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Snohomish County

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MEMORANDUM

To: Snohomish County Planning Commission
Greg Morgan, Planning Commission Secretary

From: David Killingstad, Principal Planner

Date: March 12, 2009

Subject: Draft Staff Report for the proposed ordinance titled:

RELATING TO URBAN CENTER DESIGN STANDARDS, REPEALING THE URBAN CENTERS DEMONSTRATION PROGRAM, ESTABLISHING A NEW ZONE FOR URBAN CENTERS, ESTABLISHING BULK REGULATIONS FOR URBAN CENTERS; AMENDING BULK REGULATIONS FOR THE NEIGHBORHOOD BUSINESS ZONE; AMENDING AND REPEALING DEFINITIONS TO SUBTITLE 30.9 SCC; AMENDING SECTIONS OF AND ADDING SECTIONS TO TITLE 30 SCC.

This staff report is provided for your review for the briefing on March 24, 2009. Attached is a copy of the draft ordinance referenced above.

Staff recommends approval of the ordinance which will replace Urban Centers Demonstration Program.

Background

The General Policy Plan (GPP) contains policy direction (GPP LU 4.B.2) for the county to draft design guidelines for urban centers. Since 2002 the Urban Centers Demonstration Program (UCDP) has implemented this policy. The UCDP is scheduled to sunset in November 2009. After nearly seven years of program experiences, moving towards a permanent set of regulations is justified.

The draft ordinance attached to this memorandum responds to experiences under the UCDP and ideas expressed through the stakeholder outreach process. Public outreach for developing the regulations to replace the UCDP began in 2007 and continued into 2008. The public was afforded opportunities through the UDC Update Public Forums and community meetings to

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provide input prior to the county drafting the proposed regulations. In addition, staff discussed key policy issues with the planning commission in February 2008.

OVERVIEW OF THE DRAFT ORDINANCE

The proposed ordinance can be broken down in three main parts:

- New zoning classification
- Design standards
- Application review process

A new zoning classification, Urban Center, is proposed to implement the Urban Center comprehensive plan designation. The new zone allows a broad range of uses consistent with pedestrian-oriented development and transit-oriented development. The zone also allows enactment of development regulations to guide new development and redevelopment of properties designated urban center on the future land use. Implementation of the new zone will occur through a county initiated area wide rezone contained in a separate ordinance (see the areawide rezone staff report for more information).

Design standards that ensure quality design of development is an integral part of an urban center. The proposed development regulations balance the flexibility of the demonstration program with a need for more descriptiveness to ensure the desired outcome. The development regulations address site layout, building design, landscaping, open space, bulk standards (height and setbacks), parking, pedestrian and vehicle circulation, and architectural design (blank walls, building massing and weather protections).

The third part of the ordinance addresses the review process for applications submitted for approval. Under the current structure a council appointed committee made up of individuals representing select interests review projects accepted into the program. Two committee/neighborhood meetings are held for each project. The volume of projects necessitates the committee meet on an as needed basis. As a result, challenges occur when trying to schedule meetings and interest in serving on the committee has waned. Interested applicants are hesitant to pursue a project due to uncertainty and a protracted timeline. The proposed ordinance would replace the current committee review with an administrative review. The proposed approval process would most closely resemble the commercial building permit process which includes public notice requirements, SEPA and could be appealed to the hearing examiner. The proposed ordinance also includes provisions for joint review with a city through an executed interlocal agreement.

Highlights of the proposed ordinance are shown below. A detail summary of each section of the ordinance follows.

Amendments to Chapter 30.22 – Uses allowed in zones:

The draft ordinance contains amendments to the use matrix in Chapter 30.22 SCC and reference notes. They include:

1. The new Urban Center (UC) zone is added to the matrix with a cross-reference to a new section in SCC 30.34A pertaining to permitted uses. Reference note 108 is proposed for

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deletion as it references the proposed to be repealed Urban Centers Demonstration Program.

