transmission lines and associated easement or right of way;

(i) Usable open space shall be landscaped pursuant to the provisions of SCC 30.42B.125(1), and in accordance with the required landscape plan in a manner that enhances the design of the open space while not conflicting with the function of the proposed recreation use; and

(j) Any buildings, structures, and improvements to be permitted in the usable open space shall be those appropriate to the proposed uses.

(3) Active recreation uses shall be provided as follows:

(a) A minimum of 30 percent of all usable open space within PRDs with 10 or more lots or dwelling units shall be developed for active recreation uses. The type(s) of active recreation uses provided shall, to the extent possible, correspond to anticipated needs of the potential residents of the PRD;

- (b) Active recreation uses shall consist of one or more of the following:
- (i) sport court;
  - (ii) tot lot with play equipment (soft surface);
  - (iii) open play area or sports field (grass or other pervious surface);
  - (iv) indoor recreation center for youth, adult and/or seniors containing exercise and game rooms, sport courts and other community activities;
  - (v) swimming pool;
  - (vi) similar uses; and
  - (vii) any other active recreation use approved by the director;

(c) The active recreation requirement may be reduced by up to 30 percent, subject to approval by the director, for projects of 20 or fewer dwelling units, if pedestrian access is constructed to an adjacent off-site public recreation area that contains an active recreation use that meets the needs of residents within the PRD and is approved by the off-site recreation provider;

(d) The active recreation facility shall be located on a reasonably level site with slopes no greater than six percent unless the applicant can demonstrate that the recreation facility can function adequately on greater slopes; and

(e) Tot lot areas shall meet all safety recommendations and construction specifications of the manufacturer of the equipment used.

**Section 8.** Snohomish County Code Section 30.42B.125, last amended by Ordinance 02-064, on December 9, 2002, is amended to read:

30.42B.125 Design criteria – landscaping.

All PRD proposals shall provide the following site landscaping in addition to landscaping required in chapter 30.25 SCC:

(1) Usable open space shall be landscaped in a manner appropriate for the proposed recreation uses;

(2) Drainage detention facilities shall meet the following landscaping criteria:

(a) Where fencing of a detention facility is required, Type A landscaping (densely planted sight-obscuring screen) at least six feet in height, or living fence at least three feet in height which will grow to at least eight feet in height within three years shall be installed in an area with a minimum width of six feet along the outside edge of the fence. Where fenced facilities abut public rights-of-way, setbacks and height restrictions per SCC 30.23.100(3) shall apply. The director shall provide a listing of acceptable plant species to be used for a "living fence";

(b) Where fencing is not required and the detention pond is not completely screened as described in (a) above, surface detention facilities shall be landscaped in one or more of the methods provided in (i) through (iii) of this subsection. When landscaping is provided pursuant to this subsection, the detention ponds shall count toward the total open space requirements of SCC 30.42B.115(1);

(i) if the detention facilities are located adjacent to or near a natural, year-round stream or wetland, these systems shall be landscaped to replicate natural or near-natural conditions.



(ii) if the open detention pond is sized and designed to be dry on the average of at least six months a year, it may be planted in grass or paved to provide useable open space. No more than 50 percent of the area of such a pond may be counted toward the usable open space requirements of SCC 30.42B.115 if the pond is an open detention pond. Such ponds may be used to satisfy up to 30 percent of the required usable open space. In such cases, finished contours and access must allow the intended use and function.

(iii) the detention pond may feature terraces or steps to provide a safe pond edge and accommodate changes in water levels. In this case, landscaping must complement the terraced edge condition.

(iv) ponds may incorporate two or more of the methods from (i), (ii), and (iii) above. Trails or walkways may be incorporated into the landscaping. Project applicants may submit other methods for the department's consideration; and

(c) All detention areas shall be landscaped in a manner which is both aesthetic and able to successfully endure the expected inundation. All proposed landscaping screens around detention ponds are subject to department approval; and

(3) Site perimeter landscaping shall be established as a tract or easement ~~((follows))~~ along any property boundary of a PRD where adjacent property is currently used for single family residential purposes, or is zoned or designated for single family residential use:

