



CO00030495

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

AMENDED ORDINANCE NO. 93-021

ADDING A NEW CHAPTER ENTITLED RURAL CLUSTER SUBDIVISION TO SNOHOMISH COUNTY CODE TITLE 32 AND ADDING CORRESPONDING NEW CHAPTERS AND SECTIONS TO THE SUBDIVISION CODE AND SHORT SUBDIVISION CODE, TITLES 19 & 20 SNOHOMISH COUNTY CODE, AND A CORRESPONDING NEW SECTION TO TITLE 18, THE SNOHOMISH COUNTY ZONING CODE

BE IT ORDAINED:

Section 1. A new chapter 32.30 is added to Snohomish County Code Title 32 as follows:

Chapter 32.30

RURAL CLUSTER SUBDIVISION

Sections:

- 32.30.010 Purpose
- 32.30.015 Definition: Natural Resource Areas
- 32.30.016 Definition: Native Growth Protection Areas
- 32.30.017 Definition: Restricted Open Space
- 32.30.018 Definition: Unbuildable Land
- 32.30.020 Applicability
- 32.30.025 Approval Procedure
- 32.30.030 Application Submittal Requirements for Preliminary Approval
- 32.30.040 Criteria for Preliminary Approval
- 32.30.050 Requirements for Restricted Open Space Area and Bulk Regulations
- 32.30.055 Lot Yield - Basic
- 32.30.060 Bonus Residential Density
- 32.30.070 Forms of Public Dedication
- 32.30.080 Severability
- 32.30.090 Repealer

32.30.010 Purpose. The purpose of this chapter is to provide an alternative method for developing rural residential property which provides incentives to landowners and developers to cluster newly created lots on the most buildable and least environmentally sensitive portions of sites while retaining a majority of each site, including most resource lands and environmentally sensitive areas, in restricted open space tracts. Specifically, this chapter is designed:

(1) to produce a development pattern in rural areas which will be better than traditional lot-by-lot development on either consolidated lots or unsubdivided property in that it allows for variety in design, placement of buildings, use of open space, more efficient use of the most buildable portion of sites, and retention of the environmentally sensitive and scenic portions of sites as permanent open space;

(2) to permit flexibility that will encourage a more creative approach in the development of land in rural areas and will result in a more efficient, aesthetic and environmentally sound use of land, while harmonizing with adjoining development and preserving the county's attractive rural character;

(3) to encourage the development of cluster housing which provides greater compatibility with surrounding development and land uses in rural areas by providing larger buffer areas;

(4) to encourage the retention of more permanently undisturbed open space with its natural vegetative cover which protects continued groundwater recharge and reduces potential water pollution, flooding, erosion and other drainage-related problems often associated with rural development;

(5) to minimize the loss of, or other adverse impacts on, the county's productive agricultural, forestry, mineral and other important resource lands;

(6) to minimize the loss of, or other adverse impacts on, the county's environmentally sensitive streams, shorelines, wetlands, fish and wildlife habitat areas and corridors, areas of unique vegetation or wildlife species, steep slopes, and other critical areas;

(7) to minimize the risk of danger to human life and property by restricting development on geologically unstable lands and in flood prone areas;

(8) to minimize the cost of installing essential public and private capital facilities;

(9) to support the provision of more affordable housing in rural areas by reducing site development costs and allowing more intense use of buildable areas;

(10) to provide reasonable opportunity for rural property owners to derive economic use of land characterized by features which substantially limit its development potential; and

(11) to protect natural features and landscape by minimizing tree, vegetation and soil removal.

32.30.015 Definition: Natural Resource Area. For purposes of this chapter, natural resource areas are those lands designated Interim Commercial Forest or Interim Forest Reserve pursuant to the Interim Forest Land Conservation Plan adopted by County Council Motion No. 92-283.

