



## PLANNING COMMISSION REGULAR MEETING

Wednesday, March 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

---

### 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. February 4, 2026, Regular Meeting Minutes

**5. PUBLIC HEARING**

- a. Public Hearing for ADUs and Detached dwellings regulations
- b. Public Hearing for Boundary Line Adjustments

**6. DISCUSSION ITEMS**

- a. Child care centers and Adult family homes

**7. COMMISSIONER COMMENTS**

**8. DIRECTOR'S REPORT**

**9. ADJOURN**

**NEXT MEETING:** The next meeting is Wednesday, April 1, 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  
February 4, 2026**

**1. CALL TO ORDER**

Chair Gottuso opened the regular meeting of the Planning Commission at 6:00 pm on Wednesday, February 4, 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  
Merritt Weese

**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 January 7, 2026, regular meeting.**

Commissioner Weese moved to approve the minutes of the January 7, 2026, regular meeting as written. Commissioner Eskridge seconded, which passed 7-0.

**5. DISCUSSION ITEMS**

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

Director Eidem presented draft amendments based on feedback and direction from the Commission at the previous meeting and the Commission asked clarifying questions.

Public comment was taken.

The Planning Commission suggested the following revisions:

- The word “vehicle” should be replaced with “garage” in SMC 14.175.040, Table 1.
- Insert “attached” before “garages” in SMC 14.175.040(A)(3).
- Remove the word “elevated” and end the sentence at “open space” in SMC 14.175.040(B).
- Remove the requirement for open space to abut cottage houses on two sides in SMC 14.175.060(E)(3).
- Clarify the minimum ten-foot open space dimension to say “in at least two directions” in SMC 14.175.060(E)(3).

The public hearing on this item will take place at the March meeting.

#### **b. Boundary Line Adjustments (BLAs) process and criteria**

Director Eidem presented background information on purpose, process, requirements, and criteria for BLAs, including the need for adjusting the current regulations. The Planning Commission asked clarifying questions.

Public comment was taken.

The Planning Commission suggested the following revisions:

- Insert “for the underlying zone” in SMC 14.215.130(E)(3).
- Remove the second sentence from SMC 14.215.130(E)(7).

The Commission agreed this item should go to public hearing at the March meeting.

### **6. COMMISSION MEMBER COMMENTS**

Commissioner Eskridge appreciated the agenda page numbers on the presentation slides.

Commissioner Wakefield Nichols said she would miss being on the Commission.

The Commission thanked Commissioner Wakefield Nichols for her contributions and volunteerism to support the work of the Commission over the years.

### **7. DIRECTOR’S REPORT**

Director Eidem presented a certificate of appreciation to Commissioner Wakefield Nichols for her years of service to the City on the Planning Commission. The annual report and work program will be on the March 3 City Council agenda.

### **8. ADJOURN**

There being no objection, the meeting adjourned at 7:30 pm.

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



## PLANNING COMMISSION STAFF REPORT

**Date:** March 4, 2026

**Agenda Section:** PUBLIC HEARING

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

**Subject:** Public Hearing for ADUs and Detached dwellings regulations

---

**SUMMARY:** The Planning Commission will hold a public hearing to make a recommendation to the City Council on amendments to Chapters 14.170 and 14.175 related to Accessory Dwelling Units (ADUs) and detached dwellings, including cottage housing.

### **PUBLIC HEARING PROCEDURE:**

- a. Chair opens hearing
- b. Staff presentation
- c. Commission questions
- d. Public testimony
- e. Close hearing
- f. Deliberations

### **BACKGROUND & ANALYSIS: Background**

This item has been discussed for several months between the Planning Commission and City Council. The City is currently under an Interim Official Control ordinance pursuant to RCW 36.70A.390, which provides a six-month period to process and adopt permanent regulations that address the conflict between Ch. 14.170 SMC and RCW 64.90.025 identified last fall. The Planning Commission received a briefing on this item at the November, 2025 meeting, and this item was placed on the work program by the City Council on December 2. In April, the City Council will have the option of adopting a new ordinance as recommended by the Planning Commission or extending Ordinance 2525 for another six months.

