

agriculture, mineral resource use, passive recreation, community wells and drainfields (subject to Snohomish Health District approval), stormwater detention systems, and other related activities as listed in SCC 30.41C.220.

The ownership of the restricted open space may be held in several ways:

- Conveyance to a public agency or county-approved non-profit organization;
- Control by a homeowners association; or
- Retention by the original landowner, under certain limited conditions.

Q: What is “interim open space” and how can it be used?

A: “Interim open space” is open space that is required in RCSs located in Rural/Urban Transition Areas (RUTAs). These areas are not subject to the restricted open space requirements unless otherwise specified.

RCSs are optional RUTAs, which are adjacent to and outside of Urban Growth Areas (UGAs). They do offer one benefit, however: the opportunity to subdivide the interim open space once it is located within a UGA.

The interim open space must be configured to include sufficient future buildable area, allow future lot configuration with adjacent building envelopes on each lot, and accommodate future roads.

See the figure below.

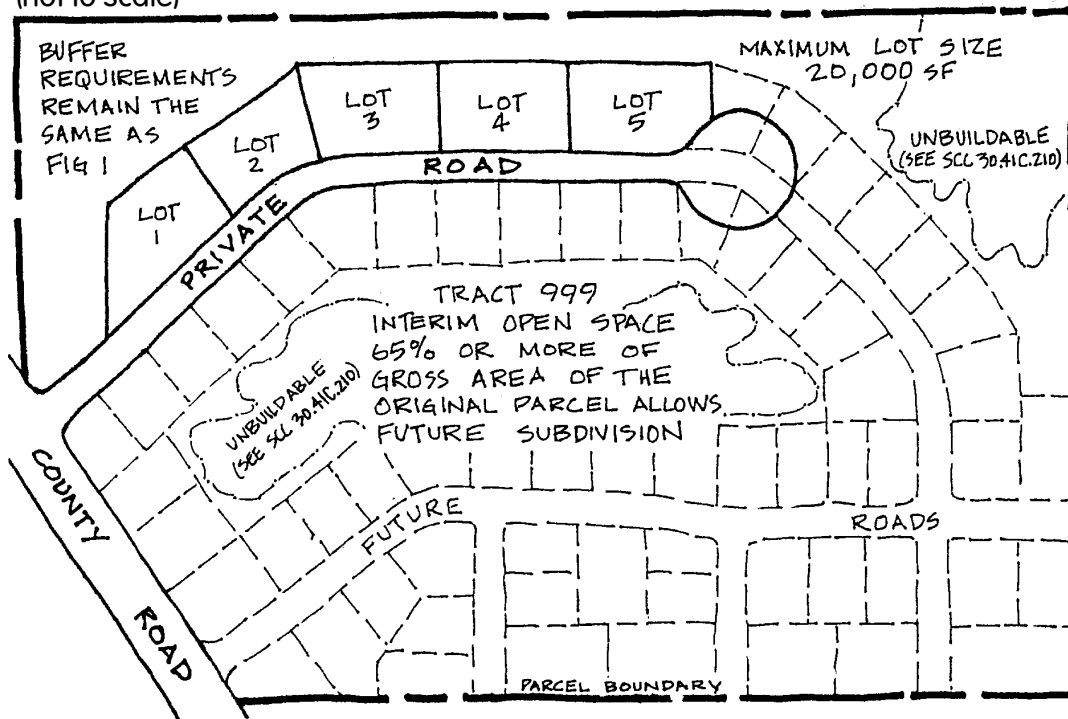
Q: Is my property eligible for a Rural Cluster Subdivision?

A: Rural cluster subdivisions are allowed in the Forestry (F), Forestry and Recreation (F&R), Mineral Conservation (MC), and Rural Resource Transition-10 Acre (RRT-10) zones and, in limited areas only, the Rural Five Acre (R-5), Rural Conservation (RC), and Rural Diversification (RD) zones, subject to the rural and resource land use designations and policies in the Snohomish County GMA Comprehensive Plan/General Policy Plan (GPP). The policies and land use designations in the GPP help determine whether a parcel is eligible for clustering even though the parcel may be zoned F, F&R, MC, RRT-10, R-5, RC or RD.

