



SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

ORDINANCE NO. 98-094

AMENDING SNOHOMISH COUNTY CODE
CHAPTERS 18.42 AND 18.90
RELATING TO SETBACK REQUIREMENTS
FROM A "LIMITED ACCESS" RIGHT-OF-WAY

WHEREAS, the county executive and county council have identified regulatory reform of land use regulations as a high priority for county government; and

WHEREAS, with the assistance of the county council, the county executive and prosecuting attorney have established a regulatory reform process to make land use regulations more understandable to the public and more easily implemented by the county; and

WHEREAS, this ordinance is a result of that process;

THEREFORE, BE IT ORDAINED:

Section 1. Snohomish County Code Section 18.42.140 last amended by Ordinance No. 97-028 on May 14, 1997, is amended to read:

18.42.140 Other setback exceptions.

(1) In any zone when at least 50 percent of the frontage in any block front is improved with permitted buildings, some of which have setbacks from the street of less than the required depth, then any new building shall provide a setback from the street of not less than the average of setbacks provided by all properties 165 feet on either side of the subject lot. Vacant lots shall be considered as having the setback required in the zone;

(2) On any lot where the natural gradient or slope, as measured from the front lot line along the centerline of the lot for a distance of 60 feet, is in excess of 35 percent, then the required front setback may be reduced one foot for each one percent of gradient or slope in excess of 35 percent;

(3) The depth of a required setback from a street on any lot abutting a hammerhead on a dead end street shall be measured from the extended right-of-way line of the street before entering the hammerhead. The depth of this required setback from the extended right-of-way line shall be computed the same way as any other setback on any normal street, and in no case shall it be less than 15 feet;

(4) The minimum setback requirement for buildings existing at the time of creation of a private road, having legal right of access to the private road, which private road is less than 50 feet in width and is incapable of (a) providing access for more than eight lots; (b) generating a maximum of 80 average daily trips in designated urban growth areas adopted by the county council pursuant to chapter

36.70A RCW and a maximum of 90 average daily trips in areas not included within the urban growth areas adopted by the county council pursuant to chapter 36.70A RCW. Trip generation shall be determined based on the latest edition of the ITE trip generation report published by the Institute of Traffic Engineers; or (c) being converted to a street in light of all potential developments surrounding the particular lot, shall be five feet from the edge of the private road right-of-way, PROVIDED: (a) a minimum two off-street parking stalls shall be provided within the unencumbered portion of the property in conformance with chapter 18.45 SCC; and (b) when the existing structure is less than 20 feet from the private road, the existing structure may not be moved or expanded to encroach closer to the private road than existed at the time of creation of the private road;

(5) The minimum setback requirement from private roads for structures which do not have legal right of access to the private road when the private road is less than 50 feet in width and is incapable of either providing access for more than eight lots or being converted to a street in light of all potential developments surrounding the particular lot shall be five feet from the edge of the private road right-of-way; and

(6) Yards abutting a private right-of-way or easement capable of serving two lots or less shall be considered as a side or rear setback, if the lot also fronts on a public right-of-way.

(7) For the purposes of "corner lot" determination, a "limited access" right-of-way is not a street or road. Side and/or rear yard setbacks shall apply along such lot lines.

Section 2. Snohomish County Code Section 18.90.535, added by Ordinance No. 86-037 on May 7, 1986 is amended to read:

18.90.535 Lot, corner.

"Corner lot" means a lot situated at the intersection of two or more streets or roads or private roads, or bounded on two or more adjacent sides by street or road or private road lot lines~~((;))~~. A "limited access" right-of-way is not a street or road. ~~((PROVIDED That the))~~ The angle of intersection of such lot lines ~~((does))~~ shall not exceed 135 degrees.

PASSED this 14th day of October, 1998

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON



Chairperson

Ordinance Amending SCC Title 18, Chs. 18.42 and 18.90
Relating to Bulk Regulations and Definitions-Setbacks from
"Limited Access" Streets or Roads.

ATTEST:

Barbara Sitoristi
Clerk of the Council, *Asst.*

- APPROVED
- VETOED
- EMERGENCY

DATE: 10-15-98

Joan M Earl
County Executive

ATTEST: Joanna Swanson

JOAN M. EARL
Deputy Executive

Approved as to form only:

Mary J. Smith 10/19/98
Deputy Prosecuting Attorney