



## PLANNING COMMISSION REGULAR MEETING

Wednesday, February 4, 2026  
6:00 p.m.

Snohomish Carnegie, 105 Cedar Avenue  
Remote Option Available

Zoom Meeting Participation Information  
Use link: <https://us02web.zoom.us/j/86295897298>  
Dial in: (253) 215-8782  
Meeting ID: 862 9589 7298

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### AGENDA

1. **CALL TO ORDER**
  - a. Roll Call
  - b. Flag Salute
2. **PUBLIC COMMENT on Items Not on the Agenda**
3. **APPROVE AGENDA Contents and Order**
4. **APPROVE MINUTES of Previous Meeting(s)**
  - a. January 7, 2026, Regular Meeting Minutes
5. **DISCUSSION ITEMS**
  - a. Regulations for ADUs and Detached dwellings
  - b. Boundary Line Adjustments process and criteria
6. **COMMISSIONER COMMENTS**
7. **DIRECTOR'S REPORT**
8. **ADJOURN**

**NEXT MEETING:** The next meeting is Wednesday, March 4, 2026, it will be at 6 p.m., at the Snohomish Carnegie, 105 Cedar Avenue, and online via Zoom.

Specialized accommodations will be provided with 5 days advanced notice. Contact the City Clerk's Office at 360-568-3115. This organization is an Equal Opportunity Provider.

**Snohomish Planning Commission Minutes  
January 7, 2026**

**1. CALL TO ORDER**

Chair Gottuso opened the regular meeting of the Planning Commission at 6:00 pm on Wednesday, January 7, 2026. The meeting was held in hybrid format with in-person attendance at the Snohomish Carnegie, 105 Cedar Avenue, Snohomish, and remote online access via Zoom.

**a. ROLL CALL**

**COMMISSIONERS PRESENT:**

Jackie Burkett  
Hank Eskridge  
Nick Gottuso, Chair  
Kevin Karlson  
Zach Schrempp  
Christine Wakefield Nichols (left 7:33 pm)  
Merritt Weese (arrived 6:02 pm)

**COMMISSIONERS ABSENT:**

None

**STAFF:**

Brooke Eidem, Planning & Development Services Director  
Tom Kreinbring, Associate Planner

**b. FLAG SALUTE**

**2. GENERAL PUBLIC COMMENTS**

Public comment was taken.

**3. APPROVAL OF AGENDA ORDER**

Hearing no objections, the agenda order stood as presented.

**4. APPROVAL** of the minutes for the December 3, 2025, regular meeting.

Commissioner Eskridge moved to approve the minutes of the December 3, 2025, regular meeting as written. Commissioner Weese seconded, which passed 7-0.

**5. DISCUSSION ITEMS**

**a. Regulations for ADUs and Detached dwellings**

Director Eidem presented background information about the condominium process as requested by the Planning Commission and additional information relevant to the regulations for ADUs and detached dwellings. Dan Curtis of the City Attorney's office was present to help answer questions.

Policy issues were then presented, including where staff was requesting guidance from the Planning Commission on both Chapters 14.170 and 14.175 SMC, in addition to programmatic options. The Commission asked clarifying questions.

Public comment was taken.

The Planning Commission provided feedback on Chapter 14.170 SMC, Accessory Dwelling Units:

- SMC 14.170.030(G) should be removed to address the legal conflict. The matter of utility meter size and number should instead be deferred to the Unified Plumbing Code.
- An off-street parking stall should only be required for the second ADU proposed on a property.
- There should be no maximum size for ADUs.
- Staff should investigate the Pre-Approved DADU Program, also known as the Permit-Ready ADU (PRADU) Program.
- Standards for Tiny Houses should be further investigated.
- Utility connection rate discounts should be investigated for ADUs.
- A utility connection rate proration program should be investigated to allow utility connection costs to be paid at an agreed upon timeline and prorated on the customer's utility bill.

Commissioner Burkett suggested an architectural competition to solicit designs for a PRADU Program.

The Planning Commission provided feedback on Chapter 14.175 SMC, Detached Dwellings and Cottage Housing:

- The size limit should be removed from the detached dwelling regulations.
- Height limits should align with the underlying zone for detached dwellings.
- Open space requirements should allow uncovered patios and decks to be included in the calculation.
- Street standards for detached dwellings should be simplified.