~~(( (a) Except for any portion developed as usable open space pursuant to SCC 30.42B.115, the perimeter landscaping shall consist of a vegetative screen located along the perimeter of the PRD site with a minimum planting bed width of no less than 20 feet ((when adjacent property is developed as a PRD, or a width no less than 30 feet when adjacent property is not developed as a PRD));~~

~~\_\_\_\_\_ (b) The landscape area shall consist of overlapping clusters or solid rows of plant materials and comply with the following:~~

~~\_\_\_\_\_ (i) plant materials shall consist of evergreen shrubs that will attain a minimum mature height of six feet, individually spaced no greater than five feet on center, and spaced no more than seven feet on center between clusters; or evergreen trees spaced no greater than eight feet on center and no more than 10 feet on center between clusters. Such trees shall have a minimum caliper of one and one-half inches and a minimum height of eight feet at time of planting;~~

~~\_\_\_\_\_ (ii) evergreen and deciduous trees shall be interspersed throughout the landscape area at a rate of one per 25 lineal feet of lot line in groupings or rows. Trees shall have a minimum caliper of one and one-half inches and a minimum height of eight feet at time of planting. Trees shall have a minimum mature height of 20 feet, and be of sufficient size to reach maturity in 10 years. The director shall provide a list of acceptable tree species to be used in the landscape area;~~

~~\_\_\_\_\_ (iii) in PRDs where parking for multifamily structures is located adjacent to the perimeter landscape area, a solid fence shall be installed along the perimeter property boundary, or a landscaped earthen berm at least four feet high with side slopes not exceeding a slope of two horizontal feet to one vertical~~

foot (2:1) shall be incorporated into the perimeter landscape area;

~~(iv) all planting materials required by this subsection shall be included in the PRD landscape plan and shall be installed prior to occupancy of any dwelling unit in the project; and~~

~~(v) the perimeter landscape area shall be described and recorded as a separate open space tract, and may be developed for usable open space when the provisions of SCC 30.42B.115 are met;~~

~~(c) Critical areas and their buffers or other permanent native growth protection areas may be used to satisfy the vegetative screen or landscape berm requirements of this section when such areas are no less than 20 feet in width and where vegetation contained in these areas can be demonstrated to provide a permanent vegetative screen. These areas shall be located along the PRD perimeter boundary, but may be located either on the project site, on adjacent property or on both the project site and adjacent property. Where the substituted area is less than the total required width, a supplemental planting area shall be installed on the PRD site to satisfy the landscaping requirement; and~~

~~(d) No buildings or impervious surfaces, with the exception of pedestrian walks connecting the site to adjacent property, shall be located between the interior edge of the screen and the lot line; and))~~

a. Except for any portion developed as usable open space pursuant to SCC 30.42B.115 or as permanently protected as Native Growth Protection Area (NGPA) or equivalent, the perimeter landscaping shall consist of a vegetative screen located along the perimeter of the PRD site with a minimum planting bed width of no less than 15 feet when adjacent property is not developed as a PRD, except as follows:

- i. Where proposed perimeter lots have rear yards abutting road frontage, a 10 foot type B landscape buffer shall be provided, except in areas for required driveways, project roads, storm drainage facility maintenance roads, pedestrian trail connections, or where encumbered by utility crossings or other easements subject to permanent access and maintenance (if the buffer separates the abutting road from a home within the lot, the buffer may be contained within a minimum 10 foot wide easement within the lot); or
- ii. Where the perimeter of a PRD abuts a utility easement greater than 15 feet in width, no perimeter landscaping will be required;  
or
- iii. When the front or side yards of the perimeter lots of a PRD abut a road frontage, no site perimeter landscaping will be required other than street landscaping pursuant to SCC 30.42B.125(4);  
or
- iv. When the perimeter of the PRD abuts a non-residential zone, no site perimeter landscaping will be required; or