In January, the Planning Commission provided policy direction on revisions to Chapters 14.170 and 14.175 SMC. Draft language was discussed at the February meeting and minor edits were made that have been integrated into the attachments to this staff report.

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

The direction provided by the Planning Commission included both regulatory amendments and programmatic options. Code amendments are intended to address the legal conflict that was the basis for Ordinance 2525, 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.
- A clarifying amendment will modify the rear setback row of the table to identify attached ADUs, detached ADUs on an alley, and detached ADUs not on an alley. This distinction is needed because they are regulated differently and it is not explicitly stated. *This revision was made after the February meeting.*
- SMC 14.170.050 Parking Requirements: Adjust the parking requirement to 0 stalls for the first unit and one stall for two units.
- SMC 14.170.060 Independent Sale: Correct the RCW reference and add a statement to ensure ADUs continue to be considered accessory.

Non-regulatory programs are included in the Planning Commission's recommendations to the City Council, reflected in the attached Findings of Fact and Conclusions. They include the following items.

#### 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**

This project includes revisions to regulations for detached dwellings and cottage housing. These are two sections of the code that are infrequently used, although the housing types could be prioritized for their increased affordability, community-focused design, and lower heating and cooling costs. The Planning Commission provided direction on several amendments summarized below and included in the attachment.

#### Detached Dwellings

- SMC 14.175.040 Detached Dwelling Dimensional Requirements: Remove the 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 decks and patios.
- References to "vehicle doors" were changed to "garage doors" and clarity was added that the rear setback applies to attached garages. *This revision was made at the February meeting.*
- Decks and patios were revised to remove the requirement to be above grade to be considered open space. A roof covering such as a covered patio may be allowed, although the language does not need to state this specifically. *This revision was made at the February meeting.*
  - If clarity is preferred, staff suggests the following language: *"Decks and patios, including those that are covered but not fully enclosed, may be considered open space."*
- SMC 14.175.050 Detached Dwelling Street and Access Requirements: Eliminate many specific standards applicable to private streets, including:
  - the 6-inch curb requirement;
  - the requirement for street trees (canopy coverage is already required for all development pursuant to Chapter 14.240 SMC);
  - the requirement for a parking aisle and landscape strip;
  - the requirement for sidewalks, replaced with a requirement for a 5-foot-wide paved pedestrian pathway; and
  - the requirement for lighting standards, replaced with a requirement for lighting to achieve illumination for public safety.

#### 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.
  - The common open space requirement was adjusted to allow housing on one side, and the measurement method was clarified. *This revision was made at the February meeting.*
- 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 a note, the City Attorney recommends some minor changes to the definitions to avoid future confusion between "lot", "unit lot", and "unit" in relation to ADUs. Because the legal review came back after this public hearing was advertised, Chapter 14.25 SMC could not be included so those changes will be discussed as part of the future unit lot subdivision code amendment.

**RECOMMENDATION:**

MOTION to recommend the City Council approval to amend Chapter 14.170 SMC, Accessory Dwelling Units and Chapter 14.175 SMC, Detached Dwelling Units and Cottage Housing as presented.

MOTION to approve the Findings of Fact and Conclusions as presented.

**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](#)

**ATTACHMENT(S):**

- Ch 14.170 SMC
- Ch 14.175 SMC
- Planning Commission Findings of Fact

## 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>	<del>Detached units, located on an alley: No minimum rear setback</del> <del>Detached units, no alley: 5 feet</del> <del>Attached units: Same as principal structure</del>

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. ~~Attached g~~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 abutting areas of exclusive use</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 garage doors face the front; 5 feet if garage doors face the side or rear</u> <u>Attached: 15 feet</u>

~~B~~E. *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. Decks and patios may be considered open space.

**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 ~~or~~ 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 1,6001,000 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. *Building Height.*

~~1. Maximum building height shall be 2418 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 in at least two directions. 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.