Chair Gottuso moved to extend the meeting by five minutes. Commissioner Eskridge seconded the motion, which passed 6-0.

Director Eidem requested the Commissioners follow up with her on policy feedback for Cottage Housing to keep the February discussion as productive as possible. Draft language would be on the City website the following morning. A public hearing on this work program item was scheduled for March.

## **6. COMMISSION MEMBER COMMENTS**

Commissioners Eskridge and Weese commented about the upcoming Boundary Review Board meeting to finalize the North Lake subarea annexation.

Commissioner Schrempp was thankful to be selected for the Planning Commission and looked forward to working on the Commission.

## **7. DIRECTOR'S REPORT**

Director Eidem stated the Boundary Review Board meeting is scheduled for January 20<sup>th</sup> at 6 pm with both in person and online options for attendance available. She noted January 21<sup>st</sup> at 6 pm was also scheduled, if the hearing needed to be continued.

## **8. ADJOURN**

There being no objection, the meeting adjourned at 8:01 pm.

Approved this 4<sup>th</sup> day of February, 2026.



## PLANNING COMMISSION STAFF REPORT

**Date:** February 4, 2026

**Agenda Section:** DISCUSSION ITEMS

**From:** Brooke Eidem, AICP, Planning & Development Services Director

**Subject:** Regulations for ADUs and Detached dwellings

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**SUMMARY:** The Planning Commission will continue discussing updates to Chapters 14.170 and 14.175 related to Accessory Dwelling Units (ADUs) and detached dwellings, including cottage housing.

### **BACKGROUND & ANALYSIS:**

#### **Background**

At the January meeting, the Planning Commission discussed regulations for ADUs and detached dwellings, including their legal considerations. Condominium ownership was also discussed at length, in order to understand how it intersects with independent sale of ADUs and other types of detached structures. This item was introduced to the Planning Commission in November and added to the work program by the City Council on December 2nd.

At the January discussion the Planning Commission provided staff with helpful policy guidance on Chapters 14.170 and 14.175 SMC, that have been summarized below and integrated into the drafts attached to this staff report.

#### **Chapter 14.170 SMC - Accessory Dwelling Units**

The guidance provided by the Planning Commission included both regulatory amendments and programmatic options that will continue to be researched by staff. Input on policy amendments are intended to address the legal considerations discussed at the previous meeting, offset any potential increase in cost that may result, and further reduce barriers to the construction of ADUs based on state law.

#### Regulatory Amendments

- SMC 14.170.030 General Standards: Strike Subsection (G) in its entirety and instead defer to the requirements of the Uniform Plumbing Code (UPC) to determine when a separate connection is required. As compliance with the UPC is already a requirement of development, no new or replacement language is necessary.
- SMC 14.170.040 Dimensional Requirements: Eliminate the size limit for all ADUs.
- SMC 14.170.050 Parking Requirements: Adjust the parking requirement to 0 stalls for the first unit and one stall for two units.

Non-regulatory programs will be included in the Planning Commission's recommendation to the City Council. Due to their budgetary implications, any action on the items listed below will be at the the direction of the City Council.

#### Programmatic Options

- 50% utility connection rates
- Pre-Approved ADU Plans (PRADU program)
- Tiny Houses as ADUs
- Utility fee proration program

### **Chapter 14.175 - Detached Dwellings and Cottage Housing**

As discussed in January, this project presents an opportunity to take a closer look at regulations for detached dwellings and cottage housing, two sections of the code that are infrequently used, although these housing types could be prioritized for their increased affordability, community-focused design, and lower heating and cooling costs. The Planning Commission reviewed regulatory options and provided feedback to staff on several amendments summarized below and included in the attachment.

#### Detached Dwellings

- SMC 14.175.040 Detached Dwelling Dimensional Requirements: Remove size limit, default to underlying zone height limits, clarify the street-side setback, and allow the required open space to be in the form of elevated decks and patios.
- SMC 14.175.050 Detached Dwelling Street and Access Requirements: Eliminate many specific standards applicable to private streets, including:
  - Remove the 6-inch curb requirement;
  - Remove the requirement for street trees (canopy coverage is already required for all development pursuant to Chapter 14.240 SMC);
  - Remove the requirement for a parking aisle and landscape strip;
  - Remove the requirement for sidewalks, and replace with a requirement for a 5-foot-wide paved pedestrian pathway; and
  - Remove the requirement for lighting standards and replace with a requirement for lighting to achieve illumination for public safety.