- v. When the perimeter of the PRD abuts a property that currently contains adjacent buffer areas, including formally designated NGPAs, open space, landscaping buffers, mapped critical areas, or where adjacent abutting rear yards are 40 feet or greater in depth, no site perimeter landscaping will be required;  
or
  - vi. When the perimeter of the PRD abuts another property zoned PRD, no site perimeter landscaping will be required; or
  - vii. Where the proposed perimeter lots have a minimum area of 6000 square feet or are at least 100 feet in depth, no site perimeter landscaping will be required; or
  - viii. Where all of the rear yards along the entire length of the abutting perimeter PRD boundary are at least 1200 square feet in area and at least 30 feet in average depth, no site perimeter landscaping shall be required; or
  - ix. Where the proposed access connection to the existing street system along the perimeter of a PRD is required to meet minimum stopping and/or entering sight distance requirements, the required site perimeter landscaping may be reduced or eliminated as necessary to achieve compliance; or
  - x. In proposed mixed use PRDs no perimeter buffering, landscaping or other visual barriers will be required between the phases or divisions within that mixed use project.
  - xi. The director may waive all or part of the required perimeter buffer where an applicant can demonstrate that a six foot high solid fence will provide equal or greater perimeter screening.
- b. The landscape area shall consist of clusters or solid rows of plant materials and comply with the following:
- i. One tree for every 25 feet of lineal feet of buffer. Trees may be grouped in clusters, but at no time shall they be spaced greater than 50 feet apart. Trees must be 66% evergreen species with conifers at least 6 feet in height at the time of planting and deciduous trees at least 1 and 3/4 inch caliper at the time of planting. Shrubs shall be placed 6 feet on center and shall consist of 66% evergreen species with a minimum spread of 21 inches at planting. Ground cover can consist of lawn, but for groundcover that consists of plantings, the plantings shall be placed no more than 24 inches on center for 4 inch pots and 30 inches on center for 1 gallon pots. The director shall provide a list of unacceptable tree species;
  - ii. In PRDs where parking for multiple family structures is located adjacent to the perimeter landscape area, a solid fence at sufficient height to block headlight glare on adjoining property shall be installed along the perimeter property boundary, or a landscaped

earthen berm at least for feet high with side slopes not exceeding a slope of two horizontal feet to one vertical foot (2:1) shall be incorporated into the perimeter landscaping, except as provided for in section (a) above;

- iii. All planting materials required by this subsection shall be included in the PRD landscape plan and shall be installed prior to occupancy of any dwelling unit in the project located within 100 feet of said perimeter landscaping area; or
- iv. The applicant shall be allowed to retain existing vegetation to satisfy the requirements of this section if it provides an equivalent buffer.

(4) Streetscape (ROW and easement) landscaping shall be provided as follows:

(a) All public and private roads within and abutting a PRD shall provide planter strips adjacent to the curb, unless a private road serves four or less lots;

(b) The applicant shall provide landscape treatment along both sides of all roads located within the PRD and along the frontage of the perimeter of the PRD as follows: plant or retain sufficient trees so that ~~((within the planter strip there is for every 25 feet of road frontage at least))~~ an average of one deciduous tree every 30 feet on center with a minimum of two inches DBH at the time of planting and with a canopy that starts at least six feet above finished grade and has or will have when fully mature, a minimum caliper at DBH of ((an)) eight inches ((DBH));

(c) The director may allow a lesser DBH than required in SCC 30.42B.125(4)(b) for fully mature trees when it can be demonstrated that an alternative tree species can approximate the same size canopy as an eight inch DBH tree; and

(d) The required spacing for street trees may be adjusted to allow for sight lines, utilities, traffic signs, lighting standards, driveways and other street appurtenances.

~~(d)~~ (e) The director shall provide a listing of acceptable tree species to be used in the planter strips; and

(5) Installation and maintenance of landscape improvements shall be subject to the following:

(a) All development within an approved PRD shall conform to the approved landscape plan, and associated conditions;

(b) To assure compliance with the provisions of this section, a bond or other guarantee of performance shall be required by the hearing examiner and approved by the director;

(c) The applicant shall provide a maintenance bond for required landscape improvements, in an amount and form satisfactory to the director, prior to occupancy of any unit in the PRD project; and

(d) To ensure permanent, ongoing maintenance of all landscape areas required by this section, landscape maintenance covenants shall be prepared by the applicant and submitted together with documents otherwise required for maintenance of site improvements pursuant to SCC 30.42B.250;

(6) To promote stabilization and continued healthy growth of the landscape areas required by this section, the project qualified landscape designer shall determine the need for irrigation. Upon determining the need for irrigation, an irrigation plan shall be submitted for project application with the required landscape plan;

(7) Off-street parking area landscaping shall be provided per SCC 30.25.022;

(8) Outdoor storage areas consisting of bulk storage, service areas and parking areas for storage of recreation and similar-type vehicles shall be screened from abutting public or private rights-of-way, adjacent structures, and/or abutting property owners by a minimum 10-foot wide, Type A landscaping consisting of evergreen trees and shrubs; and

(9) All landscape plantings shall consist of native species or, if not available or feasible, other species well adapted to the Pacific Northwest. Other species may be used when necessary to meet site-specific, micro-climatic conditions. Drought tolerant species are encouraged. The director shall prepare a list of acceptable species and provide additional guidance for the use of specific species.