# **Snohomish Planning Commission Findings of Fact & Conclusions**

**Based on the review of the proposed code amendments to amend Chapters 14.170 and 14.175 SMC, the Planning Commission of the City of Snohomish makes the following Findings of Fact:**

1. The City has the authority under RCW Title 35A to adopt regulations related to land use development.
2. The City has adopted a Land Use Development Code as Title 14 of the Snohomish Municipal Code (“Development Code”) to implement the Comprehensive Plan and to ensure compatible and rational land development and land use in all portions of the City.
3. The City Council has determined construction of affordable housing is in the public interest.
4. The City Council adopted Ordinance 2495 on September 17, 2024, amending the Land Use Development Code and adopting a new Chapter 14.170 SMC, Accessory Dwelling Units, to regulate ADUs consistent with state requirements.
5. The City Council has determined it necessary to revise the City’s Accessory Dwelling Unit regulations for consistency with the Washington Uniform Common Interest Ownership Act codified in 64.90 RCW and the detached dwellings regulations of Chapter 14.175 SMC.
6. On October 6, 2024, the Snohomish City Council adopted Ordinance 2525, imposing interim official controls pursuant to RCW 35.63.200, RCW 35A.63.220, and RCW 36.70A.390, affecting regulations for Accessory Dwelling Units and Detached Dwelling Units.
7. On December 2, 2025, the Snohomish City Council held a public hearing on Ordinance 2525 and all persons who wished to be heard on the matter were heard, and the City Council directed the Planning Commission to prepare permanent regulations in compliance with HB 1337 and 64.90 RCW.
8. The following Comprehensive Plan policies support the proposed code amendments:
  - HO 1.1: Housing types. Plan for a wide variety of housing types, sizes, and densities to provide housing and home-ownership opportunities to a range of ages and income levels.
  - HO 1.7: Affordable housing types. Studios, efficiency apartments, boarding houses or living units designed for use by a single individual may be considered for an affordable housing strategy.
9. Pursuant to SMC 14.15.070 and RCW 36.70A.106, on January 23, 2026, the City notified the Washington State Department of Commerce of the City’s intent to amend development regulations related to Accessory Dwelling Units.

- 10. Pursuant to the State Environmental Policy Act, the City of Snohomish was designated as the lead agency for review of the proposed amendments. On February 6, 2026, a Determination of Non-Significance was issued on the proposed code amendments pursuant to WAC 197-11-355. No appeal of that determination was received so the determination became final.
- 11. A Notice of Public Hearing, consistent Snohomish Municipal Code requirements, was published on February 10, 2026.
- 12. On March 4, 2026, the City of Snohomish Planning Commission held a public hearing to consider code amendments to amend Chapters 14.170 and 14.175 SMC. After hearing a staff presentation on the proposed amendments, asking questions, and receiving public testimony, the public hearing was closed and the Commission deliberated before making its recommendation to the City Council that the proposed code amendments be approved.

**Based on the foregoing Findings of Fact, the Snohomish Planning Commission hereby makes the following conclusions:**

- 1. The proposed code amendments will implement and be consistent with the goals and policies of the City of Snohomish Comprehensive Plan.
- 2. The proposed code amendments are consistent with the Washington State Growth Management Act.
- 3. The proposed code amendments are consistent with the Washington State Environmental Policy Act (Chapter 43.21C RCW).
- 4. The proposed code amendments will protect the public health, safety, and general welfare.
- 5. No new impacts will be created by amending regulations for Accessory Dwelling Units.
- 6. The proposed code amendments will encourage construction of affordable housing units and infill development in the City.
- 7. The Planning Commission recommends pursuing the following programs to reduce barriers to construction of Accessory Dwelling Units:
  - a. A Pre-Approved ADU program, also called Permit-Ready ADUs (PRADU).
  - b. Permitting “tiny homes” as ADUs.
  - c. A utility connect fee for ADUs that is 50% the rate of a typical principal unit.
  - d. A program for utility connection fees to be prorated on the customer’s utility bill.

