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SNOHOMISH COUNTY COUNCIL



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ORDINANCE NO. 88-013

AMENDING SNOHOMISH COUNTY CODE
TITLE 18, CHAPTERS 18.51 and 18.90
RELATING TO REQUIREMENTS FOR PLANNED RESIDENTIAL DEVELOPMENT (PRD)

Section 1. That SCC Title 18, Chapter 18.50, section titles, enacted by Ord. 86-037 on May 7, 1986, be amended as follows:

Sections

- 18.51.010 Purpose.
- 18.51.020 Permissible zones.
- 18.51.030 Procedures - original applications.
- 18.51.040 Plans.
- 18.51.045 Optional submittal requirements.
- 18.51.050 [~~Special~~] PRD standards.
- 18.51.055 Optional PRD standards.
- 18.51.060 Submittal requirement postponement.
- 18.51.070 Official [~~map~~] site plan.
- 18.51.080 Revisions of the official [~~map~~] site plan.
- [~~18.38.090~~] 18.51.090 Private roads and [~~driveways~~] vehicular circulation.
- [~~18.38.100~~] 18.51.100 Other uses permitted.
- [~~18.38.110~~] 18.51.110 Maintenance of open space and utilities.

Section 2. That SCC, Title 18, Section 18.51.010, enacted by Ord. 86-037 adopted May 7, 1986, is amended to read:

18.51.010 Purpose. This chapter is designed to provide for small and large scale developments incorporating a single type or a variety of housing types and related uses which are planned and developed as a unit. Planned Residential Developments (PRD's) consist of individual lots or [~~it~~] may have common building sites. Commonly owned land which is an essential and major element of the PRD plan should be related to and preserve the long term value of the [~~homes and other development~~] overall project. A pattern of development which incorporates creative housing types; provides affordable housing to meet the needs of a range of income groups; promotes innovative site planning techniques; preserves natural site amenities such as trees, [~~outstanding natural~~] topography and geologic features [~~and prevents soil erosion~~] shall be encouraged.

Section 3. That SCC, Title 18, Section 18.51.020, enacted by Ord. 86-037 adopted May 7, 1986, is amended to read:

18.51.020 Permissible zones. The ~~[(Planned Residential Development)]~~ ~~[(+)]~~PRD~~[(+)]~~ designation shall be utilized as an overlay on residential zones. PRDs shall be denoted as follows: PRD (9600), PRD (MR), etc. The PRD overlay may be applied only to the MR, LDMR, R-7200, R-8400, R-9600, R-12,500, R-20,000, SA-1 and WFB zones, and ~~[(then)]~~ only ~~[(where)]~~ if the density proposed is consistent with the adopted comprehensive plan. This section shall not be construed to negate SCC 18.51.050(A).

Section 4. That SCC, Title 18, Section 18.51.040, enacted by Ord. 86-037 adopted May 7, 1986, is amended to read:

18.51.040 Plans.

A. The ~~[(developer)]~~ applicant shall present plans, reports, and related information in sufficient detail to enable the planning division to evaluate the proposed development in accordance with the provisions of this chapter and make recommendations to the hearing examiner;

B. These plans shall be drawn to a standard engineering scale and shall include ~~[(a circulation plan, location of utilities, greenbelts, open space and community facilities with each residential lot showing proposed dwelling types, whether single family, townhouse or multiple, and other information necessary for adequate design review)]~~, at least the following:

- 1) Site plan, including the following elements:
 - a) Internal circulation,
 - b) Schematic drainage/utility concept,
 - c) Landscape plan for common open space tracts and overall project,
 - d) Open space and community recreation facilities,
 - e) Distribution and type of housing units, showing generalized building footprints,

2) Declaration of Covenants, Conditions and Restrictions according to Section 18.51.110, and

3) other information as determined necessary for adequate design review shall be requested within twenty-one (21) days from date of application.

~~[(D*)] C.~~ The [(develope*)] applicant shall submit one (1) copy of the proposed PRD site plan to the Snohomish Health District, along with soil analysis data [(as required)] where on-site septic systems are proposed, and [(The hearing examiner shall, at a public hearing, consider any written recommendation received from the Health District.)]

~~[(E*)] D.~~ Upon evaluation by the planning division, the plans shall be submitted to the hearing examiner for approval[(*) and] .

