**MEETING #50 Minutes** – **Tuesday, January 17 2023, 7:00PM**

HORSESHOE GRANGE, 16424 Broadway Ave, Clearview, WA 98296

Attendees:

Kevin Sarbora Lori McConnell Michael Lawson

Sarah W Phil Renando Darlene Renando

Brian Ream Rayna Ream Tamra McCulley

Jim Good Don Spivey Elke Spivey

Tara Rogers David Rogers Jenn Peralez

Jerry Gray Mike Riley Brooke Yule

Leslie Foley Pete Grosvenor Kate Grosvenor

Elva VanDonge Jerry VanDonge Lisa Ilyankoff

Mike Ilyankoff Bryan Hinton Cassi Sanchez

Lauri Colson Will Baker Daniel Salinas

Jeff King Anuja King Max Adzhigirey

County Personnel in Attendance:

[Michael McCrary,](https://snohomishcountywa.gov/5169/55439/Planning-Development-Services)Deputy Director, Planning and Development Services

[Michael Dobesh](https://snohomishcountywa.gov/directory.aspx?EID=455), Permitting Division Manager

7:00pm **Call to Order**

7:05pm PUBLIC ANNOUNCEMENTS/NEWS

[Northshore Performing Arts](http://npacf.org/) is presenting “Jungle Book” at Bothell High School theater on February 5th at 2pm. Next up on February 18th is a musical review featuring the Beatles!

General statement: I Love living in Clearview

7:10pm BUSINESS ITEMS

Michael Dobesh, division manager with Snohomish County Planning and Development Services (PDS), manages the county’s permitting efforts, including environmental review. He has been working for the PDS for 24 years and came up through the ranks, now has been managing this division for 5 years. Michael Dobesh’s direct manager is Michael McCrary, who was also present.

[Click here for a video](https://www.snoco.org/v1/services/Docs/SCD/PDF/Video/Marys_Permitting_Story__Storyline_output/story_html5.html) on the county’s permitting process. Though today’s process is all online, the video accurately describes the steps required. [Click here to go to the Permitting website.](https://snohomishcountywa.gov/3920/Online-Permitting)

Background: The county has adopted new rules for building Accessory Dwelling Units (ADUs) in Rural areas such as Clearview. Terminology used in the discussion included:

Attached ADU’s: a separate housing unit that is attached to the main residence

Detached ADU’s (DADUs): Separate housing unit not attached to main residence.

Mobile Home: Factory-built home built prior to June 15, 1976.

Guest cottage (or guest house): Usually similar to a DADU, but intended for sleeping only, may not have a kitchen.

Manufactured home: Factory-built home built after June 15 1976.

**PLEASE NOTE:**  Two ADU-related issues are happening at the state level: the new ADU rules in Snohomish county are being appealed by Futurewise to the Growth Management Hearings Board, Central Region as case # 22-3-0003. Any project that fully completes the Application Process prior to a successful appeal will be allowed to continue.

There are also two bills in the state legislature about allowing ADUs. They are HB 1337 and HB 1276. You can go to [leg.wa.gov](https://app.leg.wa.gov/billinfo/) to find out more and express your opinion on these two bills.

**Q&A:**

Q: Is there a minimum size of property required before building an ADU?

A: The minimum acreage requirement has been removed, except when the ADU is a mobile home (mobile homes require minimum 10 acres).

Q: Can a FEMA trailer remain in place longer?

A: This would need review from the Health Department.

Q: Is there a way to monitor the appeal of the new ADU rules?

A: Once the permit has completed the application process fully, project can continue. Changes to the regulations in response to an appeal decision will go through the County Council.

Q: Is here a Homestead exemption in Snohomish County?

A: [Click here](https://app.leg.wa.gov/rcw/default.aspx?cite=6.13&full=true) for state law concerning Homestead Exemption

Q: Is there a way to pursue a project that is within a critical area buffer?

A: Sometimes, depending on the specific scenario. It must be first proved that impact of the critical area cannot be avoided. If impact cannot be avoided it needs to be minimized and mitigation will be required.

Q: What is the requirement for a maximum lot coverage of 35%?

A: This is the limit for actual buildings, not impervious surfaces. Building coverage also includes extensions of a building (porches, deck, etc).

