



SNOHOMISH COUNTY COUNCIL  
SNOHOMISH COUNTY, WASHINGTON  
ORDINANCE NO. 98-013

AMENDING SNOHOMISH COUNTY CODE TITLES 18 AND 32 RELATING TO  
THE REQUIREMENTS OF THE RURAL DIVERSIFICATION ZONE AND  
THE RURAL CLUSTER SUBDIVISION REGULATIONS.

WHEREAS, the Snohomish County Council adopted a GMA Comprehensive Plan on June 28, 1995; and

WHEREAS, the GMA requires the county to adopt development regulations that are consistent with the county's adopted GMA Comprehensive Plan; and

WHEREAS, several appellants filed appeals to various provisions of the plan with the Central Puget Sound Growth Management Hearings Board (*Sky Valley, et al. v. Snohomish County*, Consolidated Case No. 95-3-0068c, (*Sky Valley*)); and

WHEREAS, the Board issued a Final Decision and Order in *Sky Valley* on March 12, 1996, and an Order on Motions to Reconsider and Correct on April 15, 1996, and directed the county to reconsider and amend, if necessary, some portions of the text and maps of its GMA Comprehensive Plan; and

WHEREAS, the county amended its plan and development regulations in response to the Board's order on November 27, 1996; and

WHEREAS, the Central Puget Sound Growth Management Hearings Board issued an Order of Compliance in *Sky Valley* on October 2, 1997, finding the County to be in compliance with its Final Decision and Order, except for the Rural Residential - Rural Diversification (RR-RD) plan designation; and

WHEREAS, the Board remanded the RR-RD designation to the county with instructions to insure that this designation does not result in a pattern of urban growth in a rural area; and

WHEREAS, the Snohomish County Planning Commission and County Council have held hearings on proposed GMA comprehensive plan and development regulation changes to comply with the Board's order; and

WHEREAS, the planning commission and county council simultaneously considered some minor code amendments to correct omissions and fully implement the General

Policy Plan policies and future land use map as amended by the county council in November 1996; and

WHEREAS, the Snohomish County Planning Commission held a hearing on January 27, 1998, on code amendments; and

WHEREAS, the Snohomish County Council held public hearings on March 16 and 23, 1998, to consider the Planning Commission's recommendations; and

WHEREAS, the county council considered the entire hearing record including the Planning Commission's recommendation, and written and oral testimony submitted during the council hearings.

NOW, THEREFORE, BE IT ORDAINED:

**Section 1.** Snohomish County Code Section 18.42.020(A), last amended by Ordinance Number 96-076 on November 27, 1996, is **AMENDED** to read:

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

18.42.020(A)  
Setback Requirements From: (ft)