NEW SECTION. Section 5. That a new section 18.51.045 is added to Chapter 18.51, as follows:

18.51.045 Optional submittal requirements. Applicants may submit plans including all of the following plan elements in addition to those requirements of Section 18.51.040. If applicants choose to utilize the optional PRD standards for proposing a zero lot line development under Section 18.51.055, the following submittal requirements are necessary:

A. Documentation demonstrating a unified development theme and concept,

B. Building footprints, location of driveways, proposed on-street parking and/or grouped off-street parking,

C. Schematic floor plans and elevations of typical building styles, including identification of exterior finish,

D. Location of privacy features such as walls and fences,

E. Major theme landscape plan for areas outside of privacy fencing, and

F. Covenants, conditions and restrictions, providing for maintenance and access easements for zero lot line development. The covenants required in Section 18.51.110, SCC shall additionally include the following items: provisions guaranteeing enforcement of the unified development theme and concept (item A. above); and conditions including notice to property owners that construction of after-market accessory buildings (including but not limited to garage and storage buildings) shall not exceed lot coverage requirements of the underlying zone, or lot coverage requirements of subsection 18.51.055(E) for zero lot line developments.

Section 6. That SCC Title 18, section 18.51.050, last amended by Ord. 87-008 adopted March 4, 1987, is amended to read:

18.51.050 [(Special)] PRD standards. The following [(special)] conditions shall be met in all PRD overlay zones, except where the optional PRD standards for bulk requirements of Section 18.51.055 are followed:

A. Number of [(D)] dwelling units. The maximum number of dwelling units permissible shall be one hundred twenty percent (120%) of the maximum computed density of the underlying zone, derived as follows:

1) Determine Gross Development Land Area. Subtract from gross area (a) unbuildable land, (b) publicly owned community facility land, other than parks and (c) commercial or industrial land area,

2) Determine Net Development Area. Subtract from gross development land area the actual percentage of gross development area devoted to circulation system; except that whenever the circulation system accounts for more than twenty (20%) percent of the gross development area, the net development area shall be eighty (80%) percent of the gross development area,

3) Divide net development area by the minimum lot area per dwelling unit permitted in the underlying zone, and

4) Multiply the resulting number of units by 1.20;

B. Open space and recreation. Twenty percent (20%) of the net development area shall be established as common open space and community recreational facilities. ~~[(Upon approval of the hearing examiner, some unbuildable land may be included in the)]~~ Up to one half of the common open space land may consist of unbuildable land upon a showing that such land can and will be utilized in a specific recreational use;

C. Underlying zone requirements. Unless specifically modified by this chapter, all requirements of the underlying residential zone shall apply within the ~~[(planned residential development)]~~ PRD;

D. Minimum lot width. Except for townhouse lots, the minimum lot width shall be sixty (60) feet for interior lots and ~~[(corner lots shall not be less than)]~~ sixty-five (65) feet for corner lots [(wide)]. There shall be no minimum lot width for townhouse lots;

E. Minimum lot[(size-)] area and bulk requirements for single family dwellings and duplex dwellings .

1) The minimum lot [~~(size for single family dwellings and duplex dwellings)~~] area shall be five thousand (5000) square feet,

~~[(1)]~~ 2) The minimum front building setback [~~(of single family dwellings and duplex dwellings)~~] shall be one-half (1/2) the width of planned rights-of-way or easements as measured from the centerline of the right-of-way plus fifteen (15) feet,

~~[(2)]~~ 3) The sum of side setbacks [~~(of single family dwellings and duplex dwellings)~~] shall be not less than ten (10) feet. If the side setback adjoins public open space, these setback requirements may be reduced by an amount equal to the distance from the property line to the centerline of the open space. A modified setback shall be endorsed upon the approved site plan. No portion of a building or appurtenance shall be constructed as to project into any commonly owned open space. No structure or portion thereof shall be closer than [~~(five (5))~~] six (6) feet to any structure on an adjacent lot,

~~[(3)]~~ 4) Rear setbacks [~~(of single family dwellings and duplex dwellings)~~] shall be a minimum of five (5) feet. If the rear setback adjoins public open space, the minimum rear setback requirements may be reduced by an amount equal to the distance from the rear lot line to the centerline of the open space. Such modified setback shall be endorsed upon the approved site plan. No portion of any building or appurtenance shall be constructed as to project into any commonly owned open space, and

