

**RURAL CLUSTER SUBDIVISION CODE COMPARISON  
FEBRUARY 14, 2008  
REVISED FROM BRIEFING JANUARY 22, 2008**

| CURRENT CHAPTER 30.41C SCC  | PROPOSED CHAPTER 30.41C SCC   |
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| <b>30.41C.010 Purpose. <i>AMENDED</i></b>   | <b>30.41C.010 Purpose. <i>AMENDED</i></b>   |
| <b>30.41C.020 Applicability. <i>AMENDED</i></b>   | <b>30.41C.020 Applicability. <i>AMENDED</i></b>   |
| <b>30.41C.030 Approval Procedure. <i>AMENDED</i></b>  | <b>30.41C.030 Approval Procedure and decision criteria. <i>AMENDED</i></b>  |
| <b>30.41C.040 Additional submittal requirements. <i>REPEALED</i></b>  | <b>30.41C.040 Submittal requirements. <i>NEW</i></b>  |
| List information required in addition to the standard subdivision application.<br>1) Building footprints<br>2) Pedestrian walks, landscaped areas, permanent natural condition areas; location of on-site water sources, sewage disposal drain fields<br>3) Proposed roadways, driveway areas, circulation relative to adjacent properties<br>4) Lands designated natural resource and area, also on adjacent lands<br>5) General description of natural features<br>6) Approximate total impervious surface area, restricted OS tract area and total site area<br>7) Description and schedule of phasing, if any<br>8) General landscape, clearing and buffering plan with landscape, vegetation and mature trees to be retained; location of landscaped areas and buffers. Details not required in restricted OS where recreation facility is not proposed.<br>9) Vicinity sketch to identify effect on surrounding properties. | Lists information required in addition to the standard subdivision application.<br>1) Narrative description<br>2) Plan showing existing character as a baseline for changes made to: natural features, vegetation, open space, structures and landscapes; potential impacts on adjacent properties and designated natural resource lands,<br>3) Plan showing maintenance or enhancement of any of the existing characteristics of the site. Refers to chapter 30.25 SCC for landscaping<br>4) Open space management plan.<br>5) Description of phasing, if any.<br>6) Description of entrance sign or gate, if any<br>7) Street lighting description, if any. |
| <b>30.41C.100 Decision Criteria. <i>REPEALED</i></b>  | Combined with 30.41C.030 Approval Procedure and decision criteria, above  |
| <b>30.41C.200 Design standards – general. <i>REPEALED</i></b>   | <b>30.41C.050 Site Planning Performance standards. <i>NEW</i></b>   |
| 1) Designate environmentally sensitive areas Critical area protection areas (formerly NGPA)<br>2) Sight obscuring (from adjacent road or property) buffers of native vegetation; setback between residences and natural resource lands  | 1) Maintain same view of site after development<br>2) Avoid placing lots on ridgelines<br>3) Landscape, retain vegetation to minimize view of new development and preserve scenic views   |

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| <ul style="list-style-type: none"> <li>3) Roads in accordance with EDDS; two access points per cluster</li> <li>4) Underground or screened utility lines</li> <li>5) Designate unbuildable lands NGPA</li> <li>6) Buffer agricultural or forest use in OS from residential use</li> <li>7) Disclosure statement on OS with agricultural or forest use</li> <li>8) Required text/content of disclosure statement</li> <li>9) Open space tracts contiguous on adjacent properties</li> <li>10) Management plan for open space</li> <li>11) 30 lots per cluster with 75 foot buffer between</li> <li>12) 75% of residential lots abut buffer or OS tract</li> <li>13) Configure lots to natural features of site; maximize visibility of OS from roads</li> <li>14) No sewer service</li> <li>15) Locate cluster near interior of site, within forested areas, as far a possible from natural resource lands. Cluster not located on ridgelines.</li> <li>16) Locate in a rural fire district (see proposed approval standards)<br/>Meet rural concurrency standards (see proposed approval standards)</li> </ul> | <ul style="list-style-type: none"> <li>4) Incorporate existing features into design to maintain rural character</li> <li>5) Configure lots to natural features of site; minimize clearing and grading</li> <li>6) Avoid uniformity of cluster and building sites</li> <li>7) Connect OS tracts, natural habitat, wildlife corridors with adjacent properties</li> <li>8) Use low impact development when conditions appropriate</li> <li>9) Phase clearing and grading with construction phasing</li> </ul>  |
|  | <p><b>30.41C.070 Site design and development standards. NEW</b></p>  |
|  | <ul style="list-style-type: none"> <li>1) More than one cluster; minimum of 2 lots per cluster; Maximum number of lots in a cluster is 13; Locate clusters a minimum of 100 feet from natural resource lands</li> <li>2) Setback cluster 100 feet from road; 200 feet if site is not forested; may be reduced. Retain vegetation in setback &amp; landscape</li> <li>3) Perimeter buffers of OS tracts 25 feet wide on all boundaries abutting residential property</li> <li>4) Separate cluster with OS tracts 100 feet wide, may be reduced. Maintain trees and landscape OS tracts- chapter 30.25 SCC</li> <li>5) Tree retention encouraged</li> <li>6) 45% of site must be OS; 60% in F&amp;R; 65% in RUTA</li> <li>7) Services and optional features: Locate utility lines underground; No sewers; Street lights low intensity and projected downward; Entrance signs subject to SCC 30.27; Water supply from a public utility when available in ¼ mile, and utility is willing and able</li> </ul> |
|  | <p><b>30.41C.080 Site design standards- roads, gates and pedestrian pathways. NEW</b></p>  |
|  | <ul style="list-style-type: none"> <li>1) Use EDDS for design and construction (reduced right-of-way and in rural district)</li> <li>2) Access to internal roads may be by private road</li> <li>3) Access to public road 2 points per cluster</li> <li>4) References subdivision standards SCC 30.41A.210</li> </ul>  |

