



**SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON**

AMENDED ORDINANCE NO. 07-029

RELATING TO MOBILE HOME PARKS, ESTABLISHING THE MOBILE HOME PARK ZONE, AND AMENDING SNOHOMISH COUNTY CODE SECTIONS 30.21.020, 30.21.025, 30.22.010, 30.22.100, 30.22.130, 30.23.030, 30.23.040, AND 30.28A.120

WHEREAS, one of the goals of the Growth Management Act (GMA) (chapter 36.70A RCW) is to encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock; and

WHEREAS, the GMA requires the county to adopt development regulations that are consistent with and implement the county's adopted Growth Management Act Comprehensive Plan (GMACP); and

WHEREAS, GMACP housing policy 1.B.1 provides that opportunities for affordable home ownership shall be facilitated by promoting an increased supply of all housing types; and

WHEREAS, GMACP housing policy 1.B.1 contemplates the creation of a mobile home park zone that will encourage the long-term preservation of mobile home parks; and

WHEREAS, GMACP housing policy 1.B.3 provides that the county shall support the development and preservation of mobile and manufactured home parks; and

WHEREAS, the Washington State Department of Community, Trade and Economic Development estimates that 21 mobile home communities are expected to close statewide within the next year, affecting 626 families. More than half of those persons affected by future park closures reside in Snohomish County; and

WHEREAS, a large number of mobile home park residents are senior citizens with limited housing options; and

WHEREAS, Washington State law requires the Snohomish County Assessor to appraise property at 100 percent of its "true and fair market value" in money according to the "highest and best use" of the property; and

WHEREAS, mobile home parks generally are not the "highest and best use" of property in zones where other uses are allowed; and

WHEREAS, the intent of this ordinance is to create a new urban zone, the Mobile Home Park Zone, in which mobile home parks are the only allowable use; and

WHEREAS, on February 27, 2007, the planning commission held a public hearing to receive public testimony on the proposed code amendments, deliberated on the amendments and voted to recommend adoption of the amendments; and

WHEREAS, the county council held a public hearing on April 25, 2007 to consider the entire record and to hear public testimony on this Ordinance No. 07-029.

NOW, THEREFORE, BE IT ORDAINED:

Section 1. The county council makes the following findings of fact:

- A. The county council adopts and incorporates the foregoing recitals as findings as if set forth fully herein.
- B. Mobile home parks provide an affordable home ownership opportunity.
- C. The "highest and best use" of real property located within the mobile home park zone will be as a mobile home park, thereby removing a disincentive to retaining use of property as a mobile home park.
- D. The mobile home park zone created by this ordinance will encourage the long-term preservation of mobile home parks.
- E. Inclusion of real property in the mobile home park zone will be a voluntary act of the property owner.
- F. The proposed code amendments implement GMACP housing policies 1.B.1 and 1.B.3.
- G. Notice of possible action on the proposed code amendments was provided under chapter 30.73 SCC. The proposal has been broadly disseminated and opportunities have been provided for written comments and public hearing after effective notice.
- H. A Determination of Non-Significance for the proposed code amendments was issued on February 27, 2007.

Section 2. The county council makes the following conclusions regarding the amendments adopted by this ordinance:

- A. The amendments to Title 30 SCC adopted by this ordinance comply with the GMA requirement to adopt development regulations that are consistent with and implement the GMACP.
- B. The amendments to Title 30 SCC adopted by this ordinance are consistent with the countywide planning policies for Snohomish County and with the multi-county policies adopted by the Puget Sound Regional Council.
- C. The amendments to Title 30 SCC adopted by this ordinance satisfy the procedural and substantive requirements of and are consistent with the GMA.
- D. The amendments to Title 30 SCC adopted by this ordinance bear a substantial relationship to the public health, safety and welfare.
- E. The State Environmental Policy Act requirements with respect to this proposed action are satisfied by issuance of a Determination of Non-Significance on February 27, 2007.

Section 3. The county council bases its findings and conclusions on the entire record of the planning commission and the county council, including all testimony and exhibits. Any finding which should be deemed a conclusion, and any conclusion which should be deemed a finding, is hereby adopted as such.