~~[(4)]~~ 5) The maximum lot coverage [~~(for single family and duplex dwellings)~~] shall be thirty-five percent (35%) of the lot area or two thousand five hundred twenty (2,520) square feet, whichever is greater;

F. Minimum [~~(townhouse)] lot area [(=)] and bulk requirements for townhouse dwellings .~~

1) Minimum [~~(townhouse)] lot area per dwelling unit shall be an average of two thousand (2000) square feet[~~(--)~~]~~

~~[(1)]~~ 2) Every townhouse lot shall have a front setback of not less than fifteen (15) feet, and a rear setback of not less than five (5) feet both measured from the property line; provided, when two (2) or more townhouse dwelling units are being developed on adjacent lots, minimum front setbacks may be reduced by not more than ten (10) feet in order to give individual identity and privacy to the units, as long as the average of all front setbacks in a townhouse structure is not less than fifteen (15) feet, and each lot has a combined total of thirty (30) feet of front and rear setbacks,

~~[(2+)]~~ 3) Every townhouse at each end of a group of attached units shall maintain a side setback of not less than five (5) feet with a minimum building separation of not less than ten (10) feet; provided that if the side setback adjoins public open space, this setback requirement may be reduced by an amount equal to the distance from the side lot line to the centerline of the open space. Such modified setback shall be endorsed upon the approved site plan. No portion of any building or appurtenance shall be constructed as to project into any commonly owned open space,

4) Bulk and setback variation. 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 builder to show compliance with this requirement. The planning division 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 planning division may be appealed to the hearing examiner.

~~[(3+)]~~ 5) Lot coverage requirements shall be as follows:

a) townhouse and accessory structures shall together cover no more than fifty-five percent (55%) of the lot, and

b) patios, driveways and walkways shall not increase the total lot coverage to more than sixty-five percent (65%) of the lot, unless paved with perforated concrete blocks or other permeable material, and

~~[(4+)]~~ 6) Townhouse building height shall not exceed thirty (30) feet;

G. Minimum lot area and bulk requirements for [(M)]multiple family dwellings. Multiple family dwellings shall also be allowed in any PRD, provided the following requirements are met:

1) The maximum lot coverage shall be forty (40%) percent,

2) There ~~[(w+)]~~ shall be no minimum lot ~~[(size)]~~ area,

3) There ~~[(will)]~~ shall be no maximum height,

4) Front setbacks and side setbacks facing streets shall be set back not less than one-half (1/2) of the width of planned rights-of-way or easements as measured from the centerline of the right-of-way plus twenty-five (25) feet,

5) The sum of the side setbacks shall be not less than ten (10) feet with one (1) side setback not less than five (5) feet for single story structures,

6) The rear setback shall be not less than twenty-five (25) feet for single-story structures,

7) The side and rear setbacks of paragraphs ~~[(+E)]~~ 5) and ~~[(+F)]~~ 6) of this subsection may be modified as follows:

a) If the setback adjoins a public open space, then each applicable minimum setback requirement may be reduced by an amount equal to the distance from the property line to the centerline of the open space,

b) The resultant requirement shall then be endorsed upon the approved site plan as a base setback requirement,

c) In the case of multistory structures, the base setback requirement of subsections 4), 5), 6) and 7)a) above for such structures ~~[(is thereby)]~~ shall be increased for each story or fraction thereof by an amount equal to four (4) feet for the sum of the side setbacks and two (2) feet each for the minimum width side setbacks, designated rear setback and designated front setback, and

8) No portion of any building or appurtenance shall be constructed as to project into any commonly owned open space;

H. Mobile homes, single or multi-sectioned, shall be allowed ~~[(in a PRD)]~~ 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 18.32 and 18.55.

NEW SECTION. Section 7. That a new section 18.51.055 is added to Chapter 18.51, as follows:

18.51.055 Optional PRD standards. The PRD standards of Section 18.51.050 may be modified as listed below when an applicant submits the submittal material required by Section 18.51.045.

A. Minimum lot width. Except for corner lots, the minimum lot width may be reduced to 50 ft. for all single family lots and to 40 ft. for all lots within a single family zero lot line development.