Q: If a property larger than 5 acres is subdivided what is the requirement for impervious surfaces?

A: No limitations on impervious surfaces. Maximum amounts for each lot are determined as part of subdivision review process.

Q: What is maximum size of an ADU?

A: 1200 sq ft. of living space.

Q: What about an attic, basement, or non-heated space?

A: This would need to be reviewed.

Q: What about a Driveway for an ADU?

A: ADUs are required to use the same driveway as the main house. If the main house has a loop driveway that is ok, but a if there is already a 3rd entrance to the property one will need to be vacated.

Q: Is there a variance process for all of this?

A: yes, but the approval criteria can be a difficult test to meet, and it may extend the time required for the permit.

Q: Is there a setback required from the street?

A: Yes, 20 ft setback is required.

[Ask Permit Tech](https://snohomishcountywa.gov/FormCenter/Planning-Development-Services-10/Ask-Permit-Tech-55) is available to ask questions or get status on a permit for particular property.

Q: Is there enough information available via Ask Permit Tech to get an application process started?

A: If you want the permit process to go smoothly it is better to hire someone who knows the process. A contractor can usually do it fairly smoothly, and there are permitting process companies available. The time line can be affected by the details of your lot or even staffing levels at the county’s permitting department.

Q: What is a time estimate for a simple project?

A: With just a plan check and health district review-- 3 months.

Q: What are the steps of the process?

A: Design the project; Pre-application site review with permitting staff (for slopes, critical areas, engineering needed, wetland consultant needed?); House plans, drainage plans created; Submit Application;

Once the Application is complete and accepted it goes into overall review in whatever areas are needed: plan(s) review, health department review, drainage plan review, critical areas review, traffic impact review. Once this is completed the whole package is then sent to the primary point of contact (planner) for project at PDS, who contacts the permit owner.

Q: What is the permitting cost for a simple project?

A: Building permit application and permit fees are based on valuation and vary widely depending on the type and size of a building, specifics of the land (existence of wetlands, etc) and the amount of land disturbing activities that are planned. Check out these bulletins for more info:

<https://snohomishcountywa.gov/DocumentCenter/Home/View/8089>

<https://snohomishcountywa.gov/DocumentCenter/View/48736>

Q: What about unreported wetlands?

A: This may require hiring a wetland consultant and possibly submitting a critical area site plan. Oftentimes performance bonds are required for wetland impacts, mitigation projects.

Q: How different is the permitting fee for Developers compared to regular property owners?

A: Permitting fees are the same for developers and regular owners’ projects and depend only on what is being developed. Commercial permits cost more than residential.

Q: If the primary residence on a property is less than 1200 sq ft, can it be converted to an ADU and allow a larger primary residence to be built?

A: Yes. There is no “owner occupied” requirement.

Q: Can two lots be combined into one tax parcel?

A: Yes. Two lots can be combined as one building or development site. If desired they can also be combined into one lot through a boundary line adjustment, but caution should be used when boundary lines are adjusted because it cannot be returned to two lots. Not all tax parcels are lots.

Q: Is there a pre-application process fee?

A: The pre-application process fee is $320. $200 of it is credited toward the final cost of the permit.

Q: Is the same process used when an existing, non-residential space is converted to a residential space?

A: Yes. This is usually a fairly streamlined review, with plans and health department review.

Q: What can extend the permitting process beyond 3 months?

A: Sometimes the plans need to be returned to the owners for changes, and this is uncontrolled time. If there’s a lot of site work that can also extend the time.

Q: Could a DADU also have a shop attached?

A: Yes.

Q: Once a permit is issued, how long can a project take?

A: Depends on the applicants’ construction timeline. Building permits are valid for 18 months; and can be extended another 18 months (total of 3 years). After that the project is subject to any new regulations and additional fees.

Q: Plans to increase fees?

A: Fees have been raised for now, no further interest in increasing them. Critical area fees may go up, but there is a concerted effort right now to hold fees steady.

Q: Are the reviews of the permitting process sequential?

A: No, All reviews are submitted to the different reviewers at same time, all electronically, and end up in a workload queue for each group. Depending on available staffing in each group it may take different length of time.

Q: How do the Rural cluster subdivision work?