(10) The landscape provisions of this section may be modified using the provisions of SCC 30.25.040.

**Section 9.** Snohomish County Code Section 30.42B.145, last amended by Ordinance 02-064, on December 9, 2002, is amended to read:

30.42B.145 Design criteria - bulk requirements.

(1) Underlying Zone requirements. Unless specifically modified by this chapter, all requirements of the underlying residential zone shall apply within the PRD;

(2) Table 1 establishes the bulk requirements for each housing type permitted in a PRD. The bulk requirements specified for each PRD housing type shall be applied to all PRDs, regardless of whether a concurrent subdivision or short subdivision is approved for the PRD site.

**TABLE 1  
PRD BULK STANDARDS**

Development Type	Minimum Site Size	Minimum Lot Width	Minimum Lot Area	Minimum Building Setbacks <sup>(1)(2)(4)</sup> (6)	Maximum Lot Coverage <sup>(5)</sup>
Single Family Dwellings and Duplexes (Detached Condos)	<del>((5 acres))</del> <u>None</u>	None	None	<del>((5' front))</del> <del>((15' rear))</del>  <u>20' total front/rear yard with 5' minimum one side</u>  5' one side with 10' total side	55%
Single Family Dwellings Zero Lot Line	<del>((5 acres))</del> <u>None</u>	None	None	<del>((5' front))</del> <del>((15' rear))</del>  <u>20' total front/rear yard with 5' minimum one side</u>  0' one side with 10' total side	55%
Townhouse Dwellings	<del>((5 acres))</del> <u>None</u>	None	None	10' front 15' rear 5' one side with 10' total side	55%
Multiple-Family Dwelling	<del>((5 acres))</del> <u>None</u>	60'	None	25' front 25' rear 5' one side w/ 10' total side <sup>(3)</sup>	40%
Retirement Housing	<del>((5 acres))</del> <u>None</u>	60'	20,000 sq ft	25' front 25' rear 15' side <sup>(3)</sup>	40%
Retirement Apartments	<del>((5 acres))</del> <u>None</u>	60'	20,000 sq ft	25' front 25' rear 15' side <sup>(3)</sup>	40%

Footnotes to Table 1

(1) See 30.42B.150 for special setback requirements.

(2) The minimum length of driveway for front yard entry garages or carports between the face of the garage door and the right-of-way or easement, with the exception of alleys, shall be at least 18 feet.

(3) Multiple family, retirement apartments and retirement housing building heights greater than 25 feet shall have a side setback of 20 feet from adjacent properties.

(4) The specified front yard setback shall also be applied as the required setback from a public or private road for any building in a PRD where no individual lots are established by a concurrent subdivision or short subdivision.

(5) The specified maximum lot coverage for PRDs where no subdivision or short subdivision is proposed shall be met for the cumulative building footprint area for all structures in the buildable area of the PRD site. The buildable area of the site shall not include tracts, and public and private roadways.

(6) A building setback shall not be required from an alley or shared driveway. Setbacks for auto courts shall be 0 feet on side for zero lot line development, 8 feet between units, 8 feet for a public R-O-W and 1.5 feet from an auto court easement. Vehicular parking shall not be permitted in an alley.

(3) A minimum building separation of ten feet shall be maintained for single family detached dwellings, duplexes and townhouse structures in the R-7200, R-8400, and R-9600 zones when no subdivision or short subdivision is concurrently approved that would place each structure on an individual lot.

