

**UDC UPDATE PROJECT
UDC PUBLIC FORUM
FACILITATED DISCUSSION WITH THE **GENERAL PUBLIC**
RE: RURAL CLUSTER SUBDIVISIONS CODE REVISIONS &
URBAN RESIDENTIAL DESIGN STANDARDS**

As DISCUSSED ON NOV 1, 2007 AT 9:00 A.M.

Please note: These are the individual comments made by the audience at the morning session of the UDC Public Forum. To view this commentary in summary form, please go to: [Snohomish County : UDC Update Project : Meeting Schedule](#)

Links to handouts can be found on the public and stakeholder meetings page.

<u>Comments related to Rural Cluster Subdivisions (RCS) Potential Amendment Matrix</u>
<i>*Staff comments are denoted in italics.</i>
Site Design
Related to options 4 – 10: Avoid regulations that require buffers that serve no purpose, do not contribute to open space or provide habitat. Do not limit Rural Cluster Subdivisions (RCS) to “villages” with a few hundred residents. Do not limit the number of cluster developments in a particular area, this would have the same impact as Critical Area Regulations (CAR). People should be made aware that CAR was the impetus for the cluster “rush”; these types of regulations dissatisfy the public and are what drive blips in applications. Most RCS applications retain 65% - 70% of open space.
Site design regulations should include compatibility with surrounding development.
Sections 230 and 240 of existing code include exceptions that double the density. Why? The county should make the connection that this is a cause/effect situation and provide incentives that result in improved rural character.
There is a public misconception that RCS’ double the density, when they actually just achieve the density contemplated in the Comprehensive Plan. RR-Basic is a Comp Plan designation. The net result of limiting site design will be R-5 segregations and if the county creates enough disincentives then developers will just stop building RCS all together and do traditional R-5 development.
I thought that there was a bonus density allowed for RCS in R-5 Basic district. Why isn’t density being discussed in this matrix of potential amendments?
A modest bonus density is much different than achieving double the density allowed in the rural area; It is critical to maintain a density that is consistent with the rural area. Part of the Comprehensive Plan says to maintain rural character.
People lose sight of the concept of RCS; the intent of the concept behind awarding the bonus density is that it achieves open space preservation compared to traditional 5-acre development. RCS offers other benefits as well, such as, preserving hydrologic function and achieving other environmental protection goals.
RCS poses drainage issues; citizen owns 2 large parcels down gradient from a 53-lot RCS. Retaining drainage on-site does not occur on unique topographical features such as steep slopes. Citizen needs to have a hydrologist/wetland biologist monitor the site to ensure her timber sales will not be impacted. Using Low Impact Development (LID) within RCS would be very important to her.
Goal of RCS allows landowners to utilize their property built to current zoning; primarily intended to

allow landowners the most for their property despite forces that limit them such as CAR, etc.
The concept of RCS is an aesthetic issue (though unsuccessful in maintenance) that negatively impacts water supply, septic treatment/aquifer. Citizen is astonished by development in 7-lakes area.
Density issues should be in this matrix; density needs to be re-evaluated. The General Policy Plan (a component of the GMA Comprehensive Plan) indicates that rural areas should accommodate only 15% of the population. Rural population currently exceeds that figure. <i>Elizabeth Anderson (EA): Density will be looked at with the Buildable Lands Report (BLR); RCS code will not be looking at the density calculations.</i>
Urban folks expecting urban services with urban behaviors are moving into rural areas; this isn't being adequately considered.
Why are pedestrian provisions limited to accommodating only schoolchildren? Our society is getting obese – road and pedestrian designs need to rely less on the automobile and adequately provide for a different way of living.
If county staff is being directed by the Executive not to look at the density issue, then we as citizens need to apply political pressure on the County Council. Refusing to consider density in this discussion is ridiculous.
Landscaping
RCS should not be the only development type required to use perimeter or buffer landscaping. A 5-acre lot has more of an impact than a 1-acre lot. The City of Edmonds design review board requires copious notes as to what will be installed. The homes built in RCS in most cases are much nicer than adjacent properties. Why should developers be required to “buffer” them from view?
The suggested list of options presented in the Landscaping section of the Amendment Matrix is filled with prescriptive requirements that will only serve to make designers wealthy. Alders, evergreens and blackberries are non-native, yet typical of the rural area. Buffers should be left alone and allow natural succession to take place. Re-vegetation provisions should allow for alder plantings if soil types allow, which they usually do. Standards should differentiate between buffer material types and the importance of perimeter buffer. Perimeter buffers should be enforced and maintained to allow for aesthetic protection and consistency with the surrounding rural area.
Provide a sample of varieties of native plants compatible with the rural district. Allowing only native vegetation for re-planting is too much of a constraint; Non-native plants and species have shaped rural character over the last 100 years and could also achieve landscaping goals.
The code should address removing trails in buffers of critical areas (wetlands/streams) and restrict these open space areas for habitat preservation. Buffers that serve as wildlife habitat should not be used for recreation by people.
There needs to be consistency in review and code interpretation by planners regarding the process development applications must undergo when evaluating impacts to viewsheds. <i>EA: Postings are made to the UDC website often; make sure to sign up for e-subscribe so that you get updates on topics you are interested in.</i>
More research needs to take place related to the types of species allowed for landscaping. Are we going to require a 10 to 15-foot tree or a 2-foot, 3-year-old plant? Instantaneous buffers are impractical; younger specimens are more sustainable and have a better survival rate.
What are some examples of incentives that would be provided for mature plantings?
Low Impact Development (LID)
In the Roads section of the Potential Amendment Matrix, the following options are missing: 1. Discussion of fire code revisions as they relate to road widths.