32.30.016 Definition: Native Growth Protection Areas (NGPA). For purposes of this chapter, native growth protection areas are those lands which are to be left permanently undisturbed in a substantially natural state. No clearing, grading, filling, building construction or

placement, or road construction of any kind shall occur within these areas; PROVIDED, That underground utility lines and drainage discharge swales may cross such areas utilizing the shortest alignment possible if and only if no feasible alignment is available which would avoid such a crossing. Removal of vegetation by the property owner shall be limited to that which is hazardous; PROVIDED, FURTHER, That buffer treatment authorized by SCC 32.30.040(4) shall be allowed in native growth protection areas, except those areas protected in SCC 32.30.040(1). No net reduction to the area of an NGPA shall occur without further environmental review by Snohomish county and adequate notice to all parties of record. Passive recreational uses limited to nonmotorized trails, exercise pathways and wildlife viewing areas shall be permitted.

32.30.017 Definition: Restricted Open Space. For the purposes of this chapter, restricted open space means all land within the rural cluster subdivision or rural cluster short subdivision not included in lot area and public and/or private roadways.

32.30.018 Definition: Unbuildable Land. For the purposes of this chapter, unbuildable land means steep slope areas exceeding forty percent; designated floodways as defined in Title 27 SCC; and land which is below the mean high water mark of lakes, rivers or year-round ponds and streams under the jurisdiction of chapter 90.58 RCW.

32.30.020 Applicability. This chapter may be used for development of single family and/or duplex residences in the Forestry, Forestry and Recreation, Rural 5-Acre, Rural Conservation or Rural Diversification zones, on property which has been designated Interim Forest Reserve pursuant to the Interim Forest Land Conservation Plan adopted by County Council Motion No. 92-283.

32.30.025 Approval Procedure. Except as specifically provided in this chapter, rural cluster subdivisions and rural cluster short subdivisions shall be reviewed and approved in accordance with the requirements of Titles 19 and 20 SCC.

32.30.030 Application Submittal Requirements for Preliminary Approval. In addition to the basic submittal requirements specified in chapter 19.22 SCC for a complete subdivision application, and in chapter 20.24 SCC for a complete short subdivision application, each application for preliminary approval of a rural cluster subdivision or rural cluster short subdivision shall include, at a minimum, the following information:

(1) the approximate location, general dimensions, and approximate building footprints for all existing and proposed structures or other improvements;

(2) the approximate location of all existing and proposed pedestrian walks, landscaped areas and areas to permanently remain in a natural condition, and the location of existing and proposed on-site water sources and generalized designation of sewage disposal drainfields and reserve areas;

(3) the location and width of proposed roadways, driveway areas for turning and maneuvering of vehicles and the relationship of circulation to adjacent properties;

(4) minimum building setback lines;

(5) the location, either on the property or adjacent thereto, of lands designated as natural resource areas and the approximate size (in square feet or acres) of any area on the property that is a designated natural resource area;

(6) a general description of any major physiographic or other natural features, such as drainage ways, wetlands, fish and wildlife habitats, geologic hazard areas, steep slopes, and shorelines;

(7) the approximate number of square feet (or acreage) proposed to be included in paved or other impervious surfaces, restricted open space tracts and recreation areas, and the total area of the site;

(8) a description of, and proposed schedule for, any proposed phasing of the project;

(9) a general landscape, clearing and buffering plan, drawn to scale and showing: community areas, pathways or other recreation areas, significant landscape features and vegetation on the site, natural vegetation and mature trees to be retained, and the location and conceptual design of landscaped areas and buffers. Detailed site analysis and design information shall not be required for those portions of the site proposed for retention in restricted open space tracts which do not contain proposed recreation facilities; and

(10) a vicinity sketch to identify the effect of proposed development on surrounding properties and uses.