The following section was not discussed in detail in January due to time constraints, however is being presented for the Planning Commission's review. These policy items were included in the draft distributed to each Commissioner at the end of the previous meeting. Staff has not received any comment on these items.

#### Cottage Housing

- SMC 14.175.020 Applicability: Add a new subsection allowing up to four cottage houses in the SFR zone if the lot meets minimum lot size standards.
- SMC 14.175.060 Cottage Housing Dimensional Requirements: Relax many of the overly specific standards that control the site and building size, including:
  - Remove the 12-unit maximum;
  - Remove overall lot coverage and increase individual building coverage;
  - Increase total floor area and remove upper-floor size controls;
  - Increase height limit and remove detailed roof slope standards;
  - Remove building separation standards (to instead defer to Fire Code requirements); and
  - Adjust open space standards to allow more flexibility.
    - An overall minimum open space requirement is added to replace the overall lot coverage standard.
    - Common open space requirements are simplified.
    - A tiered common open space standard is added based on the number of cottage houses in the development in SMC 14.175.060(E)(3). This standard allows additional common open space areas for larger developments.
- SMC 14.175.070 Cottage Housing Parking Requirements: Simplify parking requirements to remove many of the strict location standards and instead focus on parking areas being screened and clustered, with one stall per unit.

As noted, a preliminary version of the drafts were provided to the Planning Commission at the January

meeting, however several revisions were made to the ADU and detached dwelling sections based on the discussion and direction provided. Those updated drafts are attached. The Planning Commission will be asked to provide feedback on language and whether the drafts reflect the policy intent. A public hearing will be held on this item at the regular meeting on March 4th.

**REFERENCE(S):**

- [Code Amendments webpage](#)
  - [Chapter 14.170 SMC - Accessory Dwelling Units](#)
  - [Chapter 14.175 SMC - Detached Dwellings and Cottage Housing](#)
  - [64.90 RCW - WA Uniform Common Interest Ownership Act](#)
  - [RCW 80.28.100 Rate discrimination prohibited--Exception](#)
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**ATTACHMENT(S):**

- 14.170 SMC - ADUs
- 14.175 SMC - Detached Dwellings and Cottage Housing

## Chapter 14.170 SMC Accessory Dwelling Units

### Sections

14.170.010	Purpose
14.170.020	Applicability
14.170.030	General Standards
14.170.040	Dimensional Requirements
14.170.050	Parking Requirements
14.170.060	Independent Sale

### 14.170.010 Purpose

The purpose of this chapter is to allow accessory dwelling units that are secondary and subordinate to, and either attached to or detached from a principal building on a residential lot. Accessory dwelling units provide additional housing options that can be more affordable than traditional detached housing.

### 14.170.020 Applicability

An accessory dwelling unit (ADU) is a dwelling unit that is subordinate to a permitted principal unit located on the same lot. "Principal unit" shall be as defined in RCW 36.70A.696. ADUs may be attached to the principal unit or a separate structure.

### 14.170.030 General Standards

- A. ADUs shall not be counted toward maximum residential density calculations.
- B. Up to two ADUs may be permitted on any lot containing a principal dwelling unit.
- C. ADUs shall not be built within critical areas or their buffers, as identified in Chapter 14.255 SMC.
- D. The property owner shall be required to reside on the site if any ADU is being used as a short-term rental.
- E. New structures containing an ADU that are located in the Historic District, Pilchuck District, or Midtown District shall be subject to design review and findings of consistency with applicable design standards.
- F. ADU(s) shall be subject to payment of impact fees, assessed at 50% of the rate that would be applicable to the principal unit in effect at the time of permit issuance.
- ~~G. ADUs may share utility connections or systems with the principal unit, unless proposed for independent sale as provided in SMC 14.170.060. Water service lines and side sewers serving ADUs that will be sold independently pursuant to SMC 14.170.060 shall be run separately from the unit to within ten feet of the right-of-way.~~

#### 14.170.040 Dimensional Requirements

The following table provides standards required for ADUs. In the event there is a conflict between the provisions of this section with any other provision of the SMC, the provisions of this section shall control.

