

SNOHOMISH COUNTY COUNCIL



AMENDED ORDINANCE NO 95-061

AMENDING SNOHOMISH COUNTY CODE  
TITLE 18, CHAPTER 18.51  
RELATING TO PLANNED RESIDENTIAL DEVELOPMENTS

BE IT ORDAINED:

**SECTION 1.** Snohomish County Code Section 18.51.010, last amended by Ord. No. 94-003 on Feb. 16, 1994 is amended to read:

**18.51.010 Purpose.**

~~((This chapter is designed to provide for small and large scale developments incorporating a single housing type or a variety of housing types and related uses, that are planned and developed as a unit and which may also accommodate the diverse needs of a growing elderly population including assisted living elderly who do not require nursing home care. Planned residential developments (PRDs) may consist of individual lots or may have common building sites. Commonly owned land which is an essential and major element of the plan should be related to and preserve the long term value of the overall project. The increased densities allowed in retirement apartment and retirement housing PRDs are supported by the need to provide alternative housing for the elderly that will facilitate privacy and independence while providing necessary support services and the fact that the impacts resulting from the increased densities are minimized since the elderly generate fewer automobile trips and place fewer demands on public park services due to the normal provision of transportation and recreational amenities in conjunction with retirement apartment and retirement housing developments. 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, topography and geologic features shall be encouraged. A retirement apartment or retirement housing PRD should provide a pleasant and safe residential environment consistent with the needs of elderly citizens and compatible with the surrounding neighborhood.))~~

The purposes of this chapter are to:

- (1) Provide an alternative form of development to traditional lot-by-lot subdivision by allowing flexibility and creativity in site layout and design and which will protect critical areas through the use of open space;
- (2) Provide for small and large scale developments incorporating a single housing type or a variety of housing types and related uses, that are planned and developed as a unit;
- (3) Promote the efficient use of land by allowing a flexible arrangement of buildings and lots, circulation systems, land uses, and utilities;
- (4) Promote the combination and coordination of architectural styles, building forms, and building relationships within a development;
- (5) Preserve the value, character, and integrity of surrounding areas which have been, or, are being developed under traditional zoning regulations;
- (6) Provide the opportunity for affordable housing to meet the needs of a wide range of income and age groups;
- (7) Encourage the preservation of existing natural site amenities such as trees, topography, and geologic features; and
- (8) Create permanent, useable and commonly owned open space for both active and passive recreation to serve the development.

**SECTION 2.** Snohomish County Code Section 18.51.020, last amended by Ord. No. 94-003 on Feb. 16, 1994 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. The retirement apartment or retirement housing PRD overlay may be applied only to the MR, LDMR, NB, PCB, CB and GC zones located within an urban growth area (UGA). PRD's containing multiple family dwellings shall only be allowed within a UGA. Except for the retirement apartment and retirement housing PRDs, the density proposed for the PRD designation shall be consistent with the adopted Snohomish County Growth Management Act ((e))Comprehensive ((p))Plan. This section shall not be construed to negate SCC ~~((18.51.050(1)))~~ 18.51.047.

**SECTION 3.** Snohomish County Code Section 18.51.040, last amended by Ord. No. 95-004 on Feb. 27, 1995 is amended to read:

**18.51.040 ~~((Plans))~~ Submittal Requirements**

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

(2) These plans shall be drawn to a standard engineering scale and shall include at least the following:

(a) Site plan, including the following elements:

- (i) Internal circulation,
- (ii) Schematic drainage/utility concept,
- (iii) Landscape plan for ~~((common))~~ open space tracts and

overall project,

(iv) Open space and community recreation facilities,

(v) Distribution and type of housing units, showing

generalized building footprints~~((,))~~;

~~((b))~~ Declaration of covenants, conditions and restrictions according to SCC 18.51.110, and

~~((c))~~ Other information as determined necessary for adequate design review shall be requested within 21 days from date of application;))

(3) The applicant shall submit one copy of the proposed PRD site plan to the Snohomish health district, along with soil analysis data where on-site septic systems are proposed; ~~((and))~~

(4) In addition to the above submittal requirements, the following submittals are necessary for a multi-family, townhouse or zero lot line development, under this chapter:

(a) Location of driveways, proposed on-street parking and/or grouped off-street parking.