32.30.040 Criteria for Preliminary Approval. In addition to all other requirements of state law and county code for approval of a subdivision or short subdivision, a rural cluster subdivision or rural cluster short subdivision shall meet all the following standards:

(1) When environmentally sensitive streams, shorelines, wetlands, fish and wildlife habitat areas and corridors, areas of unique vegetation or wildlife species, steep slopes, and other critical areas are present and are located outside of restricted open space, and when such areas are identified and protected pursuant to Title 23 SCC and/or other applicable county ordinances or policies, the areas shall be designated as native growth protection areas as defined in SCC 32.30.016;

(2) In the siting of new structures, consideration shall be given to protection of privacy of the new residence, as well as adjacent landowners and existing residences, and orientation to views and vistas, sunlight and prevailing winds in the placement of buildings;

(3) The preferred location for building envelopes shall be in the transition area between open fields and heavily vegetated areas;

(4) The transition from any proposed residences to uses on adjoining property and public roadways shall be provided by a sight obscuring buffer of native vegetation, or landscape screening comprised of fast growing, low maintenance, native trees and shrubs in accordance with the requirements of Table 1 in SCC 32.30.050. Existing wind resistant vegetation providing such a screen shall be preserved. In order to preserve or enhance scenic views and vistas, a maximum of fifty

percent of the required vegetative buffer adjacent to each lot may consist of dense, low growing, plants and shrubs. Between proposed residences and any adjoining natural resource area, the width and area of the vegetated buffer of existing and/or newly planted vegetation shall be consistent with the average and minimum width dimensions established by Table 1 in SCC 32.30.050;

(5) All roads, whether public or private, shall be provided in accordance with the Department of Public Works Engineering Design and Development Standards. Location of public or private roads and access points to the existing public roadway system shall be carefully controlled, with no more than two access points allowed per cluster unless specifically authorized by the county road engineer;

(6) Electric, telephone and other utility lines shall be designed, located and screened so as to minimize their visibility from adjacent properties and the site;

(7) Subject to the requirements of Title 18 SCC, the following recreational uses are permitted in restricted open space tracts: beaches, docks, swimming areas, picnic areas, trails, equestrian trails, playgrounds or any noncommercial and nonmotorized passive recreational facilities exclusively for the use of the residents of the rural cluster subdivision or short subdivision;

(8) Each rural cluster development shall be divided into physically separated clusters with the maximum number of residential lots per cluster which meets the requirements of Table 1 in SCC 32.30.050;

(9) The lots in each cluster shall be visually and physically separated from all other clusters by wind resistant buffers of native vegetation consistent with the average and minimum width dimensions established by Table 1 in SCC 32.30.050;

(10) The maximum lot depth to width ratio shall not exceed four to one for at least seventy-five percent of the lots in each cluster;

(11) The minimum area of each residential lot shall be twelve thousand five hundred (12,500) square feet;

(12) All unbuildable land, and all required buffer areas, shall be designated as native growth protection areas unless they are designated as natural resource areas within restricted open space as defined in this chapter.

32.30.050 Requirements for Restricted Open Space Area and Bulk Regulations.

(1) Table 1 establishes the bulk regulations for all proposed rural cluster subdivisions and rural cluster short subdivisions including the minimum percentage of the original gross development area which shall be retained in restricted open space tracts which meet the requirements of this section. As established in Table 1, a specified percentage of those portions of the original gross development area that are designated as a natural resource area shall be retained in open space, forestry or agricultural tracts. No more than sixty-five percent of the total restricted open space area may consist of unbuildable land.

TABLE 1 - Requirements for Restricted Open Area and Bulk Regulations

	FORESTRY F & R		R-5		RC		RD	
MINIMUM RESTRICTED OPEN SPACE	60%		60%		60%		60%	
BONUS DENSITY	1-10%		1-10%		1-10%		1-10%	
REQUIRED BUFFER - ADJACENT PUBLIC ROADS (1) (2) AND ADJACENT PROPERTY	(5)		(5)		(5)		(5)	
Average Width:	75'	50'	75'	50'	50'	35'	50'	35'
Minimum Width:	50'	35'	50'	35'	35'	25'	35'	25'
REQUIRED SETBACK FOR SINGLE FAMILY RESIDENCE/DUPLEX FROM ADJACENT NATURAL RESOURCE AREAS (1) (2)	200'		200'		200'		200'	
(7)	200'		200'		200'		200'	
REQUIRED BUFFERS - BETWEEN CLUSTERS (1)	(5)		(5)		(5)		(5)	
Average Width:	75'	50'	75'	50'	75'	50'	75'	50'
Minimum Width:	50'	35'	50'	35'	50'	35'	50'	35'
LOT DIMENSIONS, SETBACKS	R-12,500 ----->----->----->----->----->							
MAXIMUM LOTS (3) PER CLUSTER	9 -->----->----->----->----->----->							
(4)	12 -->----->----->----->----->----->							
(5)	20 -->----->----->----->----->----->							
MINIMUM LOT SIZE (6)	12,500 Sq. Ft. -->----->----->----->----->							
MINIMUM USABLE LOT AREA	12,500 Sq. Ft. -->----->----->----->----->							