Subject	Standard
Number of units	Up to two ADUs per lot containing a principal unit, subject to SMC 14.170.030
ADU size	<del>Detached units: Maximum 1,000 square feet</del> <del>Attached to principal unit: No maximum size; subject to setback requirements</del>
Maximum building height <sup>1</sup>	Located less than 4 feet from an alley: 24 feet All others: 30 feet
Setback, front <sup>2</sup>	No detached ADU may be placed in the front setback of a lot. Attached ADUs located in the front of the primary dwelling unit shall be subject to the front setback standards of Chapter 14.210 SMC.
Setback, side <sup>2</sup>	Interior lot: 5 feet Street side setback: half the front setback
Setback, rear <sup>2</sup>	Located on an alley: No minimum rear setback No alley: 5 feet

1 Building height is measured per SMC 14.210.030.

2 The setbacks of this section shall apply unless the standard setbacks of Chapter 14.210 SMC allow a smaller setback for residential structures in the underlying zone.

#### 14.170.050 Parking Requirements

~~If one ADU is proposed on a lot, no associated parking stall is required. If two ADUs are proposed, one off-street parking stall shall be required for each the second ADU on a lot.~~  
All other parking standards of Chapter 14.235 SMC shall apply.

#### 14.170.060 Independent Sale

ADUs may be individually sold through the condominium process of RCW 64.3590 or through the Unit Lot Subdivision process of SMC 14.215.125. Unit Lot Subdivision of ADUs shall be an administrative decision. ~~If one or more separate units are created through the condominium or Unit Lot Subdivision process, the ADU(s) shall still be considered accessory to and on the same lot as the principal unit pursuant to SMC 14.170.020.~~

**Chapter 14.175**  
**DETACHED DWELLINGS AND COTTAGE HOUSING**

Sections:

14.175.010	Purpose
14.175.020	Applicability
14.175.030	General Standards
14.175.040	Detached Dwelling Dimensional Requirements
14.175.050	Detached Dwelling Street and Access Requirements
14.175.060	Cottage Housing Dimensional Requirements
14.175.070	Cottage Housing Parking Requirements

**14.175.010 Purpose.**

The purpose of this chapter is to:

- A. Allow for the development of multiple detached dwelling units and cottage housing on a single lot without the subdivision of land ~~in zoning districts where multifamily dwellings are allowed;~~
- B. Provide for innovative development of detached dwellings as an alternative to conventional attached multifamily dwellings or conventional single-family dwellings ~~upon~~ individual lots;
- C. Provide additional options for achievement of urban densities within the City;
- D. Implement the Washington State Growth Management Act and the City of Snohomish Comprehensive Plan; and
- E. Protect and advance the public's health, safety, and welfare.

**14.175.020 Applicability.**

- A. The development of ~~four~~two or more detached dwellings per lot within the ~~following Low Density Residential, Medium Density Residential, High Density Residential, Commercial, Business Park, and Historic Business District~~ zones is permitted only as provided for in this chapter:-
  1. Low Density Residential (LDR)
  2. Medium Density Residential (MDR)
  3. High Density Residential (HDR)
  4. Commercial (C)
  5. Midtown (MID)
  6. Historic Business District (HBD)
  7. Business Park (BP)

- B. In addition to the zones listed in subsection (A) above, up to four cottage houses may be permitted on a lot located in the Single Family Residential (SF) zone without counting toward maximum density calculations if the subject lot meets the minimum lot size requirements of Chapter 14.210 SMC.
- C. Detached dwellings and cottage housing on a single lot shall conform to the provisions of this chapter.
- ~~C. Detached dwelling and cottage housing developments on a single lot shall be reviewed and processed as a site development plan, a Type 3 permit, pursuant to Chapter 14.65 SMC.~~
- D. All applicable development regulations required by the Snohomish Municipal Code shall apply, including but not limited to off-street parking, provisions for utilities, and emergency access. Where a conflict occurs, the provisions of this chapter shall control.

**14.175.030 General Standards.**

- A. Unless otherwise specified, Mmaximum residential density shall not exceed the density allowed in the zoning district.
- ~~B. Accessory dwelling units are not permitted in detached dwelling or cottage housing developments on a single lot.~~
- ~~B~~E. On a lot to be used for a detached dwelling or cottage housing development, existing detached single-family residential structures, which may be nonconforming with respect to the standards of this chapter, shall be permitted to remain and may be considered nonconforming pursuant to Chapter 14.80 SMC., but the extent of the nonconformity may not be increased.
- ~~C~~D. Detached dwelling and cottage housing developments on a single lot shall be subject to design review using applicable adopted design standards. Structures and accessory structures shall exhibit and embody an architectural style. Architectural detailing shall be provided on all facades. More than one architectural style may be used within detached dwelling or cottage housing developments.
- ~~D~~E. Detached dwelling and cottage housing developments shall require a site development plan (SDP) per Chapter 14.65 SMC unless proposed and processed as a unit lot development under the provisions of SMC 14.215.125. Units may also be sold independently as detached condominiums under the provisions of 64.90 RCW.