**Section 10.** Snohomish County Code Section 30.42B.130, last amended by Ordinance 02-064, on December 9, 2002, is amended to read as follows:

~~(1) Individual significant trees, and clusters/stands of significant trees located within any open space area required by this chapter shall be retained in accordance with the provisions of this section. Such areas include all designated native growth protection areas, critical areas and their buffers, and open space, except where active recreation is proposed.~~

~~(2) The project proponent shall identify all significant trees on the project site located outside critical areas and their required buffers, and specify such tree location and size (DBH) on a tree survey submitted with the project landscape plan.~~

~~(3) The proposed location of required open space areas other than critical areas and their buffers, to the greatest extent practical, shall correspond to the location of existing significant trees. It is not the intent of this section to require retention of all significant trees on a project site, but rather to maximize the retention of existing significant trees within required open space areas.~~

~~(4) The project proponent is encouraged to retain significant trees outside of designated open space, but only when such individual trees or clusters can withstand wind throw and have a substantial likelihood of survival.~~

~~—(5)— Single significant trees proposed for retention which are not part of a cluster/stand shall exhibit a full crown appearance.~~

~~—(6)— Damaged, diseased or standing dead significant trees need not be retained, but may be retained if the applicant demonstrates that such trees will provide important wildlife habitat and do not present a safety hazard.~~

~~—(7)— Understory shall be retained or restored within the drip line of significant trees designated for retention, unless such area is designated as useable open space and the applicant can demonstrate that the area within the drip line is necessary for recreational use or is an area to be landscaped, and in either case, tree preservation will not be negatively affected. Restored understory shall consist of shade-tolerant native trees, shrubs or fern species.~~

~~—(8)— The following restrictions apply to all PRD applications:~~

~~—(a)— No clearing shall be allowed until a significant tree retention plan is approved;~~

~~—(b)— No disturbance of the understory shall occur within the drip line of any significant tree designated for retention except as provided in SCC 18.51.100(7);~~

~~—(c)— The area corresponding to the drip line of a retained significant tree or the outermost drip lines of a cluster/stand of retained significant trees shall be identified during clearing and construction by clearly visible temporary fencing prior to any site clearing when such areas are required to be preserved. No impervious surfaces, fill, excavation or storage of construction materials shall be permitted within the temporary fencing area; and~~

~~—(d)— Any significant tree that is required to be retained and is damaged or destroyed as a result of clearing activity in violation of this chapter shall be replaced with minimum 2 1/2 inch caliper native species replacement trees at a ratio of 3:1. Such replacement trees shall be placed within open space areas, except that the director may approve placement on building lots or other areas outside designated open space. The developer shall provide adequate protection from damage during construction, or planting shall occur after construction, in which case a planting plan and bonding/security shall be provided to ensure their planting.~~

- (1) The project applicant shall submit a conceptual tree plan that provides trees at a rate of two (2) per lot, provided that the total number of trees is a minimum of 50% conifer trees. Required trees shall be a minimum of 1 3/4 inch caliper or 6 feet high for deciduous, and 6 feet high for conifer. Each significant tree retained shall be considered equivalent to two required trees and shall satisfy the requirements of this section, provided that the minimum 50% conifer requirement shall not apply for retained trees. Required street trees shall count towards the total number of trees required by this section.



- (2) The project applicant shall provide a conceptual clearing plan that would designate the general areas where significant trees will be retained. It is not the intent of this section to require retention of all significant trees on a project site, but rather to maximize the retention of existing significant trees within perimeter landscaping, open space and native growth protection areas.
- (3) Significant trees shall be retained as follows:
  - (a) Within perimeter landscaping, open space or native growth protection areas as long as they do not constitute a current or future safety hazard.
  - (b) When significant trees are not retained or are damaged during construction, they shall be replaced at a ratio of 2:1 using a minimum of 1 3/4 inch caliper or 6 feet high for deciduous, and 6 feet high for conifer.
- (4) To provide protection for significant trees during the construction stage, the applicant shall install a temporary, three foot high, orange clearing limits construction fence in a line generally corresponding to the drip line of any significant tree(s) to be retained. All such fencing shall be installed and inspected by PDS prior to commencement of site work.
- (5) If an applicant proposes to disturb ground within the drip line of a significant tree, a certified arborist shall supervise the activity.
- (6) All required or replacement trees shall be installed as a condition of the building permit prior to occupancy.

**Section 11.** Snohomish County Code Section 30.42B.140, last amended by Ordinance 02-064, on December 9, 2002, is amended to read:

30.42B.140 Design Criteria – roads, access, circulation, pedestrian facilities, and parking.