- (1) Required buffers shall not include any portion of the required minimum lot area or required minimum setbacks of any proposed lot.
- (2) Provided that the sum of all required buffers shall not exceed forty percent (40%) of the average width of the parcel or tract proposed for rural cluster subdivision or rural cluster short subdivision.
- (3) When twenty-five percent (25%) or more of the proposed lots in the cluster are less than 20,000 square feet in size.
- (4) When more than seventy-five percent (75%) of all proposed lots in the cluster are at least 20,000 square feet but less than one acre in size.
- (5) When more than seventy-five percent (75%) of the proposed lots in the cluster are one acre or greater in size.
- (6) Minimum lot size for duplexes shall remain as provided in section 18.32.030 SCC.
- (7) For subdivision and short subdivision applications determined to be complete pursuant to Titles 19 or 20 SCC before December 14, 1992, and which are converted to a rural cluster subdivision under Chapter 19.60 SCC or Chapter 20.24 SCC, setback width shall be 75 feet.

(2) All restricted open space, including any proposed recreation uses, in the rural cluster subdivision or rural cluster short subdivision shall be designated restricted open space area and shown as separate, commonly owned tracts or development restricted tracts under single ownership on the plat; PROVIDED, That any proposed development-restricted tract is consistent with the requirements of subsection (4)(b) of this section. Restricted open space areas which are to be left permanently undisturbed shall be shown as native growth protection areas. The restricted open space areas must be protected by covenants, approved by the county, which restrict their use to those uses specified in the approved rural cluster subdivision or rural cluster short subdivision and provide for the maintenance of the area in a manner which assures its continuing use for the intended purpose;

(3) To be accepted as restricted open space under the provisions of this chapter, an area must meet the following standards:

(a) The restricted open space area must be used for buffering, environmentally sensitive area protection, resource production/conservation or recreational purposes;

(b) At least twenty five (25) percent of the required restricted open space tract shall be accessible by all residents of the rural cluster subdivision or short subdivision for passive recreation purposes as allowed by SCC 32.30.040(7);

(c) At the time of application or consideration, the area shall be not subject to any pending enforcement actions for violations of state or county land development requirements or land use regulations.

(4) Land may be established as restricted open space through one of the following methods:

(a) The landowner may convey, without cost, the fee simple, or any lesser interest, development rights or easement that will protect and preserve the restricted open space area for its designated purpose(s), to a public agency or county approved non-profit, private organization which agrees in writing to accept the conveyance and maintain and manage the restricted open space area, including resource lands, critical areas, and any buildings, structures, or improvements thereon, for its designated purpose(s) and in accordance with the requirements of all applicable state laws and county codes. The property may thereafter be conveyed or leased back to the original owner or other person(s) under such covenants or contractual arrangements as will limit the future use of the property and assure its maintenance for its designated purpose(s);

(b) The landowner may retain the property in a single tract and record conditions, covenants and restrictions, as required by the county approving body, which run with the land and benefit the county, and which limit the future use of the property to those allowed in (3) of this section and provide for the maintenance of the property for its designated purpose(s) and the owner provides documentation acceptable to the county to demonstrate the feasibility of managing the tract for beneficial resource production purposes;

(c) When no maintenance of the restricted open space area is required, the owner may convey the property to all lot owners in a tenancy in common; or

(d) If maintenance of the restricted open space area is required and the applicant does not propose to use options (a) or (b) in this subsection (4) to provide for maintenance, a homeowners' association or similar organization shall be established to maintain the area for its designated purpose(s). Membership in the association or organization, and dues or other assessment for maintenance purposes, shall be a requirement of lot ownership;

(5) All lands classified as a natural resource area which are included in restricted open space areas shall be placed under a unified system of property management for the purpose of maximizing their continued or potential, future management for beneficial resource-production/conservation purposes.