Section 4. Snohomish County Code Section 30.21.020, adopted by Ordinance No. 02-064 on December 9, 2002, is amended to read:

30.21.020 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
Mobile Home Park MHP	
RURAL	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. Snohomish County Code Section 30.21.025, last amended by Amended Ordinance No. 06-046 on July 19, 2006, is amended to read:

30.21.025 Intent of zones.

This section describes the intent of each use zone. Snohomish County's use zones are categorized and implemented consistent with the comprehensive plan. The comprehensive plan establishes guidelines to determine compatibility and location of use zones. The intent of each zone is established pursuant to SCC Table 30.21.020 and is set forth below in SCC 30.21.025(1) - (4).

(1) Urban Zones. The urban zones category consists of residential, commercial, and industrial zoning classifications in Urban Growth Areas (UGAs) located outside of cities in unincorporated Snohomish County. These areas are either already characterized by, or are planned for, urban growth consistent with the comprehensive plan.

(a) Single Family Residential. The intent and function of single family residential zones is to provide for predominantly single family residential development that achieves a minimum net density of four dwelling units per net acre. These zones may be used as holding zones for properties that are designated urban medium-density residential, urban high-density residential, urban commercial, urban industrial, public/institutional use (P/IU), or other land uses in the comprehensive plan. The official Snohomish County zoning maps prepared pursuant to SCC 30.21.030 shall use the suffix "P/IU" to indicate all areas in which these zones implement the P/IU designation (e.g., R-7,200-P/IU). Single family residential zones consist of the following:

- (i) Residential 7,200 sq. ft. (R-7,200);
- (ii) Residential 8,400 sq. ft. (R-8,400); and
- (iii) Residential 9,600 sq. ft. (R-9,600).

(b) Multiple Family Residential. Multiple family residential zones provide for predominantly apartment and townhouse development in designated medium- and high-density residential locations. Multiple family residential zones consist of the following:

- (i) Townhouse (T). The intent and function of the townhouse zone is to:
 - (A) provide for single family dwellings, both attached and detached, or different styles, sizes, and prices at urban densities greater than those for strictly single family detached development, but less than multifamily development;
 - (B) provide a flexible tool for development of physically suitable, skipped-over or under-used lands in urban areas without adversely affecting adjacent development; and
 - (C) provide design standards and review which recognize the special characteristics of townhouses, to ensure the development of well-planned communities, and to ensure the compatibility of such housing developments with adjacent, existing, and planned uses. Townhouses are intended to serve the housing needs of a variety of housing consumers and producers. Therefore, townhouses may be built for renter occupancy of units on a site under single ownership, owner agreements pursuant to chapters 64.32 or 64.34 RCW, or owner or renter occupancy of separately conveyed units on individual lots created through formal subdivision pursuant to chapter 58.17 RCW;

(ii) Low-Density Multiple Residential (LDMR). The intent and function of the low-density multiple residential zone is to provide a variety of low-density, multifamily

housing including townhouses, multifamily structures, and attached or detached homes on small lots; and

(iii) Multiple Residential (MR). The intent and function of the multiple residential zone is to provide for high-density development, including townhouses and multifamily structures generally near other high-intensity land uses.

(iv) Mobile Home Park (MHP). The intent and function of the Mobile Home Park zone is to provide and preserve high density, affordable residential development consisting of mobile homes for existing mobile home parks.

(c) Commercial. The commercial zones provide for neighborhood, community and urban center commercial, and mixed use developments that offer a range of retail, office, personal service and wholesale uses. Commercial zones consist of the following:

(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;

(iii) Community Business (CB). The intent and function of the community business zone is to provide for businesses and services designed to serve the needs of several neighborhoods;

(iv) General Commercial (GC). The intent and function of the general commercial zone is to provide for a wide variety of retail and nonretail commercial and business uses. General commercial sites are auto-oriented as opposed to pedestrian or neighborhood oriented. Certain performance standards, subject to review and approval of an official site plan, are contained in chapter 30.31B SCC;

(v) Freeway Service (FS). The intent and function of the freeway service zone is to provide for needed freeway commercial facilities in the vicinity of on/off ramp frontages and access roads of limited access highways with a minimum of traffic congestion in the vicinity of the ramp. Allowed uses are limited to commercial establishments dependent upon highway users. Certain performance standards, subject to review and approval of an official site plan, are contained in chapter 30.31B SCC to protect freeway design;