Amendments to Chapter 30.23 SCC – General development standards-bulk regulations:

The draft ordinance contains amendments to the bulk matrix in Chapter 30.23 SCC and reference notes. They include:

1. The new UC zone is added with a cross reference to SCC 30.34A. Reference notes 47-51 are repealed as they related to the Urban Centers Demonstration Program. The bulk requirements for the Neighborhood Business (NB) zone related to height, setbacks and lot coverage are proposed to be amended. The Urban Village plan designation will continue to rely on the NB as the implementing zone. With the Urban Centers Demonstration Program proposed to be repealed, property owners will no longer have the option of using the programs regulations. The bulk matrix amendments allow property owners to retain some of the rights afforded them by the demonstration program. These include additional height, reduced setbacks and increased lot coverage.

Disposition of code sections for Chapter 30.34A-Urban Center Demonstration Program

The current Chapter 30.34A SCC contains the Urban Centers Demonstration Program. The proposed ordinance would repeal this code section and replace it with a new set of development regulations. A summary of which sections are deleted and language that is moved to other chapters within Title 30 is shown on the attached titled "Summary of Urban Center Code Changes."

Highlights of Amended Chapter 30.34A – Urban Center Development:

Amendments to this chapter represent the bulk of the changes in the proposed ordinance. The regulations replace the current Urban Centers Demonstration Program. The major changes can be summarized as follows:

1. The proposed regulations will rely on the use of floor area ratio (FAR) rather than dwelling units per acre. The effect of this is to provide greater flexibility in utilization of land and encourage taller skinnier buildings, more open space and preserving views. To encourage greater intensity of development height incentives are proposed. These incentives provide a benefit to the community and to the applicant. Some of the FAR incentives include street level commercial, green buildings and community gardens. Use of FAR is common in mixed use and commercial buildings.
2. The proposed regulations establish a two tier maximum building height. For developments relying on surface parking only the maximum height is 80 feet. This corresponds to construction codes for the maximum height of a wood frame over concrete structure. As an incentive to provide parking building within or under the structure, height is allowed to increase 1 foot for every 1 percent of structured parking up to a maximum of 180 feet.
3. The proposed regulations set a minimum and maximum amount of parking to be provided within an urban center development. With the intent to encourage non-automobile use, the amount of required parking is restricted to an amount lower than what might otherwise be needed for residential or non-residential development. The proposed regulations also encourage shared parking between daytime and nighttime uses.

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4. The proposed regulations include landscaping and open space requirements intended to enhance the curb appeal of a project and provided recreational space and opportunities. Open space will be required for each project with different amounts (or rates) for residential and non-residential uses. Active recreation must constitute at least 50% of the required amounts.
5. The proposed regulations for circulation and access address pedestrian connections, onsite vehicle circulation, and transportation demand management. Pedestrian connectivity is a critical feature of an urban center. The proposed regulations require seven foot wide sidewalks.
6. The proposed regulations address a range of architectural design standards. These include signs, screening of trash and rooftop mechanical equipment, lighting, massing and articulation, weather protection and large blank walls. The standards ensure buildings are of high quality design, oriented to the pedestrian and provide flexibility to an applicant by offering a menu of choices for compliance with the regulations.
7. The proposed regulations incorporate an administrative review for the site plan and new submittal requirements. The urban center development will be review as a Type 1 permit. Under a Type 1 permit the director has final approval authority. An appeal of the decision may be made to the hearing examiner. An urban center development will be required to submit a site plan showing the layout of the project (i.e. locations of buildings). In addition, the project will be required to complete a plan showing landscaping, open space and circulation. This document also requires an applicant to look beyond the site boundaries for pedestrian, vehicle and open space connectivity. Lastly, an applicant will be required to submit building elevations and color renderings of the project.

Other Code Changes

There are several code changes that clean-up language related to the Urban Centers Demonstration Program or are necessary when a new zone is proposed. They include:

1. Adding the new UC zone to the development standards and siting process for cell towers.
2. Amendments to Chapter 30.31A SCC to remove references to the PCB-TPV subzone which is proposed to be replaced with the UC zone. The PCB-TPV subzone implements the Transit/Pedestrian Village. Also, an amendment is proposed to allow properties zoned NB and designated Urban Village to use the new parking standards in the UC zone.
3. An amendment is proposed to Chapter 30.66B SCC to add a cross-reference to the circulation and access section of Chapter 30.34A SCC. SCC 30.66B.625 addresses transportation demand management (TDM). TDM is an important component of transit oriented development and provides flexibility under the concurrency management system.
4. The Urban Centers Demonstration Program contains a section addressing application fees. This section is proposed to be relocated to Chapter 30.86 SCC Fees.
5. Several definitions are proposed to be deleted, modified or are new. New definitions are proposed for "floor area ratio" and "blank wall." Both of these definitions are needed to implement proposed development regulations related to the two terms. The definitions of "secondhand store," "urban center," and "urban village" are modified to

reflect definitions contained in the comprehensive plan. The definitions for “applicant,” “committee,” “developable area,” “net acreage,” “public use,” and “transit pedestrian village” are proposed to be deleted as they are no longer necessary and retention would lead to confusion in interpreting the code.