(1) The PRD shall be designed to provide adequate road access, connection and circulation to minimize traffic congestion, provide connection to adjoining neighborhoods, ensure adequate utility services, and provide emergency vehicle access. These design objectives will be accomplished by compliance with the requirements of this section.

(2) The configuration and design of all roads and access facilities within a PRD shall be in accordance with chapter 30.24 SCC, chapter 30.66B SCC, chapter 30.53A SCC, and the EDDS, unless otherwise expressly provided by this section.

(3) Access to all dwelling units within a PRD shall be by public road, except that access may be by private road when approved by the county engineer upon a finding that the following criteria are met:

- (a) The PRD consists of no more than 40 dwelling units;
- (b) Physical limitations of the site or adjacent property preclude the possibility of linkage with a public road either planned or projected in the foreseeable future;
- (c) The proposed design of the private road, pedestrian access, and layout meets the objectives of this chapter, is appropriate to the development proposed, and adequately provides for the public health, safety, and welfare;
- (d) The city engineer of the city in which annexation of the PRD is most likely to occur concurs with the use of a private road within the PRD; and

(e) The PRD is not otherwise required to provide a public road under county code.

(4) The provisions of SCC 30.42B.140(3) shall not apply to PRDs in the LDMR and MR zones where all dwelling units are retirement housing, retirement apartments, multifamily dwellings or townhouse dwellings with three or more townhouse units per structure, and where the applicant chooses to provide access by use of the access provisions of chapter 30.26 SCC for multifamily dwellings. Use of this provision does not limit the potential requirement for the location of a public or private roadway on the PRD site as may be necessary to satisfy the connectivity requirements of SCC 30.42B.140(5), and the requirements for adequate and safe pedestrian access specified in SCC 30.42B.140(6).

(5) The PRD shall provide a connected network of roads rather than long, irregular loops with dead-ends and cul-de-sacs. Connection shall be provided to all public road, right-of-way, or easement stubs existing at the boundaries of the project and where such stubs are planned or projected in the foreseeable future, in addition to the minimum number of access points necessary to serve the project itself. The county engineer shall determine whether the proposed PRD provides adequate connection based on the following:

- (a) Traffic impacts as a result of the proposed PRD;
- (b) Pending and existing development activity within the affected road system;
- (c) Utility service needs for the proposed PRD;
- (d) Emergency vehicle access for the proposed PRD;
- (e) Any applicable criteria contained in this title, including but not limited to chapters 30.24 and 30.66B SCC and the EDDS; and
- (f) Whether the proposed road connections and access are adequate to carry anticipated traffic within and in the vicinity of the proposed PRD.

(6) The PRD shall be designed to provide adequate and safe pedestrian access to and circulation within the development. The PRD shall make appropriate provision for sidewalks and other planning features that assure safe walking conditions for students who walk to and from school and school bus stops. The county engineer shall review proposed pedestrian access to and circulation within the proposed PRD and make an individualized determination regarding whether the development makes adequate and appropriate provision for pedestrian access and circulation, based on the criteria of this section.

(7) The PRD shall provide for parking as required in chapter 30.26 SCC. In addition, guest parking shall be provided at the rate of one-half space per single family dwelling.

(8) The applicant may propose alternative design elements as modifications to and justifications for deviations from the EDDS, including but not limited to the following:

- (a) Alleys that serve as secondary and vehicular access to dwelling units;
- (b) Back-out bay parking, "eye-brow" cul-de-sacs, parking in the middle of cul-de-sac bulbs (where defined by curbs and landscaping), one-way lanes and loop lanes;
- (c) Modifications to right-of-way width, pavement widths, curbs, centerline radius and other road features;
- (d) Approved deviations pursuant to the Reduced Drainage Discharge Demonstration Program, chapter 30.34B SCC;
- (e) Shared driveways and auto courts; and
- (f) Other appropriate alternatives from recognized references such as the Residential Development Handbook for Snohomish County Communities (MAKERS, 1992), Residential Streets, 2nd Edition (ASCE, 1990) and Model Code Provisions - Urban Streets & Subdivisions (WSCTED, September 1998).