(b) Typical building designs.

(c) Location of privacy features such as walls and fences, and

(d) Landscape plan for areas outside of privacy fencing;

~~((4))~~ (5) Upon evaluation by the department of planning and development services ~~((division))~~ the plans shall be submitted to the hearing examiner for approval.

**SECTION 4.** Snohomish County Code Section 18.51.045, last amended by Ord. No. 88-013 on March 30, 1988 is repealed.

**SECTION 5.** A new section is added to chapter 18.51 of Snohomish County Code to read:

**18.51.047 Dwelling unit calculations.**

The total number of dwelling units for a PRD application shall be determined as follows:

(1) Calculate the number of dwelling units permitted in the underlying zone by dividing the gross site area by the minimum lot area per dwelling unit, or where MR and LDMR standards apply, by the square footage of land per dwelling;

(2) Multiply the resulting number of dwelling units by 2.2 for retirement housing PRDs, 1.54 for retirement apartment PRDs and, for all other PRDs, 1.2 for PRDs located inside a UGA and 1.0 for PRDs located outside of a UGA to determine the total number of dwelling units allowed; and

(3) 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 18.51.050, last amended by Ord. No. 95-004 on Feb. 15, 1995 is amended to read:

**18.51.050 PRD standards.**

The following special conditions shall be met in all PRD overlay zones (~~except where the optional PRD standards for bulk requirements of SCC 18.51.055 are followed:~~

~~(1) Number of Dwelling Units. For all PRDs except retirement apartment and retirement housing PRDs the maximum number of dwelling units permissible shall be 120 percent of the maximum computed density of the underlying zone. For retirement apartment PRDs and retirement housing PRDs the maximum number of dwelling units permissible shall be 154 percent and 220 percent respectively of the maximum computed density of the underlying zone. the maximum density shall be calculated on the basis of 1,300 square feet of land per dwelling unit in the MR zone and in commercial zones in the Paine Field, Alderwood, Southwest County and Marysville comprehensive plan subareas. In the LDMR zone and in all commercial zones in the remaining comprehensive plan subareas, the maximum density shall be calculated on the basis of 2,600 square feet of land per dwelling unit. For retirement housing PRDs the maximum density shall be calculated on the basis of 900 square feet of land per dwelling~~

~~unit in the MR zone and in commercial zones in the Paine Field, Alderwood, Southwest County and Marysville comprehensive plan subareas. In the LDMR zone and in all commercial zones in the remaining comprehensive plan subareas, the maximum density shall be calculated on the basis of 1,800 square feet of land per dwelling unit. The density of the underlying zone for all PRDs shall be computed as follows:~~

~~(a) Determine Gross Development Land Area. Subtract from gross area (i) unbuildable land, (ii) publicly owned community facility land other than parks, and (iii) commercial or industrial land area,~~

~~(b) 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 20 percent of the gross development area, the net development area shall be 80 percent of the gross development area,~~

~~(c) Divide net development area by the minimum lot area per dwelling unit, or where MR and LDMR standards apply, by the square footage of land per dwelling unit permitted in the underlying zone, and~~

~~(d) 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;))~~

~~((2))~~ (1) Open space and Recreation.

~~(a) A minimum of ((Twenty percent)) 15% of the ((net development)) gross site area shall be established as open space and community recreational facilities. Up to ((one-half)) 65% of the ((common)) minimum required open space((land)) may consist of unbuildable land ((upon a showing that such land can and will be utilized in a specific recreational use));~~

~~(b) For the purposes of this section, "unbuildable land" shall consist of:~~

~~(i) All land below the ordinary high water mark of lakes and year-round ponds, and~~

~~(ii) all critical areas and their buffers for which permanent protection is required pursuant to chapter 32.10 SCC;~~

~~(c) The following requirements shall apply to all open space:~~

~~(i) Open space shall be clearly designated as separate, commonly owned areas or tracts,~~

~~(ii) Community recreational facilities within open space shall be accessible to all residents within the PRD,~~

~~(iii) Where practicable, open space within a PRD shall be located contiguous to designated open space on adjacent properties, and~~