Listing of Proposed Code Amendments

The amendments adopt new development regulations and amend and repeal existing development regulations in Title 30 SCC, and implement Snohomish County Comprehensive Plan policies regarding urban centers. The amendments are listed in the following sections of the proposed ordinance:

Sections 1, 2 and 3. Recitals, Findings of Fact and Conclusions.

Section 4. Amends Snohomish County Code (SCC) 30.21.020, Establishment of zones: to add the new Urban Center (UC) zone. The revision would be as follows:

30.21.20 Establishment of zones.

Snohomish County's use zones are established and categorized pursuant to SCC Table 30.21.020.

Table 30.21.020
Snohomish County Zones by Category

ZONE CATEGORY	ZONES
URBAN	Residential 9,600 R-9,600
	Residential 8,400 R-8,400
	Residential 7,200 R-7,200
	Townhouse T
	Low-Density Multiple Residential LDMR
	Multiple Residential MR
	Neighborhood Business NB
	Planned Community Business PCB
	Community Business CB
	General Commercial GC
	Freeway Service FS
	Business Park BP
	Industrial Park IP
	Light Industrial LI
	Heavy Industrial HI
RURAL	Mobile Home Park MHP
	<u>Urban Center UC</u>
	Rural Diversification RD
	Rural Resource Transition – 10 Acre RRT-10
Rural 5-Acre R-5	
Rural Business RB	

	Clearview Rural Commercial	CRC
	Rural Freeway Service	RFS
	Rural Industrial	RI
RESOURCE	Forestry	F
	Forestry and Recreation	F&R
	Agriculture-10 Acre	A-10
	Mineral Conservation	MC
OTHER	Suburban Agriculture-1 Acre	SA-1
	Rural Conservation	RC
	Rural Use	RU
	Residential 20,000	R-20,000
	Residential 12,500	R-12,500
	Waterfront Beach	WFB

Section 5. Amends SCC 30.21.025, Intent of zones: to include the intent of the urban center zone and to remove references to the Urban Centers Demonstration Program. The section would be revised as follows:

(i) Neighborhood Business (NB). The intent and function of the neighborhood business zone is to provide for local facilities that serve the everyday needs of the surrounding neighborhood, rather than the larger surrounding community. ~~((Urban villages implemented under chapter 30.34A SCC Urban Centers Demonstration Program are only permitted within the Neighborhood Business (NB) zone));~~

(ii) Planned Community Business (PCB). The intent and function of the planned community business zone is to provide for community business enterprises in areas desirable for business but having highly sensitive elements of vehicular circulation, or natural site and environmental conditions while minimizing impacts upon these elements through the establishment of performance criteria. Performance criteria for this zone are intended to control external as well as internal effects of commercial development. It is the goal of this zone to discourage "piecemeal" and strip development by encouraging development under unified control. ~~((Urban centers implemented under chapter 30.34A SCC Urban Centers Demonstration Program are only permitted within the Planned Community Business (PCB) zone));~~

(f) Urban Center (UC). The intent and function of the Urban Center zone is to implement the Urban Center designation on the future land use map by providing a zone that allows a mix of high-density residential and commercial uses with public and community facilities and pedestrian connections located along existing or planned high capacity transit corridors;

Section 6. SCC 30.22.030 is amended to remove a term no longer needed.

30.22.030 Number of uses per lot.

Uses shall be established upon legally created lots that conform to current zoning requirements or on legal nonconforming lots. A lot may have more than one use placed within its bounds, except that only one single family dwelling may be placed on a lot. This exception shall not apply to model homes as defined herein, to planned residential developments proposed and approved pursuant to chapter 30.42B SCC, ~~((center))-~~projects proposed and approved pursuant to chapter 30.34A SCC, or to land zoned commercial or multiple family residential. Multifamily structures may be placed on lots at densities controlled by chapter 30.23 SCC.