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|   | <p>5) Connect clusters with pedestrian trails or pathways</p> <p>6) Separate pedestrian pathways; pervious materials acceptable</p> <p>7) If entry gates used, must facilitate emergency access</p>  |
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| <p><b>30.41C.210 Design standards – restricted open space and bulk regulations.</b><br/><b>REPEALED</b></p>   | <p><b>30.41C.090 Restricted open space – general requirements.</b></p>   |
| <p>1) Bulk regulations established in table SCC 30.41C210(1). No more than 65% restricted OS may consist of unbuildable land</p> <p>2) Restricted OS uses: buffering, critical area protection, resources production, conservation, recreation community utility, or general preservation</p> <p>3) Recreation &amp; community utility use:</p> <p style="padding-left: 20px;">a. beaches, docks, swimming areas, picnic areas, trails/pedestrian walkways, equestrian trails, playgrounds, equestrian centers or non-motorized recreation facilities</p> <p style="padding-left: 20px;">b. community wells, well houses, water lines, community drainfields, retention and detention ponds, water recharge and infiltration facilities, water system appurtenances and biofiltration swales</p> <p>4) 25 % restricted OS accessible to all residents for passive recreation</p> <p>5) Vegetation removal with management plan</p> <p>6) Forest practices allowed in OS</p> <p>7) Other recreation uses are permitted in non-restricted OS in accordance with SCC 30.22.100</p> <p>8) Site shall not be subject to enforcement action or in violation</p> | <p>1) All of OS used to meet % requirement is “restricted OS” and held in separate tracts marked on face of the plat</p> <p>2) Restricted OS uses: buffering, critical area protection, resources production, conservation, recreation community utility, or general preservation</p> <p>3) 50% of OS accessible by residents except when fenced for critical area protection. Show access points on plat</p> <p>4) Recreation &amp; community utility use:</p> <p style="padding-left: 20px;">a. beaches, docks, swimming areas, picnic areas, trails/ walkways, equestrian trails, playgrounds, equestrian centers or non-motorized recreation facilities</p> <p style="padding-left: 20px;">b. community wells, well houses, water lines, community drainfields. Retention and detention ponds, subject of landscaping SCC 30.25.023. Water recharge and infiltration facilities, water system appurtenances and biofiltration swales using LID standards when site conditions allow</p> <p style="padding-left: 20px;">c. natural resource uses</p> <p>5) Minimum 30% of total restricted OS undisturbed, may include critical areas &amp; buffers.</p> <p>6) Table SCC 30.41C.090 shows minimum % OS in Zones</p> |
|   | <p><b>30.41C.100 Restricted open space – natural resource lands.</b></p>   |
|   | <p>1) Minimum 100 foot buffer between OS resource use and residential property line</p> <p>2) Disclosure statement required with text in accordance with SCC 30.32A.220, 30.32B.230, or 30.32C.220</p>   |
|   | <p><b>30.41C.130 Rural cluster – bulk regulations.</b></p>   |
|   | <p>Table SCC 30.41C.110 bulk regulations</p> <ul style="list-style-type: none"> <li>• Lot width 125 feet</li> <li>• Front yard setback 20 to 30 feet minimum: adjacent lot setbacks varied by 10 feet.</li> <li>• Rear yard setback 5 feet</li> <li>• Side yard setback 15 feet</li> <li>• Resource land set back 100 feet from lot lines</li> </ul>   |
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| <b>30.41C.220 Rural/urban transition areas – open space &amp; bulk requirements.</b><br><b>REPEALED</b>  | <b>30.41C.140 Open space and bulk regulations for rural clusters in the RUTA.</b>   |
| OS is interim, not permanent. Held in separate tract for future development at urban level.<br>1) 65% gross site area or more in OS<br>2) OS configured to allow future land division outside of critical areas<br>3) OS tract accommodate future public roadway access; Clusters located near periphery rather than central.<br>4) Uses of RUTA OS the same as non-RUTA clusters, except no permanent structures<br>5) OS management plan required<br>6) No further subdivision until change to UGA<br>7) OS tract restrictions in binder filed with county auditor | 1) OS designated interim, reserved for future urban development.<br>2) Table SCC 30.41C.140 added to bulk regulations; 65% gross site area or more in OS<br>3) Use gross area of site for OS calculation; configured to allow future land division outside of critical areas; OS tract accommodate future public roadway access; Conceptual shadow plat, but not depicted on final plat<br>4) 40% gross site area constrained by critical area tracts, reduce OS tracts by up to 40%<br>5) Uses of RUTA OS the same as non-RUTA clusters, except no permanent structures<br>6) OS management plan required<br>7) No further subdivision until added into a UGA<br>8) Notice filed on title and on face of plat : OS reserved for future development when UGA expanded<br>9) Notify adjacent city of plans, and work within inter-local agreement when one has been adopted. |
| <b>30.41C.230 Lot yield.</b>   | <b>30.41C.230 Lot yield.</b>  |
| Basic lot yield<br>1) In RR Basic plan designation+ R-5 Zone yield obtained by dividing total area by 100,000 s.f.<br>In RR 5 plan designation + R-5 zone yield obtained by dividing total area by 200,000 s.f.<br>2) Maximum lot yield – multiply basic lot yield by one plus the density bonus up to 35% commensurate with additional OS.<br>3) Duplex lots considered two lots<br>4) Round fractions of 0.5 or more up and less than 0.5 down   | Remains the same  |
| <b>30.41C.240 Design Standards – bonus residential density.</b>  | <b>30.41C.240 Bonus residential density.</b>  |
| 1) 15 % for clustering, except on lands designated forest.<br>2) Up to 35 % added for additional restricted OS<br>3) 10% for clustering on lands designated forest.  | Remains the same  |
| <b>30.41C.300 Ownership and preservation of restricted open space.</b><br><b>REPEALED</b>  | <b>30.41C.120 Open space management plan.</b>   |
| 1) All restricted OS in separate commonly owned tracts, owned by a homeowners  | 1) OS management plan shall contain   |