~~(iv) Off-street parking areas shall not be located within open space;~~

~~((3))~~ (2) Underlying Zone Requirements. Unless specifically modified by this chapter, all requirements of the underlying residential zone shall apply within the ~~((planned residential development))~~ PRD;

~~((4) Minimum Lot Width. Except for townhouse lots, the minimum lot width shall be 60 feet for interior lots and 65 feet for corner lots. There shall be no minimum lot width for townhouse lots;))~~

(3) Table 1 establishes the bulk requirements for all proposed PRDs as follows:

**TABLE 1  
PRD DENSITY AND DIMENSION STANDARDS**

Development Type	Maximum Density/Bonus	Minimum Lot Width	Minimum Lot Area	Minimum Building Setbacks <sup>(1)(2)</sup>	Maximum Lot Coverage
Single Family Dwellings and Duplexes	<u>inside UGA: 20%</u> <u>outside UGA: none</u>	40' interior 45' corner	3500 sq ft (4)	10' front 5' rear 5' one side w/ 10' total side	55%
Single Family Dwellings Zero Lot Line	<u>inside UGA: 20%</u> <u>outside UGA: none</u>	none	3000 sq ft (4)	10' front 0' rear 0' one side w/ 10' total side	55%
Townhouse Dwellings	<u>inside UGA: 20%</u> <u>outside UGA: none</u>	none	2000 sq ft average (4)	10' front 5' rear 5' one side w/ 10' total side	55%
Multi-Family Dwellings	20%	60'	none	25' front 25' rear 5' one side w/ 10' total side (3)	40%
Retirement Housing	120%	60'	20,000 sq ft	25' front 25' rear 15' side(3)	40%
Retirement Apartments	54%	60'	20,000 sq ft	25' front 25' rear 15' side(3)	40%

(1) See 18.51.050(4) for special setback requirements.

(2) The minimum front building setback shall be one-half the width of the planned right-of-way or easement as measured from the center line of the right-of-way plus the minimum required setback, PROVIDED, that the length of driveway for front yard entry

garages or carports between the face of the building and the right-of-way or easement shall be at least 15 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) 12,500 sq. ft. in R-20,000 and SA-1 zones outside of a UGA

~~(((5) Minimum Lot Area and Bulk Requirements for Single Family Dwellings and Duplex Dwellings.~~

~~-(a) The minimum lot area shall be 5,000 square feet,))~~

(4) Special Requirements.

~~(((b)))~~(a) Single family dwellings and duplexes.

~~(i) ((The minimum front building setback shall be one-half the width of planned rights of way or easements as measured from the centerline of the right-of-way plus 15 feet))~~ Variation in front setbacks and building envelopes is required for lots less than 5,000 square feet in order to provide visually diversified street frontage.

~~(((c) The sum of side setbacks shall be not less than 10 feet.))~~

~~(ii) If the side or rear setback adjoins ((public)) open space, these setback requirements may be reduced by an amount equal to the distance from the ((property)) lot line to the centerline of the open space. A modified setback shall be endorsed upon the ((approved)) official 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 six feet to any structure on an adjacent lot.))~~

~~-(d) Rear setbacks shall be a minimum of five 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~~

~~(e) The maximum lot coverage shall be 35 percent of the lot area or 2,520 square feet, whichever is greater;~~

~~-(6) Minimum Lot Area and Bulk Requirements for Townhouse Dwellings.~~

~~(a) Minimum lot area per dwelling unit shall be an average of 2,000 square feet,~~

~~(b) Townhouse Dwellings.~~

~~(i) ((Every townhouse lot shall have a front setback of not less than 15 feet, and a rear setback of not less than five feet, both measured from the property line; PROVIDED, That))~~ Variation in front setbacks and building envelopes is required in order to provide visually diversified street frontage when two or more townhouse dwelling units are being developed on adjacent lots((, m)). Minimum front setbacks may be

reduced by not more than ~~((40))~~5 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 ~~((45))~~10 feet, and each lot has a combined total of ~~((30))~~25 feet of front and rear setbacks,