Section 7. Amends SCC 30.22.100, Urban zone categories-Use matrix: to add the new Urban Center (UC) zone and a cross-reference to SCC 30.34A.020 which provides regulations on permitted uses.

Amends Snohomish County Code (SCC) 30.22.130, Reference notes for use matrix to: Modify notes for townhouse (#5) and for garages/storage structures (#59); adds cite to chapter 30.25 in note #18 and cite to new height calculation in chapter 30.23 in note #68; and adds new note #116 referencing cottage housing standards.

Section 8. Amends SCC 30.22.130, Reference notes for use matrix to: Remove note 108 referencing the Urban Centers Demonstration Program.

Section 9. Amends Table 30.23.030 (1), Bulk Matrix: to add the new urban center zone and a cross-reference to Chapter 30.34A SCC. The table is also amended to change the building height, setbacks and lot coverage in the NB zone.

Section 10. Amends SCC 30.22.040, Reference Notes for the Bulk Matrix: to delete notes 47-51 as they relate to the Urban Centers Demonstration Program being repealed.

Section 11. Amends SCC 30.28A.120, Priority of Location: relating to personal wireless telecommunications facilities to include the Urban Center Zone under SCC 30.28A.120 (5). The amendment would be as follows:

30.28A.120 Priority of locations.

The order of priorities for locating new personal wireless telecommunications services facilities shall be in accordance with SCC 30.28A.120(1) through (7) below. The applicant shall demonstrate that all other locations with a higher priority on the list are not feasible. Priorities rank from highest to lowest as set forth below. The zones listed in SCC 30.28A.120(4) through (7) are prioritized in order of preference within each subsection.

- (1) On existing wireless communications support structures.
- (2) Place on appropriate rights-of-way and existing structures such as buildings, towers, water towers and smokestacks located on non-residentially zoned property or in utility corridors. Wireless communications support structures for personal wireless telecommunications service facilities locating under this subsection shall secondarily consider the priorities established in SCC 30.28A.120(4) through (7).
- (3) Place on other public property if practical and allowed, i.e., Snohomish County property, etc.
- (4) Place in districts zoned:
 - (a) Heavy Industrial (HI);
 - (b) Light Industrial (LI);
 - (c) General Commercial (GC); and
 - (d) Community Business (CB).
- (5) Place in districts zoned:
 - (a) Industrial Park (IP);
 - (b) Business Park (BP);
 - (c) Freeway Service (FS);
 - (d) Rural Freeway Service (RFS);

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- (e) Planned Community Business (PCB);
 - (f) Neighborhood Business (NB);
 - (g) Urban Center (UC)
 - ~~((g))~~(h) Rural Industrial (RI);
 - ~~((h))~~(i) Clearview Rural Commercial (CRC); and
 - ~~((i))~~(j) Rural Business (RB).
- (6) Place in districts zoned:
- (a) Rural Use (RU);
 - (b) Rural Diversification (RD);
 - (c) Rural Resource Transition-10 Acre (RRT-10);
 - (d) Forestry (F);
 - (e) Mineral Conservation (MC);
 - (f) Forestry and Recreation (F&R); and
 - (g) Agricultural-10 (A-10).
- (7) Place in districts zoned:
- (a) Rural 5 Acres (R-5);
 - (b) Rural Conservancy (RC);
 - (c) Suburban Agriculture □ 1 (SA-1);
 - (d) Residential 20,000 (R-20,000);
 - (e) Residential 12,500 (R-12,500);
 - (f) Waterfront Beach (WFB);
 - (g) Multiple Residential (MR);
 - (h) Mobile Home Park (MHP);
 - (i) Low-density Multiple Residential (LDMR);
 - (j) Townhouse (T);
 - (k) Residential 9,600 (R-9,600);
 - (l) Residential 8,400 (R-8,400); and
 - (m) Residential 7,200 (R-7,200).

Section 12. Amends SCC 30.31A.010, Purpose and applicability: to remove references to the PCB-TPV subzone. The amendment is as follows:

30.31A.010 Purpose and applicability.

This chapter regulates development in and establishes zoning criteria for the planned community business (PCB), neighborhood business (NB), business park (BP), and industrial park (IP) zones. ~~((The PCB zone includes a subzone of planning community business – transit pedestrian village (PCB-TPV) with additional performance requirements described in 30.34A.))~~ This chapter sets forth procedures and standards to be followed in applying for, and building in these zones.