2. Discussion of the use of pervious pavement.

Bob McEwen (BM): We are developing LID standards to incorporate into urban and rural developments as part of this and as part of NPDES compliance. One caution is that LID isn't going to work everywhere. We've hired a consultant to evaluate conditions and locations where LID will work. We don't have specifics to distribute just yet.

Jean Shaffer (JS): DPW is trying to synchronize their efforts with NPDES and this and other UDC projects that apply.

3. Use of Best Management Practices, bioswales and raingardens in the public right-of-way (ROW).

4. The overall integration of road standards (width) and LID. These two items cannot be evaluated/considered separately.

Nat Washington (NW): Road standards are one of our main goals and we are integrating EDDS standards that interface with LID concepts.

Comments related to Urban Residential Design Standards (URDS) General Options Matrix

**Staff/Consultant comments are denoted in italics.*

Urban Greenspace

In the example, when a property is next to passive/recreational use (such as a park), can that be used to satisfy requirements for that development?

Michael Zelinski (MZ): No, not right now. One of the incentives that we have thought about providing for large contiguous areas of open space would be to provide a credit to the applicant if the property is adjacent to open space.

Developers proposed the following idea at the LDMR hearings: A good incentive would be if you are within a certain distance of a public recreational amenity then the on-site open space requirement would be reduced. If we move toward requirements for active open space, then a credit needs to go against the impact fee (eliminate park mitigation fee that goes to support a park miles from the development).

If the goal is to acquire larger, more contiguous open spaces, it would be prudent to discourage private credit of isolated tracts of open space.

The McNaughton Group has a booklet with changes they would like to see be made to EDDS.

Developers and builders would like to see alley-loaded houses around greenspaces.

Unfortunately, EDDS precludes developments from being laid out in a way that would create these types of open spaces.

BM: These types of proposals are reviewed on a case-by-case basis through the deviation process. EDDS will be updated to incorporate these new design concepts.

Create uniform landscaping standards based on the use of density; makes it much easier for review and blending of options 1 and 2.

Does uniform landscaping mean that I have to match the neighboring community?

MZ: Recall that this only applies to areas within unincorporated Snohomish County. Uniform landscaping means that standards become consistent across different types of residential developments (i.e., PRD, Townhouses, SFDU's). We want to evaluate if there is really a reason to distinguish between those development types and the possibility of unifying standards applied to them.

Is there flexibility to get away from everything looking the same? We, as planners, talk about breakthroughs in community design. If this ordinance locks us into the "right way to develop" we are eliminating the opportunity to be innovative, which puts us in a position to create the same thing for the same market when in reality, some of the market is elders who would get more use out of a