~~((e))~~(ii) ~~((Every townhouse at each end of a group of attached units shall maintain a side setback of not less than five feet with a minimum building separation of not less than 10 feet; PROVIDED, That i))~~ If the side or rear 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))~~ official site plan. No portion of any building or appurtenance shall be constructed as to project into any ~~((commonly-owned))~~ open space,

~~((d))~~(iii) ~~((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 ~~((community))~~ department of planning and development ~~((division))~~ services 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 ~~((community))~~ department of planning and development services ~~((division))~~ may be appealed to the hearing examiner,

~~((e))~~ Lot coverage requirements shall be as follows:

~~(i)~~ townhouse and accessory structures shall together cover no more than 55 percent of the lot, and

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

~~(f)~~ Townhouse building height shall not exceed 30 feet;

~~(7)~~ Minimum Lot Area and Bulk Requirements for Multiple Family Dwellings. Multiple family dwellings shall also be allowed in any PRD, PROVIDED the following requirements are met:

~~(a)~~ The maximum lot coverage shall be 40 percent,

~~(b)~~ There will be no minimum lot size,

~~(c)~~ There will be no maximum height,

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

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

~~(f)~~ The rear setback shall be not less than 25 feet for single-story structures;

~~((g))~~ The side and rear setbacks dwellings of subsections (5) and (6) herein may be modified as follows:))

(c) Multiple Family Dwellings.

(i) If the side or rear 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))~~ lot line to the centerline of the open space,

(ii) The resultant requirement shall then be endorsed upon the ~~((approved))~~ official site plan as a base setback requirement,

(iii) In the case of multistory structures, the base setback requirements ~~((of subsections (d), (e), (f) and (g)(i) above for such structures))~~ shall be increased for each additional story or fraction thereof by an amount equal to ~~((four feet for the sum of the side setbacks and))~~ two feet ~~((each))~~ for each of the following minimum ~~((width side))~~ setbacks~~((;))~~; ~~((designated))~~ front, side and rear ~~((setback and designated front setback, and))~~,

~~((h))~~ (iv) No portion of any building or appurtenance shall be constructed as to project into any ~~((commonly owned))~~ open space~~((;))~~, and

(v) There is no maximum building height;

~~((g))~~(d) Mobile homes, single or multisectioned, 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 chapters 18.32 and 18.55 SCC.

(e) Zero lot line single family development.

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

(ii) Variation in front setbacks and building envelopes is required in order to provide visually diversified street frontage.

(iii) For zero lot line developments, a five foot minimum maintenance easement shall be shown on the 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-foot maximum eave easement shall be established within the maintenance easement if roof overhangs are proposed, and

(iv) 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 feet.

**SECTION 7.** Snohomish County Code Section 18.51.055, last amended by Ord. No. 88-013 on March 30, 1988 is repealed.

**SECTION 8.** Snohomish County Code Section 18.51.057, last amended by Ord. No. 94-003 on Feb.16, 1994 is amended to read:

**18.51.057 Retirement housing and retirement apartment PRD standards.**

Except as specifically noted, every proposed retirement housing or retirement apartment PRD shall meet all of the following special conditions in addition to the requirements of SCC 18.51.050:

~~((1))~~ ~~The minimum lot area shall be 20,000 square feet;~~

~~(2) All buildings and structures shall maintain a minimum side yard setback of 15 feet and a minimum rear yard setback of 25 feet;~~

~~((3))~~ (1) 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;

~~((4))~~ (2) 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;

~~((5))~~ (3) Off-street parking requirements are subject to reduction pursuant to SCC 18.45.055. 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;

~~((6))~~ (4) For retirement housing only, comply with all of the laws, rules, regulations and standards for boarding homes pursuant to chapter 18.20 RCW;

~~((7))~~ (5) 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;

~~((8))~~ (6) The on-site circulation system shall not account for more than 20 percent of the gross development area; and

~~((9))~~ (7) All residential structures shall be serviced by sanitary sewers.