B. Minimum lot size. The minimum lot size may be reduced to four thousand (4000) square feet on lots within a single family zero lot line development.

C. Setbacks:

1) The minimum front building setback of single family dwellings on local access streets shall be one-half (1/2) the width of planned rights-of-way or easements as measured from the centerline of the right-of-way plus ten (10) feet. Setbacks, building envelopes and landscaping shall be varied to result in a visually interesting streetscape. The length of the driveway between garages or carports and the right-of-way or easement shall be at least fifteen (15) feet;

2) The minimum setback on one side and/or rear yard in a zero lot line development may be reduced to no more than one (1) inch if appropriate provisions are made for maintenance easements in the PRD plan, in the plat and in the declaration of covenants, conditions, and restrictions.

D. Content of Maintenance Easements. A five (5) foot minimum maintenance easement shall be shown on the approved official site plan or plat. Said easement shall be established in the covenants, conditions and restrictions of the adjoining lot to assure access to the lot line wall at reasonable periods during the day for normal maintenance. A two (2) foot maximum eave easement shall be established within the maintenance easement if roof overhangs are proposed.

E. Lot coverage. The maximum lot coverage for lots within a single family zero lot line development may be increased to fifty-five (55%) percent of the lot.

F. -Structural Requirements. To assure privacy within the zero lot line development, no openings of any kind (excluding ventilation ducts) shall be permitted on the zero lot line side of a structure, the wall of which shall be of fire-wall construction as required by Title 17 SCC. Air conditioners, heat pumps or other appurtenances (excluding roof overhangs) shall be prohibited on the exterior side of the zero lot line wall. If there is an offset of the wall from the zero lot line, such offset shall be at least six (6) feet.

Section 8. That SCC Title 18, section 18.51.060, enacted by Ord. 86-037 adopted May 7, 1986, is amended to read:

18.51.060 Submittal requirement postponement. In order to provide planning flexibility, PRD submittal requirements may be postponed at the time of rezone consideration by the hearing examiner; provided, that an alternative submittal process is contractually established. This postponement provision shall only be utilized for ~~[(major)]~~ large scale PRD projects.

Section 9. That SCC Title 18, section 18.51.070, enacted by Ord. 86-037 adopted May 7, 1986, is amended to read:

18.51.070 Official ~~[(map)]~~ site plan.

A. The site plan as approved by the hearing examiner shall become the official ~~[(map)]~~ site plan of the PRD and any changes thereto shall require review under the provisions of SCC 18.51.080;

B. The official ~~[(map)]~~ site plan and its associated conditions shall be considered extensions of the regulations of this title, and their existence shall be noted on the official zoning maps;

C. All development within an approved PRD shall conform to the official ~~[(map)]~~ site plan and associated conditions. In order to assure compliance, a bond or other guarantee of performance may be required by the hearing examiner. Satisfactory performance of required common open space, landscaping, and other improvements may be required prior to occupancy of units in the PRD project;

D. Prior to the issuance of a building permit for any structure in a PRD zone, a final plat, subdivision, or dedication shall have been approved by appropriate county authority and filed for record by county recording authority; provided that this requirement shall not apply where sale or lease of any portion of the PRD land area is not contemplated.

Section 10. That SCC Title 18, section 18.51.080, enacted by Ord. 86-037 adopted May 7, 1986, is amended to read:

18.51.080 Revisions of the official ~~[(map)]~~ hp1.site plan . Revisions of an official ~~[(map)]~~ site plan shall be permitted as set forth below:

A. Minor Revisions. Minor revisions or changes in the official ~~[(map)]~~ site plan may be permitted by administrative action of the manager of the planning division and shall be properly recorded within the rezone file and as a part of the records for the approved building permits;

B. Major Revisions. Major revisions of an official [(map)] site plan shall be processed in the same manner as an original application; and

C. Determining Major, Minor Revisions. A "Major" revision means any proposed change in the basic use in a PRD, or any proposed change in the plans and specifications for structures or location of features therein, whereby the character of the approved development will be substantially modified or changed in any material respect or to any material degree. A "minor" revision means any proposed change in an official map which does not involve a substantial alteration of the character of the PRD. The determination of whether a proposed change is a "major" or "minor" revision shall be made by the planning manager in accordance with the foregoing principles.