(vi) Business Park (BP). The intent and function of the business park zone is to provide for those business/industrial uses of a professional office, wholesale and manufacturing nature which are capable of being constructed, maintained, and operated in a manner uniquely designed to be compatible with adjoining residential, retail commercial, or other less intensive land uses, existing or planned. Strict zoning controls must be applied in conjunction with private covenants and unified control of land; many business/industrial uses otherwise provided for in the zoning code will not be suited to the BP zone due to an inability to comply with its provisions and achieve compatibility with surrounding uses. The BP zone, under limited circumstances, may

farmland in the comprehensive plan.

(102) Community Facilities for Juveniles in R-5 zones must be located within one mile of an active public transportation route at the time of permitting.

(103) All community facilities for juveniles shall meet the performance standards set forth in SCC 30.28.025.

(104) Personal wireless telecommunications service facilities: See chapter 30.28A SCC and landscaping standards in SCC 30.25.025.

(105) Personal wireless telecommunications service facilities are subject to a building permit pursuant to SCC 30.28A.020 and the development standards set forth in chapter 30.28A SCC and landscaping standards in SCC 30.25.025.

(106) A building permit only is required for facilities co-locating on existing utility poles, towers, and/or antennas unless otherwise specified in 30.28A SCC.

(107) R-5 w/MRO: Uses are restricted where the Mineral Resource Overlay (MRO) coincides with the R-5 zone to prevent development which would preclude future access to the mineral resources. Residential subdivision is restricted pursuant to 30.32C.150.

(108) Projects submitted under the Urban Centers Demonstration Program (chapter 30.34A SCC) and located within the NB or PCB zones may include the permitted uses in these zones. Uses listed in SCC 30.34A.100(5) and conditional uses in the NB and PCB zones are prohibited in these projects.

(109) Privately operated off-road vehicle (ORV) use areas shall be allowed by conditional use permit on Forestry and Recreation (F&R) zoned property designated Forest on the comprehensive plan future land use map. These areas shall be identified by an F&R ORV suffix on the zoning map. Privately operated ORV use areas are regulated pursuant to SCC 30.28.080, SCC 30.28.085 and other applicable county codes.

(110) Recreational Facility Not Otherwise Listed: Playing fields permitted in accordance with chapter 30.33B SCC are allowed as a Permitted Use (P) when sited on designated recreational land as identified on the future land use map in the county's comprehensive plan.

(111) Recreational Facility Not Otherwise Listed: Playing fields not permitted in accordance with chapter 30.33B SCC are allowed as an Administrative Conditional Use (A) when sited on designated recreational land as identified on the future land use map in the county's comprehensive plan.

(112) Land zoned R-5 and having an RA overlay, depicted as R-5-RA on the official zoning map, is a Transfer of Development Rights (TDR) receiving area and, consistent with the comprehensive plan, will be retained in the R-5-RA zone until regulatory controls are in place which ensure that TDR certificates issued pursuant to SCC 30.35A.050 will be required for development approvals within the receiving area.

(XXX) Mobile Home Park zone:

- (a) A parcel of land may only be rezoned from an urban zoning designation to Mobile Home Park zone at the request of the property owner and in accordance with chapter 30.42A SCC.
- (b) The Mobile Home Park zone shall only be applied to property where an existing mobile home park is located and regulated either by a conditional use permit or as a nonconforming use.
- (c) For any mobile home park regulated by a conditional use permit, an application for vacation of the conditional use permit must be submitted for approval concurrently with rezone approval.

- (d) Upon approval, the Mobile Home Park zone shall not be changed to another zone for a period of five years.

Section 9. Snohomish County Code Section 30.23.030, last amended by Amended Ordinance 06-004 on March 15, 2006, is amended to read:

30.23.030 Bulk matrix.

The bulk matrix contains standard setback, lot coverage, building height, and lot dimension regulations for zones in unincorporated Snohomish County. Additional setback and lot area requirements and exceptions are found at SCC 30.23.100 - 30.23.260.