32.30.055 Lot Yield - Basic.

(1) Basic maximum lot yield shall be obtained by dividing the gross site area by the minimum required lot area of the zone in which the rural cluster subdivision or rural cluster short subdivision is to be located (with both numbers expressed in the same units);

(2) In determining basic maximum lot yield, a designated duplex lot shall be considered as two lots;

(3) Whenever the resulting yield results in a fractional equivalent of 0.5 or more, the yield shall be rounded up to the next whole number; fractions of less than 0.5 shall be rounded down.

32.30.060 Bonus Residential Density.

(1) A rural cluster subdivision or rural cluster short subdivision application shall be awarded a residential density bonus of ten percent of the maximum density allowed by the underlying zone if:

(a) The restricted open space exceeds the amount required in SCC 32.30.050(1) by at least ten percent of the total site; and

(b) The additional open space is to be retained in designated, restricted open space tracts and meets all the requirements of SCC 32.30.050.

(2) Whenever the resulting bonus yield results in a fractional equivalent of 0.5 or more, the yield shall be rounded up to the next whole number; fractions of less than 0.5 shall be rounded down.

32.30.070 Form of Public Dedication. Lands or easements shall be deeded to the public by statutory warranty deed or dedicated on the face of the plat map.

32.30.080 Severability. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter and the application of such provision to other persons or circumstances shall not be affected.

32.30.090 Repealer. This chapter is hereby repealed on July 1, 1995, unless amended or reenacted prior to that date.

NEW SECTION. Section 2. A new section is added to Title 19, chapter 19.08 Snohomish County Code as follows:

19.08.015 Allowance of Subdivisions Under the Rural Cluster Subdivision Provisions of Chapter 32.30 SCC. Applications for subdivisions located in the Forestry, Forestry and Recreation, Rural 5-Acre, Rural Conservation, or Rural Diversification zones may, at the request of the applicant, be processed as rural cluster subdivisions pursuant to chapter 32.30 SCC.

NEW SECTION. Section 3. A new chapter 19.60 is added to Snohomish County Code Title 19 as follows:

CHAPTER 19.60

CONVERSION OF PENDING AND APPROVED
PRELIMINARY PLATS TO RURAL CLUSTER SUBDIVISION APPLICATIONS

Sections:

<u>19.60.010</u>	<u>Purpose</u>
<u>19.60.020</u>	<u>Application Criteria and Requirements</u>
<u>19.60.030</u>	<u>Procedure for Approval of Conversion</u>
<u>19.60.040</u>	<u>Application Conversion and Completeness Status</u>
<u>19.60.050</u>	<u>Term of Converted Rural Cluster Subdivision</u>

19.60.010 Purpose. The purpose of this chapter is to provide the maximum opportunity for any pending, complete preliminary subdivision applications, and any approved preliminary subdivisions for which improvements have not yet been installed, to be converted to a rural cluster subdivision.

19.60.020 Application Criteria and Requirements. Each pending, complete preliminary subdivision application or approved preliminary subdivision for which improvements have not yet been installed may be considered as a rural cluster subdivision if requested by the applicant. Any such application shall be filed in writing and shall provide all the information specified in SCC 32.30.030.

19.60.030 Procedure for Approval of Conversion. An application for conversion of a pending, complete, preliminary subdivision application shall be processed and reviewed in accordance with the requirements of this title and chapter 32.30 SCC. An application for conversion of an approved, preliminary subdivision for which improvements have not yet been installed shall be processed and reviewed in accordance with the requirements of SCC 19.20.020(1) and chapter 32.30 SCC. Such an application shall not be approved administratively.