Date: \_\_\_\_\_

By: \_\_\_\_\_

Nick Gottuso, Planning Commission Chair



## PLANNING COMMISSION STAFF REPORT

**Date:** March 4, 2026

**Agenda Section:** PUBLIC HEARING

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

**Subject:** Public Hearing for Boundary Line Adjustments

---

**SUMMARY:** The Planning Commission will hold a public hearing to make a recommendation to the City Council on updates to SMC 14.215.130 addressing the review process and criteria for Boundary Line Adjustments.

### **PUBLIC HEARING PROCEDURE:**

- a. Chair opens hearing
- b. Staff presentation
- c. Commission questions
- d. Public testimony
- e. Close hearing
- f. Deliberations

### **BACKGROUND & ANALYSIS:**

As discussed in February, the City's Boundary Line Adjustment (BLA) regulations contain ambiguity that has led to confusion for applicants and reviewing staff over the years, including the need for occasional legal interpretation. The Planning Commission discussed proposed amendments that would add clarity, addressing the review process for full transparency and predictability, expand the review criteria, and add language to clarify the process.

The revisions discussed below summarize the areas of consensus at February's meeting, including two edits to the original proposal that were requested by the Planning Commission.

### **Proposed Revisions**

- In Subsection (A), language is added to expand on circumstances where a Boundary Line Adjustment could be used.
- A new Subsection (B) affirms an existing requirement contained in SMC 14.210.080.
- Subsection (C) removes unnecessary language and changes "Health District" to "Health Department".
- A new Subsection (D) clarifies the Permit Type pursuant to Chapter 14.20 SMC for the purpose of review and appeal procedures.
- Subsection (E) contains the review criteria and is expanded for consistency with administrative policies regarding Boundary Line Adjustments.
  - (E)(2): language is reordered for improved readability
  - (E)(3): revised to refer to a defined term ("buildable area") and adds language to prevent reliance on variances. This Subsection was revised at the February meeting to add language "for the underlying zone" to clarify what a buildable area can mean specifically.

- (E)(4): added to refer to the City's ability to serve a resulting lot with utilities and access, or a BLA that would undo the purpose of an easement.
- (E)(5): revises the language to refer to an expanded list of land use approvals.
- (E)(6): grammatical correction.
- (E)(7): provides ability to recommend lot shape regularity as much as possible. Following the February discussion, the second sentence has been removed regarding right angles to the street.
- A new Subsection (F) clarifies that Boundary Line Adjustments are recorded surveys and refers to applicable statutes.
- A new Subsection (G) provides a comprehensive process for submittal and recording of the final BLA maps.

Apart from the two edits noted above, the amendments contained in the attachment remain unchanged from the version discussed in February.

**RECOMMENDATION:**

MOTION to recommend the City Council approval to amend SMC Section 14.215.130, Boundary Line Adjustments as presented.

MOTION to approve the Findings of Fact and Conclusions as presented.

**REFERENCE(S):**

[SMC 14.215.130 Boundary Line Adjustments](#)

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

---

**ATTACHMENT(S):**

SMC 14.215.130

Planning Commission Findings of Fact

### 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 for the underlying zone 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, and/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; ~~or~~
7. Result in irregular lot shapes, configurations, or appendages unless determined to be unavoidable due to site conditions.

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

## **Snohomish Planning Commission Findings of Fact & Conclusions**

**Based on the review of the proposed code amendments to amend SMC 14.215.130, the Planning Commission of the City of Snohomish makes the following Findings of Fact:**