(9) As an alternative to the use of the EDDS, the applicant may propose the use of the engineering standards of the city in which the annexation of the PRD is most likely to occur. The use of applicable city standards shall be considered as a modification to the EDDS and must be approved by the county engineer. When city standards are approved for use, the appropriate city engineer must sign the final plans documenting compliance with city standards.

(10) For purposes of this section, a public road "planned or projected in the foreseeable future" means that construction of the public road is included on the six-year transportation improvement program, is planned as a result of a proposed development application, or is necessary for local circulation, as documented in a report by the county engineer.

**Section 12.** Snohomish County Code Section 30.42B.150, last amended by Ordinance No. 02-064, on December 9, 2002, is amended to read:

30.42B.150 Design Criteria – specific housing types.

(1) Single family dwellings, zero lot line development, detached condominiums, and duplexes shall meet the following requirements:

(a) If the side or rear setback adjoins an open space tract which is no less than 10 feet in width, the required setback may be reduced by an amount equal to the distance from the lot line to the centerline of the open space, but in no case shall the setback be less than five feet. A modified setback shall be depicted upon the official site plan.

~~((This modified setback provision shall not apply when adjoining open space tracts are required pursuant to the perimeter landscaping provisions of SCC 30.42B.125(3);))~~

(b) No portion of any building or appurtenance shall project into any open space;

(c) Variations in front setbacks and building envelope shall be required to provide visually diversified streetscapes;

(d) Floor plans and street elevations shall reduce the visual impact of garage doors and emphasize ~~((a pedestrian-oriented streetscape))~~ the entry living space; and

(e) The building design guidelines of the Residential Development Handbook for Snohomish County Communities may be used as a guide to meet the requirements of SCC 30.42B.150(1)(a) through (d).

(2) Townhouse dwellings shall meet the following requirements:

(a) Variations in front setbacks and building envelope shall be required to provide visually diversified street frontage when two or more townhouse dwelling units are being developed on adjacent lots. Minimum front setbacks may be reduced by not more than five feet in order to give individual identity and privacy to the units, as long as the average of all front setbacks is not less than 10 feet, and each lot has a combined total of 25 feet of front and rear setbacks;

(b) If the side or rear setback adjoins an open space tract which is no less than 10 feet in width, the required setback may be reduced by an amount equal to the distance from the lot line to the centerline of the open space, but in no case shall the setback be less than five feet. A modified setback shall be depicted upon the official site plan. This modified setback provision shall not apply when adjoining open space tracts are required pursuant to the perimeter landscaping provisions of SCC 30.42B.125(3);

(c) No portion of any building or appurtenance shall project into any open space;

(d) Each townhouse structure shall have horizontal or vertical variation either within each dwelling unit's front building face and/or between the front building faces of

all adjoining units to provide visual diversity to the townhouse structure and individual identity to townhouse units. Upon building permit application, a plot plan of the entire structure in which each unit is located shall be provided by the applicant to show compliance with this requirement. The department shall review and approve or deny the building design which may incorporate variations in roof lines, common wall "fin" extensions, setbacks and other structural variations. Disagreements between the applicant and the department may be appealed to the hearing examiner pursuant to SCC 30.71.030;

(e) Townhouse structures shall not exceed 35 feet in height within single family zones and shall not contain more than six units per building; and

(f) The building design guidelines of the Residential Development Handbook for Snohomish County Communities may be used as a guide to meet the requirements of subsections 30.42B.150(2)(a) through (e).

(3) Multifamily dwellings shall meet the following requirements:

(a) If the side or rear setback adjoins an open space tract which is no less than 10 feet in width, the required setback may be reduced by an amount equal to the distance from the lot line to the centerline of the open space, but in no case shall the setback be less than five feet. A modified setback shall be depicted upon the official site plan.

~~((This modified setback provision shall not apply when adjoining open space tracts are required pursuant to the perimeter landscaping provisions of SCC 30.42B.125(3);))~~

(b) In the case of multistory structures, the base setback requirements shall be increased for each additional story or fraction thereof by an amount equal to two feet for each of the following minimum setbacks: front, side, and rear;

(c) No portion of any building or appurtenance shall project into any open space;

(d) Building facades visible from public rights-of-way shall be articulated with architectural elements such as windows, entries, porches, balconies, bays, visible trim, changes in color and/or materials to break up long blank walls and add visual interest and enhance the character of the neighborhood;

(e) Roofline variation methods, such as stepping back the building on upper floors, use of dormers, gables, chimneys, or other architectural features shall be provided to break up the appearance of lengthy or monotonous roof forms;

(f) When one or more adjacent lots are developed with residential structures, design elements should be used that complement or enhance the character of existing neighborhoods; and

(g) The building design guidelines of the Residential Development Handbook for Snohomish County Communities may be used as a guide to meet the requirements of SCC 30.42B.150(3)(a) through (f).