**14.175.040 Detached Dwelling Dimensional Requirements.**

A. ~~Structural Limitations.~~

- ~~1. Structures shall be limited to 2,000 square feet of living area. Porches, garages, and basements are not included in the calculation of living area.~~
- ~~2. Structures shall not exceed two stories and 30 feet in height.~~

B. ~~Setbacks.~~ Minimum setbacks from perimeter property lines and from internal boundaries of exclusive use shall be as follows:

1. *Front.* Ten feet, except that garages with doors facing the front shall be set back ~~20~~twenty feet.
2. *Side.* Five feet, except that no side setback shall be required for detached garages located in the rear half of the lot or area of exclusive use. Where the side yard abuts a street, the side setback shall be ten feet.
3. *Rear.* ~~Fifteen~~15 feet for the dwelling. Garages with doors facing the rear shall be set back 20 feet. No rear setback shall be required for detached garages with doors facing the front or side.
- ~~4. Arterial Street. An additional five feet of setback shall be required where the building site abuts an arterial street.~~

<u>Minimum setbacks</u>	<u>Living area</u>	<u>Garage</u>
<u>Front</u>	<u>10 feet</u>	<u>20 feet</u>
<u>Side, interior</u>	<u>5 feet</u>	<u>0 feet if vehicle doors face the front or rear</u>
<u>Side, street</u>	<u>10 feet</u>	<u>10 feet</u>
<u>Rear</u>	<u>15 feet</u>	<u>Detached: 0 feet if vehicle doors face the front; 5 feet if vehicle doors face the side or rear</u> <u>Attached: 15 feet</u>

~~B.~~ *Open Space.* A minimum of 400 square feet of private open space shall be provided for each dwelling. Open space is not required to be vegetated or landscaped but shall be separate from vehicle access areas. Elevated decks and patios may be considered open space, provided they are uncovered.

**14.175.050 Detached Dwelling Street and Access Requirements.**

- A. Internal streets may be either public or private. Public streets shall conform to the City of Snohomish Engineering Design and Construction Standards.

B. Private streets shall include the following improvements, unless the City Engineer authorizes variations when no adverse impact to public health, safety, and welfare would result:

~~1. A six-inch curb with gutter on each side.~~

~~2. Street trees on one side.~~

13. At least one side of each street shall include:

~~a. An eight-foot-wide parking aisle along the inside of the curb, a landscape strip along the outside of the curb, and a sidewalk along the outside of the landscape strip.~~

~~b. A minimum four-foot-wide landscape strip.~~

~~ea. A minimum five-foot-wide, clearly delineated paved pedestrian pathway~~  
~~minimum four-foot-wide sidewalk.~~

~~db. Street lighting may be required to standards and fixtures that achieve illumination for public safety. standards used for public streets. Street lights with decorative design detailing are encouraged.~~

24. Unobstructed roadway width of 26 feet and as approved by the City Engineer.

C. A pedestrian circulation system consisting of ~~sidewalks and~~ walkways shall provide access to the adjacent public streets, all homes, and common recreation areas.

#### 14.175.060 Cottage Housing Dimensional Requirements.

A. Cottage housing developments shall contain a minimum of four ~~and a maximum of 12~~ cottages. Such cottages shall be arranged on at least two sides of a common open space.

B. ~~Lot Coverage and Building Floor Area.~~

1. ~~Lot Coverage.~~

~~a. The overall maximum lot coverage permitted for principal and accessory structures shall not exceed 50 percent of the parent lot.~~

~~b. The building lot coverage for each individual cottage housing unit principal structures shall not exceed 800650 square feet.~~

2. ~~Floor Area.~~

~~a.— The total floor area of each cottage shall not exceed 1,600~~1,000~~ square feet.~~

~~b.— The total floor area of enclosed living space located above or below the main level shall not exceed half of the enclosed space of the main level, or 375 square feet, whichever is less.~~

C. ~~Structural dimensions~~*Building Height.*

~~1.— Maximum building height shall be 24~~18~~ feet for cottage structures and 16 feet for accessory structures.~~

~~2.— The ridge of pitched roofs with a minimum slope of 6:12 may extend up to 28 feet. The ridge of pitched roofs with a minimum slope of 4:12 may extend up to 23 feet. All parts of the roof above 18 feet shall be pitched.~~

D. *Setbacks.* Minimum setbacks from perimeter property lines shall be as follows:

1. *Front Yard.* Ten feet.