Zone	Lot Dimension (ft)				Min Corner Lot Width	Public Right of Way under 60' (10)	Public and Private Right of Way (9)	Commercially Zoned Properties (11)	Residentially Zoned Properties (11)	Resource Lands		Water Bodies (12)	Maximum Lot Coverage (8)
	Max Bldg Hgt (ft)	Minimum Lot Area	Min Lot Width	Min						Ag	Forest		
F	45 <sup>(6)</sup>	20 ac <sup>(7)</sup>	300	300	100 <sup>(13)</sup>	100 <sup>(13)</sup>	100 <sup>(13)</sup>	100 <sup>(13)</sup>	100 <sup>(13)</sup>	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25 <sup>(14)</sup>	35%
F&R	25 <sup>(7)</sup>	200,000 sq ft <sup>(23)</sup>	100	100	50	20	5	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%
A-10	45	10 ac	none	none	50	20	5	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	none
R-5	45 <sup>(8)</sup>	200,000 sq ft <sup>(23)</sup>	165 <sup>(23)</sup>	165 <sup>(23)</sup>	50	20	5	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%
RC	35 <sup>(8)</sup>	100,000 sq ft <sup>(23)</sup>	165 <sup>(23)</sup>	165 <sup>(23)</sup>	50	20	5	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%
RD	45	100,000 <sup>(24)</sup>	165	165	50	20	5	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%
SA-1	35	1 ac/43,560 sq ft <sup>(25)</sup>	150	150	50	20	5	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%
RU	35	see 18.42.150	60	65	50	20	5	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%
R-20,000	25	20,000 sq ft	85	90	50	20	5	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%
R-12,500	25	12,500 sq ft	75	80	50	20	5	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%
R-9,600	25	9,600 sq ft <sup>(26)</sup>	70	75	50	20	5	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%
R-8,400	25	8,400 sq ft <sup>(26)</sup>	65	70	50	20	5	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%
R-7,200	25	7,200 sq ft <sup>(26)</sup>	60	65	50	20	5	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%
WFB	25	7,200 sq ft <sup>(26)</sup>	60	65	50	20	5	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%
T	see 18.53	see 18.53	see	see	50 <sup>(14)</sup>	20 <sup>(14)</sup>	5 <sup>(14)</sup>	5 <sup>(14)</sup>	5 <sup>(14)</sup>			25 <sup>(14)</sup>	see 18.53
LDNR	35	7,200 sq ft <sup>(27)</sup>	60	70	55 <sup>(15)</sup>	25 <sup>(15)</sup>	see 18.42.020(B) <sup>(17)</sup>	see 18.42.020(B) <sup>(17)</sup>	see 18.42.020(B) <sup>(17)</sup>			25 <sup>(15)</sup>	30%
NR	35	7,200 sq ft <sup>(27)</sup>	60	70	55 <sup>(15)</sup>	25 <sup>(15)</sup>	see 18.42.020(B) <sup>(17)</sup>	see 18.42.020(B) <sup>(17)</sup>	see 18.42.020(B) <sup>(17)</sup>			25 <sup>(15)</sup>	40%
FS	35	none	none	none	55	25	5/15 <sup>(16)</sup>	25	25			none	none
NB <sup>(1)</sup>	25	none	none	none	55	25	none	10	10			none	35%
PCB <sup>(1)</sup>	40	none <sup>(18)</sup>	none	none	70	40 <sup>(18)</sup>	none	25	25			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.

18.42.020(A)  
Setback Requirements From: (ft)

Zone	Lot Dimension (ft)			Setback Requirements From: (ft)					Maximum Lot Coverage <sup>(8)</sup>		
	Max Bldg Hgt (ft)	Minimum Lot Area	Min Lot Width	Min Corner Lot Width	Public Right of Way under 60' <sup>(6)</sup>	Public and Private Right of Way <sup>(7)</sup>	Commercially Zoned Properties <sup>(1)</sup>	Residentially Zoned Properties <sup>(1)</sup>		Resource Lands Ag Forest	Water Bodies <sup>(1)(2)</sup>
CB <sup>(1)</sup>	35	none	none	none	55	25	none	10		none	50%
GC <sup>(1)</sup>	45	none	none	none	55	25	none	10		none	50%
IP	65	none	none	none	30 <sup>(1)(2)</sup>	30 <sup>(1)(7)</sup>	none <sup>(1)(7)</sup>	25 <sup>(1)(7)</sup>		none	50%
BP	50	none <sup>(1)(9)</sup>	none	none	30	30	none	25		none	35%
L1	50	none	none	none	55	25	none	50		none	none
fill	65	none	none	none	55	25	none	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.

(B) Reference notes for bulk matrix.

(1) LDMR standards shall apply for all residential development permitted in commercial zones, except that MR standards shall apply for all residential development permitted in commercial zones located within Urban Growth Areas pursuant to the county General Policy Plan and Chapter 36.70A RCW.

(2) When subdivisionally described, the minimum lot size shall be 1/128th of a section.

(3) When subdivisionally described, the minimum lot size in the F zone shall be 1/32nd of a section.

(4) In the LDMR zone, the maximum density shall be calculated based on 4,000 square feet of land per dwelling unit.

(5) In the MR zone, the maximum density shall be calculated based on 2,000 square feet of land per dwelling unit.

(6) Commercial forestry structures shall not exceed 65 feet in height.

(7) Non-residential structures shall not exceed 45 feet in height.

(8) Lot coverage includes all buildings on the given lot.

(9) Includes public rights-of-way 60 feet and wider; public rights-of-way under 60 feet in a recorded plat with curbs and gutters; and private roads and easements. These setbacks shall be measured from the edge of the right-of-way.

(10) Applies to public right-of-way under 60 feet. These setbacks shall be measured from the center of the right-of-way.

(11) These setbacks shall be measured from the property line.