<p>gazebo, while others are younger couples who may want a tot lot. Code provisions should allow planners/designers to be innovative and use different plant types in different developments. <i>MZ: That is what we have been hearing from the public, that they would like to have a menu of options to choose from in certain areas: streetscapes; landscaping, etc.</i></p> <p><i>Richard Weinman, Consultant (RW): Combine minimum standard that relates to quality, then provide flexibility in terms of type, location and function. There would be a uniform standard with as much flexibility as possible.</i></p>
<p>Menus assume that you know everything; that all the possibilities are already listed. There needs to be an assumption that there are still options that are undetermined that are unforeseeable at the time the code is written.</p>
<p>If we require site plans to be stamped by landscape architect then what is the problem with leaving the option for creating innovative design? Is there an opening for performance-type standards v prescriptive thereby creating uniformity in performance as opposed to types and then working from there? <i>MZ: Yes, that is another tool to be used. Performance standards mean that you specify the outcome, but leave it up to designer to reach outcome.</i></p>
<p>Is there an opportunity to integrate standards that have been proven, such as, LEED or Built Green? In other jurisdictions, if applicants show that they have met these standards, their applications are streamlined through the permitting process.</p>
<p>What are incentives for the preservation of existing trees in light of the prosecuting attorneys statement about liability of hazardous trees? We have to be careful!</p>
<p>What will the tree replacement requirements be? Will they be 4:1, size for size? <i>MZ: We are not talking about it yet specifically – probably less than tree for tree.</i></p>
<p>Are play areas included in the term “greenspace”? <i>MZ: The term was coined by staff to be more inclusive of landscaping, open space and tree preservation/replacement.</i></p>
<p>Is it an option for the new code provisions to require new development to consider adjacent properties? For example, in the City of Mukilteo, a resident successfully preserved a stand of trees until the neighbor came in and cleared everything. How will we go about protecting adjacent properties from tree removal?</p>
<p>Is it possible to identify stands of trees and hold individual developers accountable for any damage that might occur to those stands that have been designated? <i>MZ: The property line tends to be the final arbiter usually. Not sure if it would be prudent to identify stands that cut across property lines.</i></p>
<p>Incentives should be provided to retain stands of trees that cross property lines and protect each other. Mandating tree retention in this scenario would be very difficult.</p>
<p>What type of incentives is the County considering? Designers need to be assured that there will be opportunities to deviate from established standards. Designers would like to be allowed to propose a reduction in dimensional standard or in lot size and variations in road widths (variances that allow the yield that he would get without having preserved trees). <i>MZ: For instance, a double credit toward meeting your open space requirement.</i></p>
<p>If the County requires use of LID techniques, make sure that the menu developers select from includes incentives and is created with help from the Department of Public Works (DPW). <i>NW: DPW’s consideration of appropriate LID techniques is primarily soil driven and performance based.</i></p>
<p>Compatibility and Neighborhood Fit</p>
<p>If we apply option 9 to infill, then we will be placing density in the middle of developments. What protects the central portions of developments from fire hazards? How do you get fire access in there? Smaller 2 or 3 acre infills should have greater setbacks.</p>

One of the greatest public misconceptions is that density/infill in urban areas was developed prior to GMA with larger lots and now the Act says that is where density is focused and where infill is going to go.
Help public relations by deleting language that ties High Density to 12 to 24 and the public latches onto those numbers. People don't understand that density is tied to the underlying zoning.
Option 9 is good, though there are inconsistencies with LDMR zoning. When Townhome projects go into the MR zone, they need to be reviewed consistently.
How are LID techniques being taken into consideration with the compatibility and neighborhood fit issues? Would there be a credit for green roofs or other incentives for reducing footprints? Please remember that as developments densify, LID opportunities are reduced. The City of Portland is a good example of this type of LID implementation.
Do I need to do options 8, 9 and 10 if I use LID techniques? People are concerned about houses that are too close to the property line, regardless whether they use LID techniques or not. Just because something is LID, can you treat houses not in LID developments the same?
Development Character
What are appropriate design standards from other codes that might apply to development character? Option 13, which increases side and rear yard setbacks, drives many of the road standards issues. What would be justification for increasing front yard setbacks?
Explain what is meant by 'the side yard setback is relative to the height of the wall'. <i>MZ: If you have a 3-story unit, the setback would be greater than if you have a 1-story.</i> If this option becomes a recommendation, the unit of measurement should be stories of a structure, not feet. This would make it difficult for the builder in estimating how many lots could fit or what a buyer would choose. It should not be a function of height, it is a question of whether the height triggers the need for fire to have a ladder up there. Also, if we have lots with slope on them, then it doesn't equal the height of a 3-story building.
An important reason for increasing setbacks would be to address development character, in addition to addressing fire issues.
How are lot and building orientation being taken into consideration so that developers are in a position to utilize solar power?
Do we have minimum fire/safety distance setback?
Comments related to options 15 – 17: How is a permit technician going to discern whether there is variation from the building next door? How can this issue be managed without knowing what the development next door looks like? How do we manage that system/variation? <i>MZ: Where builders buy blocks, it's easier; where builders buy lots it's difficult.</i>
One way of handling that would be to require a pre-determined building footprint at plat stage. While this would address the previous issues, it would not address some of the façade features.
The County is treading into an area where it should not be going – architectural design. From a land development perspective, problems with architectural design stem from the road standards which force us to build garage-centered housing. Upcoming changes to Engineering Design & Development Standards (EDDS) and general road standards will lead to more alley-loaded houses, which would address the development character problem. Note: it is essential that this be separate from the plat process; if it is lumped all together, we are heading for trouble.
<i>Tom Rowe (TR): Agreed. At time of final plat, we could have a plat map so that we could document features and track it.</i>
Architectural standards would duplicate the cost by requiring a land developer to hire an architect. For a home builder only that does not build special homes, we don't know what's going on so there is no way that we could pre-determine what the design will be.
Related to option 17:

<p>Why doesn't the building code set standards for egress? Why are standards for egress addressed in the design standard code? It seems like we are repeating some of the things in the building code.</p> <p><i>MZ: Because it affects ability for fire.</i></p>
<p>For those of us who are non-architects, what does fenestration mean?</p> <p><i>MZ: It means the windows/openings.</i></p>
<p>Incentives are added benefits and/or possibilities for design in exchange for agreeing to use certain types of architecture. Some neighborhoods actually appreciate homogeneity. The County may be encouraging variety, but most diverse homes are not unaffordable.</p> <p>Also, developers that are not set up to build will subdivide and builders will come along and buy up the lots. We need to be considering this at the plat stage/time homes are being applied for. Use Planned Residential Development (PRD) as an example.</p>
<p>Restricting the type of architecture allowed on the aforementioned lots reduces potential buyers for those lots. From the land development perspective, this would result in limiting the builders to sell lots to and an increased cost for the consumer.</p>
<p>One menu option in the list of incentives might be to allow a larger building footprint for the house if a raingarden is used next to pervious pavement, as opposed to allowing a traditional impervious driveway.</p>
<p>If we say that all views must be considered as the appropriate vantage point for regulating design, then we will be requiring a lot more.</p>
<p>Circulation</p>
<p>If you had a trail on the roof, would that count?</p> <p><i>MZ: Connecting the trail on the adjacent property is really the issue.</i></p>
<p>Has the County considered allowing pedestrian facilities outside of the right-of-way (ROW) and integrating LID techniques in providing trails for all pedestrians?</p>
<p>Related to options 24 – 27:</p> <p>The condominiums that I live in have only 1.3 parking spaces per unit and most people that live there have 2 cars. This is a complicated issue that we need to look at.</p>
<p>Is using garages for storage a problem for existing subdivisions on public/private? Fire says YES. There is nowhere near the level of use of garages that justifies knocking off 50% of the parking requirement!</p>
<p>You get into enforcement being the problem. Some people have 4 or 5 vehicles, which creates a serious problem for fire. Homeowners end up calling the sheriff who has better things to do with his time than enforce parking. The County needs to put an employee on it and tow a few vehicles which will motivate homeowners to make space in their garage for their vehicle.</p>
<p>One of our challenges is that we have multiple projects that are happening simultaneously, so certain kinds of development could become a problem with less parking available. Some of the conflict with Single-Family Detached Units (SFDU) could be extended if we look at the type of roads that are being used or are going to be used.</p>
<p>Review Process</p>
<p>Look at specific Urban Growth Areas (UGA) in specific cities leading to a formal Interlocal Agreement (ILA).</p>
<p>3 yrs ago, the State Environmental Policy Act (SEPA) was amended to exempt local jurisdictions from performing SEPA review on projects that implement the Comprehensive Plan as amended. If developers come in with a project that meets standards, they should not have to defend why their project is compliant in front of the Hearing Examiner or field complaints from the public.</p>
<p>The County Council should implement locally the authority to expand exemptions from SEPA review for individual projects (infill exemption).</p>
<p>A lot of the response we are seeing now is due to a lack of participation in the 10-year update, which is where major decisions, such as where higher density growth would go, were decided. The</p>

same people that did not get involved in the Comprehensive Plan updates are now going to the County Council.
Counties should notify cities within one-mile of a plat project; cities should already be parties of record if development is occurring in their UGA.
Cities should not be treated different than any other applicant; cities should not receive additional time to appeal. Cities that state they would like unincorporated areas to look like their cities should muster up the courage to annex those areas. If cities do not like urban-style growth in the unincorporated areas, then they need to annex.
Options 33 and 34 should be removed from the matrix all together.