To see if your property is eligible for a rural cluster subdivision and what residential density you are allowed, you need to determine:

- If your property is zoned R-5, RRT-10, F, F&R, MC, RC or RD;
- What is the GPP land use designation for your property; and
- Which of the following combinations of zoning and GPP land use designations would qualify your property for a rural cluster subdivision:

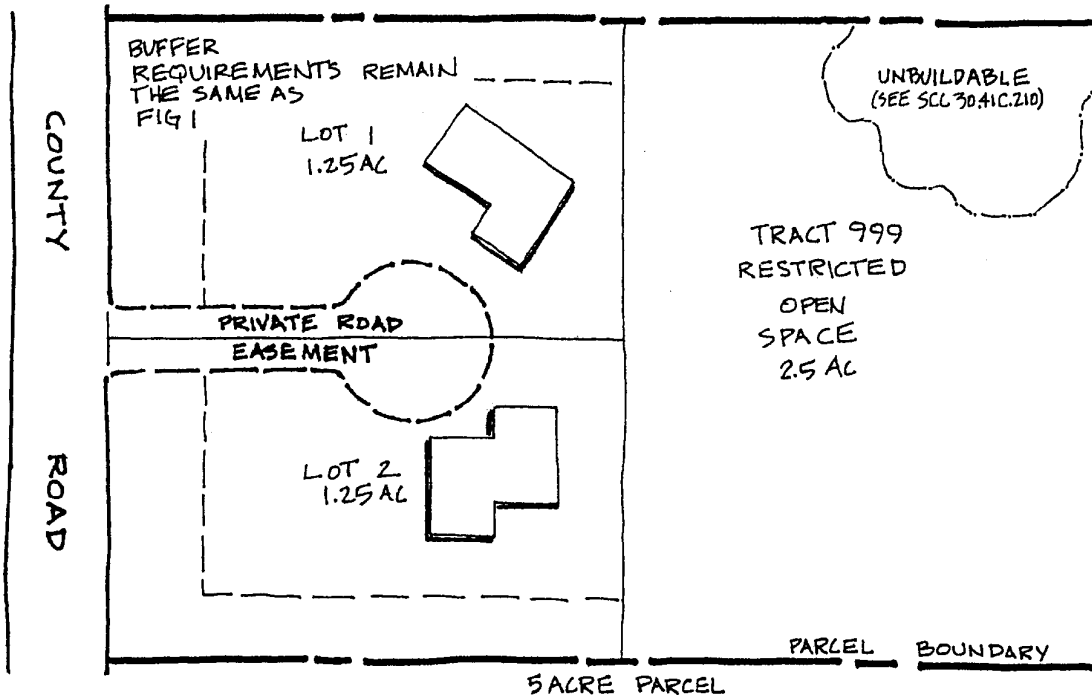
Rural Cluster Subdivision within Rural/Urban Transition Area
(not to scale)



1. R-5 zone/RR plan designation: Lands zoned R-5 and designated Rural Residential (RR) by the GPP are eligible for an RCS with a residential density

of one per 100,000 sq. ft. (approximately 2.3 acres), when at least 45 percent of the site is contained in restricted open space. No density bonus is awarded to an RCS located on RR designated lands.

Rural Cluster Subdivision with R/5 Zone/RR (Basic) Plan Designation (not to scale)



2. R-5 zone/RR-5 designation: Lands zoned R-5 and designated Rural Residential-5 by the GPP qualify for an RCS with a residential density of 1 lot per 200,000 sq. ft. (approximately 4.6 acres) and a minimum density bonus of 15 percent when a minimum of 45 percent of the site is contained in restricted open space. There is an opportunity for a density bonus up to 35 percent if additional restricted open space is proposed for up to 65 percent of the site.

4. R-5, RC or RD zones/RR-10-RT plan designations: Lands zoned R-5, RC or RD and designated Rural Residential-10 (Resource Transition) (RR-10-RT) by the GPP qualify for an RCS with a residential density of 1 lot per 200,000 sq. ft. and a minimum density bonus of 15 percent when a minimum of 45 percent of the site is contained in restricted open space. There is an opportunity for a density bonus up to 35 percent if additional restricted open space is proposed for up to 65 percent of the site.

3. R-5 or RC zones/LCF designation: Lands zoned R-5 or RC by the GPP qualify for an RCS with a residential density at the underlying zoning (1 lot per 100,000 sq. ft. for RC or 1 lot per 200,000 sq. ft. for R-5) and a minimum density bonus of 15 percent when a minimum of 45 percent of the site is contained in restricted open space. There is an opportunity for a density bonus up to 35 percent if additional restricted open space is proposed for up to 65 percent of the site.