(12) These setbacks shall be measured from the ordinary highwater mark and shall apply only to the rear setback. In the "LDMR" and "MR" zones this setback applies to single-family dwellings only.

(13) The listed setbacks apply where the adjacent property is zoned F. In all other cases, setbacks are the same as in the R-8400 zone. In the F zone, the setbacks for residential structures on 10 acres or less which were legally created prior to being zoned to F shall be the same as in the R-8400 zone.

(14) The listed setbacks apply to single-family detached structures. For townhouse, see Chapter 18.53 SCC.

(15) MR and LDMR Setbacks.

(a) Single-family detached structures shall have the minimum setbacks required in the R-8400 zone.

(b) Other structures shall have minimum side and rear setbacks of five feet (ten feet where abutting residence, rural or resource zones). Building separation shall be a minimum of 15 feet.

(c) Multi-story structures shall increase all setbacks by three feet and building separations by five feet for each additional story over two stories.

(16) In the FS zone, the setback from non-residential property shall be five feet for side setbacks and 15 feet for rear setbacks.

(17) In the IP zone there shall be an additional one foot setback for every one foot of building height over 45 feet.

(18) In the PCB zone the setback from private roads and easements is 25 feet.

(19) See SCC 18.60.020(1) and (2) which specifies the minimum area of tract of land necessary for PCB or BP zoning.

(21) See additional setback provisions for dwellings located along the boundaries of designated farmlands contained in SCC 32.14.050.

(22) See additional setback provisions for structures located adjacent to forest lands, and/or on lands designated local forest or commercial forest contained in SCC 32.13.030 and SCC 32.13.040.

(23) The minimum lot size for properties designated Rural Residential (RR)-10 (Resource Transition) on the comprehensive plan shall be 10 acres. Lot/unit yield for rural cluster subdivisions or housing demonstration program projects using PRD provisions shall be based on a minimum lot size of 200,000 square feet.

(24) Minimum lot area may be modified within UGAs in accordance with SCC 18.42.085.

(25) In rural cluster subdivisions approved in accordance with the provisions of Chapter 32.30 SCC, the minimum lot area shall be as provided in SCC 18.42.075. The maximum lot area shall not exceed 20,000 square feet when located in rural/urban transition areas.

**Section 2.** Snohomish County Code Section 32.30.020, last amended by Ordinance Number 96-076 on November 27, 1996, is **AMENDED** to read:

32.30.020 Applicability.

(1) This chapter may be used for development of single-family and/or duplex residences in the ~~((forestry, forestry and recreation, rural five-acre zones, including properties which have been designated local forest or local commercial farmland pursuant to the General Policy Plan component of the Snohomish County GMA Comprehensive Plan adopted by Council Ordinance No. 94-125; except properties which have been designated as commercial forest, commercial forest—forest transition area, upland commercial farmland, or riverway commercial farmland pursuant to the General Policy Plan component of the Snohomish County GMA Comprehensive Plan adopted by County Council Ordinance No. 94-125))~~ following zones subject to the limitations in SCC 32.30.020(2):

(a) Forestry;

(b) Forestry and recreation;

(c) Rural five-acre;

(d) Rural conservation; and

(e) Rural diversification.

(2) The provisions of this chapter shall not be used in the zones listed in SCC 32.30.020(1) if the properties are designated commercial forest, commercial forest - forest transition area, upland commercial farmland, riverway commercial farmland, rural residential - RD, or are located within an Urban Growth Area pursuant to the Snohomish County GMA Comprehensive Plan.

Section 3. Snohomish County Code Section 32.30.055, last amended by Ordinance Number 96-087 on November 27, 1996, is **AMENDED** to read:

32.30.055 Lot yield.

(1) Basic 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 is to be located (with both numbers expressed in the same units); EXCEPT that, for lots designated RR and RR-10 (RT), basic lot yield shall be calculated using a minimum lot size of 100,000 square feet and 200,000 square feet respectively;

(2) The maximum lot yield shall be obtained by multiplying the basic lot yield by one plus the density bonus, expressed as a fraction, as specified in SCC 32.30.060; EXCEPT that, the maximum lot yield on lots designated RR shall be the basic lot yield calculated in SCC 32.30.055(1), and the residential density bonus provisions of SCC 32.30.060 shall not apply;

(3) In determining the lot yield, a designated duplex lot shall be considered as two lots;

(4) 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.