1. The City has the authority under RCW Title 35A to adopt regulations related to land use development.
2. The City has adopted a Land Use Development Code as Title 14 of the Snohomish Municipal Code (“Development Code”) to implement the Comprehensive Plan and to ensure compatible and rational land development and land use in all portions of the City.
3. The Development Code’s regulations for Boundary Line Adjustments currently lack clarity and do not address the review process.
4. The regulations for Boundary Line Adjustments should be revised to improve transparency and clarity for applicants, property owners, and staff.
5. The Planning Commission held a work session to consider the matter and the impacts of the proposed amendments.
6. It is necessary to amend the Boundary Line Adjustment regulations of SMC 14.215.130, to specify the process and clarify review criteria.
7. The following Comprehensive Plan policies support the proposed code amendments:
  - H6.2: Permit process. Achieve permitting processes, applicable regulations, and conditions of approval that are clear and understandable.
  - H6.5: Periodic review. Periodically evaluate permit review processes to minimize costs to developers to the extent possible while preserving the public health, safety, and welfare.
8. Pursuant to SMC 14.15.070 and RCW 36.70A.106, on February 5, 2026, the City notified the Washington State Department of Commerce of the City’s intent to amend development regulations related to Boundary Line Adjustments.
9. Pursuant to the State Environmental Policy Act, the City of Snohomish was designated as the lead agency for review of the proposed amendments. On February 13, 2026, a Determination of Non-Significance (DNS) was issued on the proposed amendments pursuant to WAC 197-11-355. The DNS was not appealed so the DNS became final.
10. A Notice of Public Hearing, consistent with Snohomish Municipal Code requirements, was published on February 10, 2026.
11. On March 4, 2026, the City of Snohomish Planning Commission held a public hearing to consider code amendments to amend SMC 14.215.130, Boundary Line Adjustments. After hearing a staff presentation on the proposed amendments, asking questions, and receiving public testimony, the public hearing was closed and the Commission deliberated before making its recommendation to the City Council that the proposed code amendments be approved.

**Based on the foregoing Findings of Fact, the Snohomish Planning Commission hereby makes the following conclusions:**

1. The proposed code amendments will implement and be consistent with the goals and policies of the City of Snohomish Comprehensive Plan.
2. The proposed code amendments are consistent with the Washington State Growth Management Act.
3. The proposed code amendments are consistent with the Washington State Environmental Policy Act (Chapter 43.21C RCW).
4. The proposed code amendments will protect the public health, safety, and general welfare.
5. The proposed code amendments will improve and clarify regulations for Boundary Line Adjustments.

Date: \_\_\_\_\_

By: \_\_\_\_\_

Nick Gottuso, Planning Commission Chair



## PLANNING COMMISSION STAFF REPORT

**Date:** March 4, 2026

**Agenda Section:** DISCUSSION ITEMS

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

**Subject:** Child care centers and Adult family homes

---

**SUMMARY:** The Planning Commission will begin discussing siting regulations and definitions for child care centers and adult family homes, as scheduled on the 2026 Work Program.

**BACKGROUND & ANALYSIS:** Last year the Planning Commission requested this item to be placed on an upcoming work program. This was a timely request, as recent legislation (SB 5509, 2025) made it a requirement for all cities.

SB 5509 requires child care centers, as defined in RCW 43.216.010, to be outright permitted uses in all zones except industrial and open space. They must be conditionally permitted in industrial zones. The state definition for "child care center" is *an agency that regularly provides early childhood education and early learning services for a group of children for periods of less than 24 hours*.

The City's current regulations have a more detailed definition and do not permit the use in all zones. Currently, commercial child care centers are only permitted in multi-family zones (LDR, MDR, HDR), Commercial, Business Park, Midtown, and parts of the Pilchuck District. Family child care (accessory to a residence) is considered a different use. The land use tables include a footnote requiring licensing and controlling pick-up/drop-off and noise generated from outdoor play areas for all zones except Business Park. The bill allows "reasonable restrictions" to be imposed, so these limitations could potentially be maintained.

Adult family homes are residential care facilities for people who need special care due to functional limitations. They are currently permitted in all residential zones (Single Family, LDR, MDR, HDR), in addition to Commercial and Midtown. Adult family homes are included in this work plan item based on requests from residents and business owners to reduce potential barriers to care facilities in Snohomish. The proposed revision is minor.

### **POLICY DISCUSSION:**

#### **Child care centers**

SB 5509 requires cities to adopt implementing amendments by July 27, 2027. However, because this was also requested by the Planning Commission and given the city's need for child care services, staff is bringing it forward well before the deadline. Additionally, the 2027 work program is likely to be consumed by larger projects that could limit the Planning Commission's bandwidth.