Section 13. Amends SCC 30.31A.020, Minimum zoning criteria: to remove references to the PCB-TPV subzone and references related to the Urban Centers Demonstration Program. The amendments are as follows:

30.31A.020 Minimum zoning criteria.

- (1) A tract of land proposed for BP zoning shall contain sufficient area to create a contiguous tract of BP zoned land at least four acres in size.
- (2) A tract of land proposed for PCB zoning shall contain sufficient area to create a

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contiguous tract of PCB zoned land at least five acres in size. ~~((Rezoning to PCB-TPV is only allowed when a master plan has been approved by the department and is adopted as part of the rezone. The county may rezone during adoption of a master or concept plan. A property owner may also complete a master plan as outlined in the GMACP and request a rezone through the docketing process.))~~

(3) A tract of land proposed for NB zoning shall contain sufficient area to create a contiguous tract of NB zoned land at least three acres in size.

(4) A tract of land must be in single ownership or, for multiple parcels, under unified control. This requirement shall apply during preliminary and final plan stages to ensure continuity of plan development.

(5) Zoning request must be accompanied by a preliminary development plan prepared by a team of design professionals in compliance with the regulations and requirements of this chapter. ~~((Rezones to PCB-TPV subzone must be accompanied by a master plan or concept plan, approved by the department, in compliance with the regulations and requirements of chapter 30.34A SCC.))~~

(6) Preliminary and final plans must comply with bulk regulations contained in SCC 30.23.030 ~~((or if project is submitted under chapter 30.34A, the plans must comply with the bulk regulations in SCC 30.23.030)).~~

(7) All utility services and distribution lines shall be located underground, and in the case of the BP zone ~~((and projects submitted under chapter 30.34A))~~ the property shall be served by public water and sewer services and paved streets, paved private roads, or paved common access areas.

Section 14. Amends SCC 30.31A.100, General performance standards: to add a new requirement that projects in the NB zone and designated Urban Village will use the parking rates in Chapter 30.34A SCC. The amendments are as follows:

30.31A.100 General performance standards.

Each planned zone and uses located in the BP, PCB, NB and IP zones shall comply with the following requirements unless more specific requirements are provided in code:

(1) Processes and Equipment. Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable beyond the boundaries of the lot upon which the use is located by reason of offensive odors, dust, smoke, gas, or electronic interference;

(2) Development Phases. Where the proposal contains more than one phase, all development shall occur in a sequence consistent with the phasing plan which shall be presented as an element of the preliminary plan unless revisions are approved by the department;

(3) Building Design. Buildings shall be designed to be compatible with their surroundings, both within and adjacent to the zone;

(4) Restrictive Covenants. Restrictive covenants shall be provided which shall ensure the long-term maintenance and upkeep of landscaping, storm drainage facilities, other private property improvements, and open space areas and facilities. Further, the covenants shall reference the official or binding site plan(s) and indicate their availability at the department, and shall provide that Snohomish County is an additional beneficiary with standing to enforce, and shall preclude the avoidance of performance obligations through lease agreements;

(5) Off-street Parking. Permanent off-street parking shall be in accordance with terms of chapter 30.26 SCC, except in the NB zone where the land is designated Urban Village on the future land use map, parking shall be in accordance with SCC 30.34A.050;

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(6) Signing. Signs for business identification or advertising of products shall conform to the approved sign design scheme submitted with the final plan, and must comply with chapters 30.54B and 30.27 SCC;

(7) Noise. Noise levels generated within the development shall not exceed those established in chapter 10.01 SCC - noise control, or violate other law or regulation relating to noise. Noise of machines and operations shall be muffled so as to not become objectionable due to intermittence or beat frequency, or shrillness; and

(8) Landscaping. General landscaping and open space requirements shall be in accordance with chapter 30.25 SCC.

Section 15. Repeals Chapter 30.34A SCC, Urban Centers Demonstration Program.