(4) Mobile homes, single or multi-sectioned, shall be allowed on individual single family platted lots in a PRD, subject to the same requirements for detached, single family units. Mobile home parks are allowed only in accordance with SCC 30.22.100 and chapter 30.42E SCC.

(5) Except as specifically noted, every proposed retirement housing or retirement apartment PRD shall meet the following in addition to all other applicable requirements of this chapter:

(a) A public transit stop shall be located within one-quarter mile of the site and shall be accessible from the site by a direct sidewalk or walkway route. The public transit stop shall include a covered shelter and provide frequent off-peak hour and weekend service;

(b) A special transportation program, such as a public or private van pool, shall be available to the residents of the site for transportation to activities including, but not

limited to, churches, cultural events, libraries, medical facilities, parks, post offices, personal services, retail shopping, and senior centers;

(c) Off-street parking requirements are subject to reduction pursuant to SCC 30.26.040. Parking stall width shall be increased to a minimum of nine feet. The parking lot area shall have a maximum grade of five percent. Angled parking at 30, 45, or 60 degrees is recommended in lieu of parallel parking. Installation of the deferred parking space and landscaping will be required at such time the development is no longer used as retirement housing or retirement apartments;

(d) Retirement housing must comply with all of the laws, rules, regulations, and standards for boarding homes pursuant to chapter 18.20 RCW;

(e) All buildings and structures shall be designed to project a residential, rather than an institutional appearance through the use of architecture, landscaping, and building materials;

(f) The on-site circulation system shall not account for more than 20 percent of the gross development area;

(g) All residential structures shall be serviced by sanitary sewers;

(h) Building facades visible from public rights-of-way shall be articulated with architectural elements such as windows, entries, porches, balconies, bays, visible trim, changes in color and/or materials to break up long blank walls and add visual interest and enhance the character of the neighborhood;

(i) Roofline variation methods, such as stepping back the building on upper floors, use of dormers, gables, chimneys or other architectural features shall be provided to break up the appearance of lengthy or monotonous roof forms;

(j) When one or more adjacent lots are developed with residential structures, consideration should be given to using design elements to promote compatibility and complement or enhance the character of existing neighborhoods;

(k) Building entries shall be well lit, connected to sidewalks, transit stops and parking areas, and visible from streets and sidewalks;

(l) If the side or rear setback adjoins an open space tract which is no less than 10 feet in width, the required setback may be reduced by an amount equal to the distance from the lot line to the centerline of the open space, but in no case shall the setback be less than five feet. A modified setback shall be depicted upon the official site plan. This modified setback provision shall not apply when adjoining open space tracts are required pursuant to the perimeter landscaping provisions of SCC 30.42B.125(3);

(m) No portion of any building or appurtenance shall project into any open space; and

(n) The building design guidelines of the Residential Development Handbook for Snohomish County Communities may be used as a guide to meet the requirements of SCC 30.42B.150(5)(e) through (k).

**Section 13.** Effective date. The effective date of this ordinance shall be May 17, 2004.

**Section 14.** Severability. If any provision of this ordinance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remainder of this ordinance. Provided, however, that if any provision of this ordinance is held invalid or unconstitutional, then the provision in effect prior to the effective date of this ordinance shall be in full force and effect for that individual provision as if this ordinance had never been adopted.

PASSED this 31<sup>st</sup> day of March, 2004.

ATTEST:

Sheila McAlister  
Clerk of the Council, *asst.*

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington  
John McKester  
Chairperson

- APPROVED
- EMERGENCY
- VETOED

ATTEST:

Ann M. Averill

DATE: 4/14/04  
Paul E. ...  
County Executive

Approved as to form only:

\_\_\_\_\_  
Deputy Prosecuting Attorney

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