Staff's proposal is to bring the City's Development Code into compliance with SB 5509 by making the following amendments:

SMC 14.207.080, Commercial Uses (Land Use Tables)

- Add "p3" to the Single Family and Historic Business District zones.
- Consider applying the footnote "3" to child care centers in Business Park.
- Add a new "c19" to the Industry and Airport Industry zones, indicating a Conditional Use Permit with a footnote.

SMC 14.212.410, Pilchuck District Allowed Uses, Table IV-1 Permitted Land Uses

- Amend the "commercial daycare" listing in the Office/Service Uses section by renaming to "commercial child care".
- Revise siting to include all Pilchuck District zones - currently permitted in Center, and provisional in Townhouse and Civic.
- Amend "family daycare" to "family child care" for consistency, but make no siting changes.
- Amend footnote "3", which currently refers to the Washington State Department of Early Learning and cites Ch. 170.295 WAC. That state agency is now defunct and the regulatory chapter has been repealed. The amendment would instead refer to the Department of Children, Youth, and Families, and refer to Ch. 43.216 RCW for consistency with the definitions of Chapter. 14.25 SMC.

SMC 14.207.085, Commercial Uses, Regulations (footnotes)

- Footnote "3": Assess the current limitations for child care centers (below):

Must be licensed by and meet all of the requirements of the Washington State Department of Children, Youth, and Families. Facilities located in single-family or multifamily residential zones must:

- a. Provide a child drop-off and pickup system that minimizes impacts on traffic flow on adjacent streets; and
  - b. Design outside play areas to protect adjacent uses from significant noise levels.
- Add a new footnote "19" for conditional uses of child care centers in Industrial zones. SB 5509 says they must be allowed as "on-site" care centers and not around high hazard facilities. Staff is recommending the language below as a starting point:

Must be licensed by and meet all of the requirements of the Washington State Department of Children, Youth, and Families. Subject to the following conditions:

- a. Accessory to and on the same site as a permitted use; and
- b. Not located in a structure that has high hazard facilities on the premises.

SMC 14.207.080, Commercial Uses (Land Use Tables)

- Revise the definition for "childcare" and "childcare, family" to be in greater alignment with the state definition of RCW 43.216.010. Elements such as licensing is required by the footnote and the State, so it can be removed from the definition. Staff-proposed starting points are provided below.

**Childcare:** a nonresidential facility licensed by the Washington State Department of Children, Youth, and Families for the that regularly provides care to a group of children from birth through 12 years of age outside of the child's home for periods of less than 24 hours a day. Childcare does not include "childcare, family" or any program exempt from licensing per RCW 43.216.010(2). A "preschool" is not a "childcare." See SMC 14.25.170 for the definition of preschool.

**Childcare, family:** a facility licensed by the Washington State Department of Children, Youth, and Families for the that provides daytime care of children that is provided in a residential dwelling unit by the full-time occupant of the home. Family childcare facilities may provide care for up to 12 children, including children living in the home.

**Adult family homes**

Adult family homes are in-home, licensed facilities providing 24-hour care to adults. The property also serves as a residence for the operator, without any accessory use limitations. The only limit is by

definition on the number of non-related adults receiving care at the facility. The City's definition caps this at six, while the state allows up to eight residents upon approval with the criteria listed in RCW 70.128.066. The proposal would adjust the definition of SMC 14.25.020, to increase the maximum resident count from six to eight as illustrated below.

**Adult family home:** a residence of a person or persons licensed and regulated by the state under Chapter 70.128 RCW to provide personal care, special care, room, and board on a ~~twenty-four (24)~~-hour basis to more than one ~~(1)~~ but not more than ~~six (6)~~ eight adults who are not related by blood or marriage to the person or persons providing the services.

According to business license records, there is currently only one adult family home operating in city limits. Staff was recently approached by an interested operator about opening a facility, however that operator was licensed for eight residents and did not move forward. Similar to the local need for child care centers, staff is recommending the Planning Commission consider the change in definition due to the city's demographics and potential future need for such facilities.

**REFERENCE(S):**

[WA State Legislature SB 5509](#)

---