**SECTION 9.** Snohomish County Code Section 18.51.070, last amended by Ord. 88-013 on March 30, 1988 is amended to read:

**18.51.070 Official site plan.**

(1) The site plan as approved by the hearing examiner shall become the official site plan of the PRD and any changes thereto shall require review under the provisions of SCC 18.51.080;

(2) The official 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;

(3) All development within an approved PRD shall conform to the official 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; and

(4) Prior to the issuance of a building permit for any structure in a PRD zone, a final plat, final short plat, binding site plan, 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.** A new section is added to Chapter 18.51 of the Snohomish County Code to read:

**18.51.075 Binding site plan**

(1) If an applicant chooses to divide land by subjecting a portion of a lot, parcel, or tract to either chapter 64.32 or 64.34 RCW, the applicant shall obtain approval of a PRD official site plan and approval of a binding site plan pursuant to Title 19A SCC.

(2) All hearing examiner conditions of approval shall appear on either (a) the binding site plan with record of survey to be recorded, or (b) be referenced on said document and recorded separately as covenants, conditions, and restrictions (CCRs).

**SECTION 11.** Snohomish County Code Section 18.51.080, last amended by Ord. 95-004 on Feb. 15, 1995 is amended to read:

**18.51.080 Revision of the official site plan.**

Revisions of an official site plan shall be permitted as set forth below:

(1) 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;

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

(3) 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))~~ site plan 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.

(4) Any changes shall be noted on the official ~~((PRD))~~ site plan filed with the department of planning and ~~((community))~~ development services.

**SECTION 12.** Snohomish County Code Section 18.51.090, last amended by Ord. 88-013 on March 30, 1988 is amended to read:

**18.51.090 Private roads and vehicular circulation.**

Private roads ~~((which use a modified design standard as provided by this section,))~~ may be permitted in accordance with the department of public works Engineering Design and Development Standards (EDDS) adopted under chapter 13.05 SCC and where specifically ~~((upon approval))~~ approved by the ~~((director of public works))~~ county engineer ~~((and appealable to the hearing examiner)).~~

(1) General Criteria. ~~((The right-of-way))~~ Private road widths, paved sections and other features of the on-site road system shall comply with the EDDS and 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.

(2) ~~((Design of Modified Roads. Minimum road width pavement standards allowed under the design modifications permitted by this section shall be a 20-foot width, with a 14-foot 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))~~

~~(((3)))~~(2) Firelane Striping. Roads so modified as provided in this section shall have a firelane striped or posted. For roads in excess of 20 feet, the requirement of firelane identification shall be waived.

~~(((4)))~~(3) Parking. Consideration shall be made to insure adequate parking in a PRD. Occupant parking shall be provided at the rate of ~~((four))~~ two spaces/single family unit. Guest parking shall be provided at the rate of one-half space/single family unit. All parking requirements may be met 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 28 feet. If the road pavement width is between 28 feet and 36 feet, only one side of the road shall be a designated parking lane.))~~

~~(((5)))~~(4) 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))~~ A private road approved in conjunction with this chapter shall be maintained by the owner(s) of the parcels having legal access to the road until such road is improved to Snohomish County standards and accepted by Snohomish 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))~~ and pedestrian circulation, which may include attached as well as detached pedestrian pathways.

**SECTION 13.** Snohomish County Code Section 18.51.110, last amended by Ord. 88-013 on March 30, 1988 is amended to read:

**18.51.110 Maintenance of open space and utilities.**

~~((Before approval by the hearing examiner may be granted,))~~ Prior to initiation of any site work and/or prior to issuance of any development/construction permits by the county, the applicant shall submit to the ~~((hearing examiner))~~ department of planning and development services covenants, deeds and homeowners' association by-laws and other documents guaranteeing maintenance 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))~~ department of planning and development services. Such documents and conveyances shall be accomplished and be recorded, as applicable, with the county auditor as a condition precedent to the filing of any final plat, final short plat, or binding site plan 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, final short plat, or binding site plan.

PASSED this 16th day of August, 1995

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

*Richard C Johnson*  
for Chairperson

ATTEST:

*Sheela McCallister*  
Asst. Clerk of the Council

- APPROVED
- VETOED
- EMERGENCY

DATE 9/6/95  
*Robert J. Drewel*  
Robert J. Drewel  
Snohomish County Executive

ATTEST:

*Marilyn B. Abel*

Approved as to form only on:

\_\_\_\_\_  
Michael Smith  
Deputy Prosecuting Attorney

Date: \_\_\_\_\_