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| <p>association, or in single ownership, on the plat.</p> <p>2) Methods of conveyance or establishing common ownership.</p> <p>3) Natural resource lands in restricted OS placed in unified property management to maximize their production/conservation.</p> | <p>a. Ownership information</p> <p>b. Parties responsible for maintenance, and contact information</p> <p>c. Description of uses</p> <p>d. Any proposed development activities</p> <p>e. Fire breaks</p> <p>f. Any covenants, conditions or restrictions</p> <p>g. Other information required by the director</p> <p>2) Must be approved by director and recorded as separate document for subdivision, referenced on all property deeds.</p>  |
|   | <p><b>30.41C.130 Ownership and preservation of restricted open space.</b></p> <p>1) Separate ownership tract,</p> <p>2) Protected in perpetuity and held by single property owner; undivided interest of property owners, or other entity or organization approved by department.</p> <p>3) Ownership details</p> <p>4) Natural resource lands placed under unified system of property management</p>  |
| <p><b>30.41C.310 Form of public dedication. <i>REPEALED</i></b></p>   |  |
|   | <p><b>30.41C.170 Modifications. <i>NEW</i></b></p> <p>Innovative design that meets performance standards may be granted by the director.</p> <p>1) Modifications allowed to: OS location, tree preservation amount, landscaping requirements and buffer widths.</p> <p>2) Criteria for modifications:</p> <p>a. Furthers purpose of protecting rural character in accordance with SCC 30.41C.010 and SCC 30.41.050 and GPP</p> <p>b. Does not conflict with other applicable SCC provisions</p> <p>c. No adverse environmental impacts, and</p> <p>d. Modification provides: reduction of visual impact, enhancement of LID, improvement to on-site water quality control; or increased retention of original natural habitat conditions by 20%</p> <p>3) Request processed concurrently with application</p> <p>a. Director authority for issuing decision on modification</p> <p>b. Narrative description to justify each modification requested</p> <p>Applicant demonstrates modification meets criteria</p> |