Section 16. Adopts a new SCC 30.34A, Urban Center Development: to add 21 new sections:

- .010 Purpose and applicability (establishes the purpose of the chapter and what development is subject to the regulations)
- .020 Permitted uses (establishes the permitted uses within the UC zone)
- .030 Floor area ratio (establishes the FAR requirements and bonuses)
- .040 Building Height and Setbacks (maximum building height and setbacks)
- .050 Parking ratios, parking locations and parking lot and structure design (min/max parking ratios, the location of parking and parking lot landscaping and design of structure parking)
- .060 Landscaping (general landscaping requirements)
- .070 Open space (requirements to provide open space for each project)
- .080 Circulation and access (requirements to provide pedestrian facilities, road circulation requirements)
- .090 Design standard-signs (requirements for signs)
- .100 Design standard-screening trash/service areas and rooftop mechanical equipment (Establishes screening requirements)
- .110 Design standard-lighting (requirements for on-site exterior and ground lighting)
- .120 Design standard-step back and roof edge (requirements for stepped back upper floors)
- .130 Design standard-massing and articulation (standards to mitigate for building mass)
- .140 Design standard-ground level detail (standards to encourage visually attractive streetscape)
- .150 Design standard-weather protection (standards for canopies/awnings to provide weather protection for pedestrians)
- .160 Design standard-blank walls (standards to mitigate for blank walls)
- .170 Submittal requirements (documents required to submit and application for an urban center development)
- .180 Review process (process to review an application)
- .190 Public spaces and amenities (requirements to construct the on-site recreation space with the construction of the first building or phase)
- .200 Priority permit processing (low income housing project allowed to use the priority permit process)
- .210 Master plans and city review (director discretion to require consistency with adopted master plan; allows city review of project when interlocal agreement is in place)

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Section 17. Amends SCC 30.62B.100, Transportation demand management (TDM)-voluntary payment: to add a cross-reference to the circulation and access of SCC 30.34A and clarify the requirements. The amendments are as follows:

30.66B.625 Transportation demand management (TDM)- voluntary payment.

(1) A development may satisfy a requirement under ~~SCC 30.34A.080~~, SCC 30.66B.160 or SCC 30.66B.630 to provide Transportation Demand Management (TDM) by making a voluntary payment equal to the development's TDM obligation as ~~((calculated under))~~ required pursuant to SCC 30.66B.615.

(2) Funds received by the ~~((county))~~ department for TDM measures will be placed in special accounts with the transportation mitigation fund to be used exclusively for identified TDM measures. The county may construct or purchase these measures or, upon establishment of appropriate interlocal agreements, may transfer the monies to transit agencies for construction or purchase of specific TDM measures. The collection and administration of any funds shall be consistent with SCC 30.66B.350.

(3) Any payment under this section must be made at the time specified in SCC 30.66B.340.

Section 18. Amends SCC 30.86.620, City fees, to remove references to the Urban Center Demonstration Program and change county to department. The amendments are as follows:

30.86.620 City Fees.

Pursuant to the terms of an executed interlocal agreement, the ~~((County))~~ department may request and collect fees on behalf of the city, which are voluntarily paid by an applicant for the city's cost of review of an urban center ~~((demonstration project))~~ development, submitted under ~~((the County's Urban Center Demonstration Program (C)))~~ chapter 30.34A SCC(()), located in a city's associated urban growth area. The ~~((County))~~ department will forward these fees to the city within 60 days.

Section 19. Add a new section to Chapter 30.86 SCC, Fees. This section was previously contained in the Urban Centers Demonstration Program. The new section is as follows:

30.86.800 Urban center development fees.

A fee consistent with the Rezoning Fees for commercial zones (SCC 30.86.200) and any other applicable fees required by code (i.e., drainage, landscaping review, traffic concurrency, and subdivision or binding site plan, etc.) shall be paid upon submittal.

Section 20. Repeals SCC 30.91A.230 (Applicant): will rely on SCC 30.91A.220.

Section 21. Repeals SCC 30.91C.180 (Committee): no longer needed with change to administrative review.

Section 22. Repeals SCC 30.91D.190 (Developable area): will rely on SCC 30.91N.035.

Section 23. Adds a new definition SCC 30.91F.445, for Floor Area Ratio.

30.91F.445 "Floor Area Ratio" means the total building square footage (building area), measured to the inside face of exterior walls, excluding areas below finished grade, space

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dedicated to parking, mechanical spaces, elevator and stair shafts, lobbies and commons spaces including atriums and space used for any bonus features, divided by the site size square footage (site area).