2. *Side Yards.* Five feet. Where the side yard abuts a street, the side setback shall be 10 feet. ~~Where the side yard abuts an interior pedestrian circulation route, the side setback shall be eight feet.~~

3. *Rear Yards.* Ten feet.

~~4.— Interior separation between structures shall comply with Building and Fire codes. The following interior separation between structures applies to cottage developments:~~

~~a.— Between principal structures: six feet.~~

~~b.— Between principal structures and accessory structures: three feet.~~

~~c.— Between facades containing principal entrances and adjacent buildings: 10 feet.~~

E. *Open Space Requirements.*

1. A minimum of 30% open space is required for cottage housing developments.

2. A minimum of 300 square feet of landscaped common open space is required per unit.

~~a.—A minimum of 150 square feet per unit of such open space shall be private and usable.~~

~~b.—A minimum of 150 square feet per unit of such open space shall be provided as common open space.~~

~~2.—Private open space areas shall have a minimum dimension of 10 feet.~~

3. Required common open space shall be provided in one contiguous area, having a minimum dimension of ten feet. Each cottage shall abut the common open space, and the common open space shall have cottages abutting at least two sides. Common open space area(s) shall be based on number of cottages:

a. Up to eight cottage units: no more than one contiguous common open space.

b. Nine or more cottage units: two or more common open space areas.

#### **14.175.070 Cottage Housing Parking Requirements.**

A. Access to parking shall be from the alley where the property abuts an alley.

B. Parking areas may be provided outside a structure; provided, that:

1. The parking is screened from direct view.

2. Parking is clustered into contiguous areas of not more than 12 required parking stalls. Parking outside a structure may not be located between cottages.

~~3.—Parking may not be located in the front yard.~~

~~4.—Parking may be located between any structure and the rear lot line of the lot, or between any structure and a side lot line which is not a street side lot line.~~

C. Each cottage shall be provided with a minimum of one parking stall.



## PLANNING COMMISSION STAFF REPORT

**Date:** February 4, 2026

**Agenda Section:** DISCUSSION ITEMS

**From:** Brooke Eidem, AICP, Planning & Development Services Director

**Subject:** **Boundary Line Adjustments process and criteria**

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**SUMMARY:** The Planning Commission will discuss updates to the Municipal Code section addressing Boundary Line Adjustments as presented in the 2026 Work Program.

### **BACKGROUND & ANALYSIS:**

A Boundary Line Adjustment (BLA) is an administrative process to relocate, reorient, or eliminate a property line separating two lots through a survey document. Regulations addressing the City's process and review criteria for BLAs can be found in the Subdivisions Chapter, under SMC 14.215.130. BLAs are addressed in RCW 58.17 as an exception to the state subdivision statute.

The PDS department processes up to nine or ten BLAs each year. There is some ambiguity in the current regulations that has led to confusion on the part of applicants and reviewing staff over the years, including the occasional need for legal interpretation. Additionally, the regulations do not adequately address the review process for full transparency and predictability. This project will amend and expand the review criteria and add language to clarify the process.

Current regulations for BLAs are below. The Code Amendment Review Team has discussed this item and developed proposed amendments for the Planning Commission to review. Those amendments are attached to this staff report.