D. Any changes shall be noted on the official PRD site plan filed with the Department of Planning and Community Development.

Ord. Section 11. That SCC Title 18, section 18.51.090, enacted by 86-037 adopted May 7, 1986, is amended to read:

18.51.090 Private roads [(and driveways)] and vehicular circulation. [(Upon approval by the director of public works, private roads and driveways serving a limited number of dwelling units and not intended for use as a public thoroughfare may have rights-of-way less than the county minimum. Such roads shall be constructed to county road surface standards and shall be approved by the director of public works and hearing examiner as to adequacy of width, access to properties, access for emergency vehicles and turnaround space. Deeds to lands abutting such private roads and driveways must contain a warning that the road will not be maintained by the county.)] Private roads which use a modified design standard as provided by this section, may be permitted upon approval by the director of public works and appealable to the hearing examiner.

A. General criteria. The right-of-way width, paved sections and other features of the on-site road system shall reflect the scale of the proposed development and the intended function of the road relative to lot access, parking, emergency vehicle circulation, and access to adjacent properties.

B. Design of Modified Roads. Minimum road width pavement standards allowed under the design modifications permitted by this section shall be a twenty (20) feet width, with a fourteen (14) feet vertical clearance from the road surface. Provided further, however, that such design-modified roads shall be constructed to county road base standards, as depicted by typical roadway cross sections of the Department of Public Work's Design Standards and Specifications Manual.

C. Firelane Striping. Roads so modified as provided in this section shall have a firelane striped or posted. For roads in excess of twenty (20) feet, the requirement of firelane identification shall be waived.

D. Parking. Consideration shall be made to insure adequate parking in a PRD. Occupant parking shall be provided at the rate of four (4) spaces/single family unit. Guest parking shall be provided at the rate of one-half (0.5) space/single family unit. All parking requirements may be met by including garage areas, driveways, grouped off-street parking areas and on-street parking.

Provided further, however, that when roads are modified as provided for in this section, on-street parking is prohibited if the road pavement width is less than twenty-eight (28) feet. If the road pavement width is between twenty-eight (28) feet and thirty-six (36) feet, only one (1) side of the road shall be a designated parking lane.

E. Other Considerations. If private roads are approved, deeds to lands abutting such private roads and driveways shall contain a note that the road will not be maintained by the county. Adequate provisions shall also be made for appropriate drainage and utility easements when roads are modified as provided by this section. Adequate provisions shall also be made for pedestrian circulation, which may include attached as well as detached pedestrian pathways.

Section 12. That SCC Title 18, section 18.51.110, enacted by Ord. 86-037 adopted May 7, 1986, is amended to read:

18.51.110 Maintenance of open space and utilities. Before approval by the hearing examiner may be granted, the [(developer)] applicant shall submit to the hearing examiner covenants, deeds and home[(s)]-owners association by-laws and other documents guaranteeing maintenance [(and construction)] and common fee ownership, if applicable, of public open space, community facilities, private roads and drives, and all other commonly owned and operated property. These documents shall be reviewed and accompanied by a certificate from an attorney that they comply with the requirements of this chapter prior to approval by the hearing examiner. Such documents and conveyances shall be accomplished and be recorded, as applicable, with [(the Secretary of State and)] the county auditor as a condition precedent to the filing of any final plat of the property or division thereof, except that the conveyance of land to a homeowners' association may be recorded simultaneously with the filing of the final plat.

NEW SECTION. Section 13. That a new section 18.90.905 is added to Chapter 18.90, as follows:

18.90.905 Zero lot line development. "Zero lot line development" means a type of single-family residential development allowed under Chapter 18.51, SCC in which a single family detached dwelling is constructed coincident with a side and/or rear lot line. The outdoor yard space which results can then be grouped and utilized to its maximum benefit. Each dwelling in a zero lot line development shall be located on its own individually platted lot.

Dated this 30th day of March, 1988

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Shirley Baitholomen
Chairman

William J. Morison
Clerk of the Council.

-) APPROVED
-) EMERGENCY
-) VETOED

DATE April 8, 1988

John Martinis
JOHN MARTINIS
Deputy Executive
County Executive

PUBLISHED _____

Sue A. Tanner, DPA

Approved as to form only on

January 21, 1988
(Date)