Floor Area Ratio = (Building area)/(Site area)

Section 24. Repeals SCC 30.91D.190 (Developable area): will rely on SCC 30.91N.035.

Section 25. Repeals SCC 30.91P.405 (Public use): no longer needed with the new urban center.

Section 26. Amends SCC 30.91S.080 (Secondhand store): to incorporate the storage of use clothing related to a profit or nonprofit establishment.

30.91S.080 "Secondhand store" means a ~~((retail))~~ profit or nonprofit establishment dealing in the storage, selling ~~((and))~~ or buying of used merchandise which is not antique, not including the sale of used automobiles.

Section 27. Repeals SCC 30.91T.064 (Transit Pedestrian Village): definition no longer needed as references in the code have been removed).

Section 28. Amends SCC 30.91U.085 (Urban Center): to make the definition consistent with the comprehensive plan.

30.91U.085 "Urban center" means an area with a mix of high-density residential, office and retail ~~((development))~~ uses with public and community facilities and pedestrian connections located along ~~((designated))~~ existing or planned high capacity ~~((routes or))~~ transit corridors.

Section 29. Amends SCC 30.91U.095 (Urban Village): to make the definition consistent with the comprehensive plan.

30.91U.095 "Urban Village" means a neighborhood scale mixed-use area with a ~~((variety))~~ mix of ~~((small-scale commercial))~~ retail and office uses, public and community ~~((buildings))~~ facilities, and high-density residential development ~~((units, and public open space))~~. ~~((Pedestrian orientation includes pedestrian circulation, pedestrian scale and pedestrian convenience with connections between neighborhoods, communities and other centers. Urban Villages serve several neighborhoods or communities within a radius of about two miles.))~~

Section 30. Adds a new definition SCC 30.91W.007, for Wall, blank.

30.91W.007 "Wall, Blank" means an exterior building wall with no openings covered predominantly with single material and uniform texture on a single plane.

Section 31. Establishes a 60-day delayed effective date from the date of adoption.

Section 32. Provides a standard severability and savings clause.

Section 33. Establishes applicability of the ordinance.

Consistency with the Growth Management Act, Snohomish County Comprehensive Plan and General Policy Plan (GPP)

The Growth Management Act (GMA) requires consistency between the Comprehensive Plan and implementing development regulations. The UDC is consistent with the adopted Comprehensive Plan. The county's comprehensive plan assumes that a significant portion of the 20 year population and employment growth allocated to the southwest urban growth area will occur in Urban Centers. General Policy Plan Goal 3 and the objectives and polices contained therein support the proposed regulations. Also, the multi-county planning policies also encourage the development of urban centers within the Puget Sound region to accommodate future population and employment growth.

There is strong policy support at all levels within the region for urban centers. The proposed ordinance would be consistent with these policies.

Can the Desired Outcome be Achieved by a Code Interpretation or Rule?

No, a code interpretation or rule cannot address the intent of this proposal.

Review of existing code interpretations, rules, policies and procedures

The Department of Planning and Development Service does not have any code interpretations, rules or procedures specifically related to this proposal.

Implementation Concerns/Issues

An implementation plan is being developed in accordance with the Code Development Business Process model. It will include provisions that relate to:

- Revisions to applicable brochures/handouts and information posted to the county's web site
- Revisions to internal processes and procedures
- Staff training
- Summary of adopted amendments for the general public

Are Associated or Additional Amendments Necessary?

The proposal does not create the need for any additional amendments beyond those contained in the ordinance.

What is the implication of doing nothing?

Property owners interested in transit-oriented development will be unable to proceed due a lack of regulations. Expected population and employment capacity would be less and may require revisiting urban growth area boundaries. Support for recent transit initiatives including Community Transit's bus rapid transit and Sound Transit's regional bus service could be set back. Lastly, opportunities to reduce greenhouse gas emissions would be more limited.

State Environmental Protection Act (SEPA)

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SEPA is required for these amendments to the Unified Development Code. A Determination of Nonsignificance (DNS) will be issued on April 14, 2009, with a comment deadline of April 27, 2009. State agencies will be notified of the potential adoption of a proposed ordinance at the same time.

Staff Recommendation:

Staff recommends approval of the proposed ordinance.

Attachments

Proposed ordinance
Summary of urban center code changes