### **14.215.130 Boundary Line Adjustments.**

- A. This section sets forth procedures and criteria for the review and approval of minor adjustments to boundary lines of existing legal lots in order to rectify defects in legal descriptions, to allow the enlargement or merging of lots to improve or qualify as a building site, to achieve increased setbacks from property lines or sensitive areas, to correct situations wherein an established use is located across a lot line, or for other similar purposes.
- B. Applications for boundary line adjustments shall be reviewed for consistency with the City of Snohomish Land Use Development Code, including shoreline management regulations, and critical area regulations, applicable Snohomish Health District regulations and the City's fire and building code regulations.
- C. The City shall not approve any proposed boundary line adjustment that would:
  1. Result in the creation of an additional lot;
  2. Cause any lot to contain insufficient area, dimensions, or building setbacks per this Development Code or increase an existing nonconformity;
  3. Result in a lot that does not qualify as a building site pursuant to this title;
  4. Be inconsistent with any restrictions or conditions of approval for a recorded plat or short plat, including requirements for open space; or

5. Involve lots which do not have a common boundary.
- D. An application for a boundary line adjustment shall expire one year after a complete application has been filed with the City. An extension up to an additional year may be granted by the Planning Director upon a showing by the applicant of reasonable cause.

The Planning Commission should discuss the proposed draft, ask questions of staff, and provide feedback on language. The work program anticipated this item going to public hearing in March.

**REFERENCE(S):**

[SMC 14.215.130 Boundary Line Adjustments](#)

[RCW 58.17.040 Chapter inapplicable, when](#) (subsection 6)

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**ATTACHMENT(S):**

Draft SMC 14.215.130

### 14.215.130 Boundary Line Adjustments.

A. This section sets forth procedures and criteria for the review and approval of minor adjustments to boundary lines of existing legal lots in order to rectify defects in legal descriptions, to allow the ~~enlargement relocation, reorientation, and/or~~ merging of lots to improve or qualify as a building site, to achieve increased setbacks from property lines or sensitive areas, to correct situations wherein an established use is located across a lot line, or for other similar purposes.

B. Pursuant to SMC 14.210.080, structures that encroach upon lot lines are considered nonconforming. A boundary line adjustment pursuant to this section may relocate or reorient the lot line or consolidate the lots to remedy the nonconformity.

CB. Applications for boundary line adjustments shall be reviewed for consistency with the City of Snohomish Land Use Development Code, ~~including shoreline management regulations, and critical area regulations,~~ applicable Snohomish Health ~~Department~~District regulations, and the City's fire and building code regulations.

D. An application for a boundary line adjustment shall be processed according to the procedures for Type 2 land use decisions established in Chapter 14.20 SMC.

EE. The City shall not approve any proposed boundary line adjustment that would:

1. Result in the creation of an additional lot;
2. Increase an existing nonconformity or ~~cause any lot to contain insufficient area, dimensions, or building setbacks per this Development Code~~ ~~or increase an existing nonconformity;~~
3. Result in a lot ~~with insufficient that does not qualify as a buildable~~ ing site area pursuant to this title ~~without encroaching on critical areas, buffers, or setbacks;~~
4. Result in a lot that could not be provided with adequate City utilities, would not have legal access, or would render an existing easement in favor of the public impractical to serve its purpose;
54. Be inconsistent with any restrictions or conditions of approval for a previously approved land use action including but not limited to Site Development Plan, binding site plan, or subdivision recorded plat or short plat, including requirements for open space; or
65. Involve lots ~~that~~which do not have a common boundary.
7. Result in irregular lot shapes, configurations, or appendages unless determined to be unavoidable due to site conditions. Lots resulting from a boundary line adjustment shall generally be regular, at right angles to the abutting street.

F. All boundary line adjustments shall be recorded surveys consistent with the requirements of Chapter 58.09 RCW and Chapter 332-130 WAC. All lot lines being adjusted shall be surveyed, and newly established lot corners shall be staked.

G. Final approval process and effect.

1. The final record of survey document must be prepared by a land surveyor in accordance with Chapter 58.09 RCW. The document must include all the elements set forth in RCW 58.09.040(1) and contain a land surveyor's certificate as set forth in RCW 58.09.080.
2. The boundary line adjustment shall be filed for record with the Snohomish County Auditor in compliance with state and county laws and regulations within 30 days of City signatures on the recording document. Failure to record the final document within 30 days shall cause the boundary line adjustment to be null and void, unless an extension is granted by the director.
3. A boundary line adjustment is not considered approved until the final recording document has been filed at the Snohomish County Auditor's office.
4. Without cost to the City, the applicant shall furnish one copy of the final recording document as filed prior to issuance of any further land use or building permits for any lot within the boundary line adjustment boundaries.

H. An application for a boundary line adjustment shall expire one year after a complete application has been filed with the City. An extension up to an additional year may be granted by the Planning Director upon a showing by the applicant of reasonable cause.

DRAFT