19.60.040 Application Conversion and Completeness Status. A converted application shall retain the completeness date determined pursuant to this title for the original subdivision.

19.60.050 Term of Converted Rural Cluster Subdivision. An approved rural cluster subdivision which has been converted from an approved preliminary plat shall be effective for three years from the date the rural cluster subdivision was approved unless extended as provided for preliminary plats by chapter 19.20 SCC. ,

NEW SECTION. Section 4. A new section is added to Title 20, chapter 20.12 Snohomish County Code as follows:

20.12.015 Allowance of Short Subdivisions Under the Rural Cluster Subdivision Provisions of Chapter 32.30 SCC. Applications for short subdivisions located in the Forestry, Forestry and Recreation, Rural 5-Acre, Rural Conservation, or Rural Diversification zones may, at the request of the applicant, be processed as rural cluster short subdivisions pursuant to chapter 32.30 SCC.

NEW SECTION. Section 5. A new chapter 20.45 is added to Snohomish County Code Title 20 as follows:

CHAPTER 20.45

CONVERSION OF PENDING AND APPROVED PRELIMINARY SHORT PLATS TO RURAL CLUSTER SHORT SUBDIVISION APPLICATIONS

Sections:

<u>20.45.010</u>	<u>Purpose</u>
<u>20.45.020</u>	<u>Application Criteria and Requirements</u>
<u>20.45.030</u>	<u>Procedure for Approval of Conversion</u>
<u>20.45.040</u>	<u>Application Conversion and Completeness Status</u>
<u>20.45.050</u>	<u>Term of Converted Rural Cluster Short Subdivision</u>

20.45.010 Purpose. The purpose of this chapter is to provide the maximum opportunity for any pending, complete preliminary short subdivision applications, and any approved preliminary short subdivision for which improvements have not yet been installed, to be converted to a rural cluster short subdivision.

20.45.020 Application Criteria and Requirements. Each pending, complete preliminary short subdivision application or approved preliminary short subdivision for which improvements have not yet been installed may be considered for preliminary approval as a rural cluster short subdivision if requested by the applicant. Any such application shall be filed in writing and shall provide all the information specified in SCC 32.30.030 unless waived or modified pursuant to SCC 32.30.035.

20.45.030 Procedure for Approval of Conversion. The application for conversion shall be processed and reviewed in accordance with the requirements of both this chapter and chapter 32.30 SCC.

20.45.040 Application Conversion and Completeness Status. A converted application shall retain the completeness date determined pursuant to this title.

20.45.050 Term of Converted Rural Cluster Short Subdivision. An approved rural cluster short subdivision which has been converted from an approved preliminary short subdivision shall be effective for three years from the date the rural cluster short subdivision was approved unless extended as provided for short subdivisions by chapter 20.20 SCC.

Section 6. Snohomish County Code Title 18, chapter 18.42, subsection 18.42.020(A), last amended by Ord 89-022 on April 26, 1989, is amended as follows:

18.42.020 Bulk matrix.

(A) The bulk matrix contains setback, lot coverage, building height and lot dimension regulations for zones in unincorporated Snohomish County. Following is a listing of abbreviations used on the bulk matrix and their meaning:

- (1) UBC - Uniform Building Code;
- (2) sf - square feet;
- (3) ft - feet; and
- (4) r/w - right-of-way.

Reference notes to the bulk matrix are found in SCC 18.42.030(B).

Special setbacks for specific uses are contained in SCC 18.42.100(B).

Section 7. A new subsection (21) is added to Snohomish County Code Title 18, subsection 18.42.020(B), reference notes for bulk matrix, as follows:

(21) See section 18.42.075 which specifies lot size minimums for rural cluster subdivisions and rural cluster short subdivisions.