Section 4. Table 1 (Requirements for Restricted Open Area and Bulk Regulations) is AMENDED to read as follows:

	Forestry F&R	R-5 ((&))in RR-5 (8) <del>RC, R-5, &amp; RD</del> in RR-10(RT) or LCF	R-5 ((&))in RR (8)
Minimum Restricted Open Space Natural Resource Areas	60% 60%	45% 60%	45% 60%
Minimum Bonus Density <sup>(1)</sup> Natural Resource Areas	15% - 35% 10%	15% - 35% 10%	<del>15% - 35%</del> None 10%
Required Buffer - Adjacent Property Roads <sup>(2)(3)</sup> and Adjacent Property	(4)		(4)
Average Width:	75' 50'	75' 50'	35'
Minimum Width:	50' 35'	50' 35'	25'
Required Setback for Single Family Residential/Duplex from Adjacent Resource Areas <sup>(2)</sup> Setback Width: <sup>(5)</sup>	100' (forest land) 50' (farmland)	100' (forest land) 50' (farmland)	100' (forest land) 50' (farmland)
Required Buffers - Between Clusters			
Average Width:	75'	75'	75'
Minimum Width:	50'	50'	50'
Lot Dimensions, Setbacks	R-7,200		
Maximum Lots per Cluster	30	30	30
Minimum Lot Size <sup>(6) (7)</sup>			
Maximum Lot Size <sup>((10))9)</sup>			

- (1) Bonus density as provided in SCC 32.30.060.  
(2) Buffers required adjacent to public roads as provided in SCC 32.30.040(2).  
(3) Required buffers shall not include any portion of the required minimum lot area or required minimum setbacks of any proposed lot. Notwithstanding any other requirement in Table 1, the sum of all buffers and/or setbacks shall not exceed 40 percent of the average width of the parcel or tract proposed for rural cluster subdivision or rural cluster short subdivision.  
(4) When more than 75 percent of the proposed lots in the cluster are one acre or greater in size.  
(5) For subdivision and short subdivision applications determined to be completed 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.  
(6) Minimum lot size as provided in SCC 18.42.075.  
(7) Minimum lot size for duplexes shall remain as provided in SCC 18.32.030.  
(8) ~~((Applies only to R-5 zone with RR-5 designation on the GPP))~~ Applies to listed zones only in specified GPP designations.  
(9) ~~((Applies only to R-5 zone with RR designation on the GPP.~~  
(10))) Maximum lot size in rural/urban transition area shall be 20,000 square feet.



**SECTION 5. Severability.** If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

**SECTION 6.** The Snohomish County Council makes the following findings and conclusions:

- A. The GMA requires the county to adopt development regulations that are consistent with the county's adopted GMA Comprehensive Plan.
- B. The county council finds that several amendments to the code need to be made to fully implement the County's comprehensive plan as amended in November, 1996. These amendments correct several omissions which should have been adopted together with the plan in 1996.
- C. The county council determines that these changes to the county's development regulations are necessary to bring the regulations into full consistency with the provisions of the comprehensive plan as it was amended pursuant to Amended Ordinance No. 96-074.
- D. Titles 18 and 32 of the Snohomish County Code, as amended, adequately respond to the Order of Compliance of the Central Puget Sound Growth Management Hearings Board in *Sky Valley*.
- E. Addendum No. 10 to the Final Environmental Impact Statement (FEIS) for the Snohomish County GMA Comprehensive Plan was prepared to satisfy SEPA requirements. The addendum describes the proposed comprehensive plan and development regulation amendments and, together with the FEIS, analyze their impacts. The council concludes that SEPA compliance has been satisfied by this document and previously issued documents.

Passed this 23<sup>rd</sup> day of March, 1998.

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

Kirk Stevens

Chair

ATTEST:

Shila McCauley  
Clerk of the Council *asst.*

- APPROVED
- VETOED
- EMERGENCY

Date: 3-24-98

Joan M Earl

County Executive

**JOAN M. EARL**  
Deputy Executive

APPROVED AS TO FORM

ATTEST:

Barbara Dylkes 3/5/98  
Deputy Prosecuting Attorney

Connie Merritt