5. F zone/RR-L plan designation: Lands zoned F and designated Low Density Rural Residential (RR-L) by the GPP qualify for an RCS with a residential density of 1 lot per 20 acres and a minimum density bonus of 15 percent when a minimum of 45 percent of the site is contained in restricted open space. There is an opportunity for a density bonus up to 35 percent if additional restricted open space is proposed for up to 65 percent of the site.

(continued on back)

6. RRT-10 zone/RR-10-RT plan designation: Lands zoned RRT-10 and designated RR-10-RT by the GPP qualify for an RCS with a residential density of 1 lot per 10 acres and a minimum density bonus of 15 percent when a minimum of 45 percent of the site is contained in restricted open space. There is an opportunity for a density bonus up to 35 percent if additional restricted open space is proposed for up to 65 percent of the site.

7. F & R zone/RR, RR-10-RT, RR-L, RD plan designations: Lands zoned F & R and designated Rural Residential (RR), Rural Residential-10 (Resource Transition) (RR-10-RT), Low Density Rural Residential (RR-L), or Rural Residential RD (RR-RD) by the GPP qualify for an RCS with a residential density of 1 lot per 5 acres and a minimum density bonus of 15 percent when a minimum of 45 percent of the site is contained in restricted open space. There is an opportunity for a density bonus up to 35 percent if additional restricted open space is proposed for up to 65 percent of the site.

Rural Cluster Subdivision Requirements for Restricted Open Area and Bulk Regulations

| | Forestry F & R with or without MRO ⁽¹⁰⁾ | | R-5 in RR-5 & RR-10(RT) w/out MRO ⁽¹⁰⁾ ; RRT-10, RC & RD in RR-10(RT) with or without MRO ⁽¹⁰⁾ | | R-5 in RR ⁽⁸⁾ w/out MRO ⁽¹⁰⁾ ; RD in RR-RD with RUTA | |
|---|--|-----|---|-----|---|-----|
| Minimum Restricted Open Space | 60 percent | | 45 percent | | 45 percent | |
| Natural Resource Lands | 60 percent | | 60 percent | | 60 percent | |
| Minimum Bonus Density ⁽¹⁾ | 15 - 35 percent | | 15 - 35 percent | | None | |
| Natural Resource Lands | 10 percent | | 10 percent | | | |
| Required Buffer-Adjacent Property Roads ⁽²⁾⁽³⁾ and Adjacent Property | (see 4) | | (see 4) | | (see 4) | |
| Average Width: | 75' | 50' | 75' | 50' | 50' | 35' |
| Minimum Width: | 50' | 35' | 50' | 35' | 35' | 25' |
| Required Setback for Single Family Residential/Duplex from Adjacent Resource Areas ⁽²⁾ | 100' (forest and mineral lands) | | 100' (forest and mineral lands) | | 100' (forest and mineral lands) | |
| Setback Width: ⁽⁶⁾ | 50' (farmland) | | 50' (farmland) | | 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 ⁽⁶⁾⁽⁷⁾ | | | | | | |
| Maximum Lot Size ⁽⁹⁾ | | | | | | |

- (1) Bonus density as provided in SCC 30.41C.240.
- (2) Buffers required adjacent to public roads as provided in SCC 30.41C.200(2).
- (3) Required buffers shall not include any portion of the required minimum lot area or required minimum setbacks or any proposed lot. Notwithstanding any other requirement in this table, 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 (RCS) 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 Chapters 30.41A or 30.41B SCC before December 14, 1992 and which are converted to a RCS or short subdivision under Chapter 30.41A or 30.41B SCC, setback width shall be 75 feet.
- (6) Minimum lot size as provided in SCC 30.23.220.
- (7) Minimum lot size for duplexes is determined per SCC 30.23.030.

- (8) This table applies only to zoning classifications contained within stated comprehensive plan designations.
- (9) Maximum lot size in rural/urban transition area shall be 20,000 sq. ft.
- (10) Mineral Resource Lands Overlay (MRO) is a comprehensive plan designation overlay which overlaps other designations in many areas depending on the location of mineral resources. Where the MRO coincides with R-5 zone or 5-acre rural residential designation, residential subdivision is prohibited pursuant to SCC 30.32C.150.

This bulletin is intended only as an information guide. The information may not be complete and is subject to change. For complete legal information, refer to the Snohomish County Code and the General Policy Plan/Snohomish County GMA Comprehensive Plan.