Zone	Maximum Building Height [ft]	Minimum Lot Area	Lot Dimensions [ft]		Setback Requirements From: [ft]					Maximum Lot Coverage ⁸
			Minimum Lot Width	Minimum Corner Lot Width	Public R/W under 60' ¹⁰	Public and Private R/W ⁹	Commercial Properties ¹¹	Residential Properties ¹¹	Water Bodies # ¹²	
F	45 ⁶	20ac ²¹ ₃	300 ²¹	300 ²¹	100 ²¹ ₁₃	100 ²¹ ₁₃	100 ²¹ ₁₃	100 ²¹ ₁₃	25 ¹³	35%
F&R	25 ⁷	200,000sf ²¹ ₂	100 ²¹	100 ²¹	50	20	5	5	25	35%
A-10	45	10ac	none	none	50	20	5	5	25	none
R-5	45	200,000sf ²¹ ₂	165 ²¹	165 ²¹	50	20	5	5	25	35%
RC	35	100,000sf ²¹	165 ²¹	165 ²¹	50	20	5	5	25	35%
RR	35	100,000sf ¹⁹	165 ¹⁹	165 ¹⁹	50	20	5	5	25	35%
RD	45	100,000sf ²¹	165 ²¹	165 ²¹	50	20	5	5	25	35%
SA-1	35	43,560sf	150	150	50	20	5	5	25	35%
RU	35	see 18.42.150	60	65	50	20	5	5	25	35%
R-20,000	25	20,000sf	85	90	50	20	5	5	25	35%
R-12,500	25	12,500sf	75	80	50	20	5	5	25	35%
R-9,600	25	9,600sf	70	75	50	20	5	5	25	35%
R-8,400	25	8,400sf	65	70	50	20	5	5	25	35%
R-7,200	25	7,200sf	60	65	50	20	5	5	25	35%
WFB	25	7,200sf	60	65	50	20	5	5	25	35%
T	see 18.53	see 18.53	see 18.53	see 18.53	50 ¹⁴	20 ¹⁴	5 ¹⁴	5 ¹⁴	25 ¹⁴	see 18.53
LDMR	35	7,200sf ⁴	60	70	55 ¹⁵	25 ¹⁵	see 18.42.020(15)	25 ¹⁵	25 ¹⁵	30%
MR	35	7,200sf ⁵	60	70	55 ¹⁵	25 ¹⁵	see 18.42.020(15)	25 ¹⁵	25 ¹⁵	40%
FS	35	none	none	none	55	25	5/15 ¹⁶	25	none	none
NB ₁	25	none	none	none	55	25	UBC	10	none	35%
PCB ₁	40	none ²⁰	none	none	70	40 ¹⁸	UBC	25	none	none
CB ₁	35	none	none	none	55	25	UBC	10	none	50%
GC ₁	45	none	none	none	55	25	UBC	10	none	50%
IP	65	none	none	none	30 ¹⁷	30 ¹⁷	UBC ¹⁷	25 ¹⁷	none	50%
BP	50	none ²⁰	none	none	30	30	UBC	25	none	35%
LI	50	none	none	none	55	25	UBC	50	none	none
HI	65	none	none	none	55	25	UBC	50	none	none

† Greater setbacks than those listed may apply to areas subject to Shoreline Management Master Program jurisdiction. Some uses have special setbacks, see 18.42.100 for specifics.

NEW SECTION. Section 8. A new section is added to Snohomish County Code Title 18, chapter 18.42, as follows:

18.42.075 Rural Cluster Lot Size Minimums. In rural cluster subdivisions and rural cluster short subdivisions located in zones with a minimum lot area one hundred thousand square feet and approved in accordance with chapter 32.30 SCC, the minimum lot area of the zone in which the subdivision or short subdivision is located shall be deemed to have been met if the following requirements are met:

- (1) No single lot shall be smaller than twelve thousand five hundred (12,500) square feet in area;
- (2) All lots shall have, at a minimum, twelve thousand five hundred (12,500) square feet of entirely usable land;
- (3) Lots with less than the prescribed minimum lot area for the zone in which they are located shall conform to the minimum lot width, setbacks and other bulk regulations of this chapter for lots located in zones with a minimum lot area requirement of twelve thousand five hundred (12,500) square feet. Minimum lot size for duplexes shall remain as provided in SCC 18.32.030.

Section 9. Snohomish County Code Title 19, section 19.28.020, last amended by Ord 91-114 on August 28, 1991, is amended as follows:

19.28.020 Design standards--Roads.

(1) Access to Roads. All plats shall be served by an opened, constructed and maintained public road to which the road system within the plat must connect, except as provided in SCC 19.28.020(2);

(2) Access to the boundary of subdivisions where all lots are five acres in size or larger, or one one-hundred-twenty-eighth of a section or larger when described as a fraction of a section, shall be provided by an open, constructed and maintained county road or county roads or approved trail permit, except that access to the boundary of the subdivisions by private road may be permitted where such private road is within an adjoining subdivision and conforms to all the standards of this title and further, written permission is obtained from all owners of record of said private road; PROVIDED, That the county engineer may waive some or all improvement standards of SCC 19.28.020(4)(a) when he finds that the existing private road is minimally adequate to serve the additional tracts, and the applicant demonstrates full standards are unnecessary, impossible to achieve or result in an inequitable financial burden.

(3) Road Standards. All plat roads shall be dedicated public roads designed and constructed in conformance with the design standards and specifications as specified in chapter 13.05 SCC (Department of Public Works Engineering Design and Development Standards). In rural cluster subdivisions, private roads will be permitted if in accordance with the department of public works engineering design and development standards.

(4) Road standards for subdivisions where all lots are five acres in size or larger, or one one-hundred-twenty-eighth of a section or larger when described as a fraction of a section.

(a) Minimum road standards for such subdivisions shall be provided as set forth in the "Minimum Standards for Private Roads Serving Large Lot Subdivisions" section of the adopted road standards of the county engineer. Said standards require a minimum right-of-way width of sixty feet. Additional width shall be provided if necessitated by cuts or fills. Cul-de-sac rights-of-way shall be ninety feet in diameter;

(b) The overall road network and access needs of lands in the area of the subdivision shall be considered in determining road location within the subdivision;

(c) Where a road right-of-way extending to a boundary property line is not needed to provide improved legal access to the abutting lots, then said right-of-way need not be initially constructed where not providing access; PROVIDED, That the right-of-way is capable of being constructed to the minimum required standards;

(d) Utilities located within the road right-of-way shall be placed in accordance with the minimum private road standards specifications referenced in SCC 19.28.020(4)(a) unless waiver is granted by the county engineer;

(e) Utility easements meeting the standards of all involved utilities shall be established as part of the final plat map. Prior to installation of utilities, the developer shall receive approval from the involved utility district as to the acceptability of such location and minimum standards for installation;

(f) Stop signs constructed to department of public works standards shall be installed as required by the department of public works;

(g) Lots shall generally be designed to have a minimum of individual accesses on the public road serving the property;

(5) Sidewalk Standards. Sidewalks and/or walkways shall be provided in accordance with the design standards and specifications as specified in chapter 13.05 SCC.

(6) Street Signs. Street signs shall be as specified by the department of public works.

(7) Landscaping Within Road Rights-of-Way. A developer proposing landscaped areas within county rights-of-way shall submit a landscape design plan to the community development division for approval. Further, the landscape design plan shall also be reviewed by the (~~office of community~~) planning division to insure that fire apparatus access is not impeded by planned landscaping within county right-of-way. If approved, the final plat for such subdivision shall contain a covenant that such areas shall be maintained by the developer and his successor and may be reduced or eliminated if deemed necessary for or detrimental

to county road purposes and/or fire apparatus.

(8) In rural cluster subdivisions, private roads will be permitted in accordance with the department of public works engineering and development standards.

DATED THIS 3rd day of May, 1993.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

T. H. Kelley
Vice-Chairperson

ATTEST:

Harold J. Morton
Clerk of the Council

Nellie Lewis
County Executive

ATTEST:

DATE: 5/13/93

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

Marilyn Abel

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