A: This is where multiple lots are created close together in “clusters”, with open space around them (examples locally are Lincolnshire (near Highway 9 and Maltby) and Trovas (196th and 51st Ave SE). The number of homes that can be built depends on many factors, including how much open space is proposed. With what is called a “density bonus” at maximum amount of 35% (65% of the site is left as open space), a 15 acre site allow as many as 4-5 homes to be built.

Q: What is the maximum number of ADUs to an existing rural lot?

A: 1 in each lot.

Q: Who is best to talk to with particular issues?

A: Michael Dobesh offered to discuss issues via phone and direct to appropriate person in the division.

Q: What happened with the requirement that an ADU be within 100 ft of the main residence?

A: This requirement was eliminated.

Q: What is the address of an ADU?

A: Typically it has been the same as the main residence, with the two of them A and B. Or it could be a separate address depending on the Fire Marshall’s requirements.

Q: How do the state’s laws about housing density affect the county?

A: The Growth Management Act pushes density into the Urban Growth Areas (Clearview is generally Rural). The argument over the new rules is that, by definition, an attached ADU doesn’t affect housing density, but a DADU does.

Q: Whatever happened to the idea for an urban village at Cathcart Way and Highway 9?

A: This is a subject to be taken up with your Councilmembers.

Note from PDS: In order to improve public access to all public information, there is a new [Public Records Portal](https://snohomishcountywa.govqa.us/WEBAPP/_rs/%28S%283fqmcmvl2dolhwpzhlqabph5%29%29/supporthome.aspx) that just opened. If an orange sign is posted on property you can look up information on what is happening there by looking for public records.

If you live adjacent to property affected by planned development you should receive a post card notice to get involved as a party of interest.

Q: What is the end result of the permitting process?

A: The final inspection constitutes the certificate of occupancy for a residential project. Commercial is the same except it is subject to yearly review.

Q: Aren’t the developments going in along the south side of Lowell-Larimer in the rural zoning? Are they legally using the sewer lines from the urban area above?

A: The new developments along the south side of Lowell Larimer Road are all within the Urban Growth Area and therefore have legal access to sewer. They are just being developed now.

Q: Are the Urban Growth Boundaries ever adjusted?

A: During the Comprehensive Plan Updates every 10 years, the UGA boundaries may be adjusted by the County Council. There is an Update happening now, final version due in 2024. The Buildable Land Report has already been completed for this round, and it determined there is a enough buildable land left within the current boundaries of the UGA to accommodate growth for the next 10 years, so no major expansions are anticipated. There may be some adjustments made near 43rd Ave south of 188th St to meet a need for an arterial road and accommodation of property owners’ concerns.

Q: Is ADU permitting faster than DADU?

A: Typically yes, if it is simple and does not include additional site work.

Q: Can a DADU can be family home?

A: Yes, but it does not own its own property.

Q: What about the septic system for a DADU?

A: Uses main residence’s septic system, maybe increased to accommodate. There may be a requirement for a reserve area around the system.

Q: What level of project requires a Land-Disturbing Activities permit or a Forest Practices permit?

A: Clearing land >7000 sq ft requires permit, more than 2,000 sq ft of new/replaced impervious surfaces, or more than 100 cubic yards of grading. Any amount of land disturbing activities in a critical area or buffers requires a permit. A Forest Practices permit is required if more than 5000 board ft of merchantable timber is harvested.

Q: What is a Land Disturbing Activity permit?

A: Clearing, grading, new impervious surfaces are all considered to be “land disturbing”. Vegetative maintenance is not considered a land disturbing activity.

Q: If a project is anticipated near a stream or wetland what should I do?

A: Have a conservation district person come out and review what is ok or not. This is an informational review only, no report back or further monitoring until a permit application is received. You will likely need to consult with a wetland/critical areas specialist.

Q: Under what circumstances could a neighbor stop me from working on a project on my property?

A: Make sure you know what the rules are and stay within them and no neighbor can stop your project.

You can contact Michael Dobesh through the Snohomish County Permitting Division at 425 388 3819, or at Michael.dobesh@snoco.org.

After meeting chat: Q: In tracking some of the projects our local residents have been concerned with, there seems to be a big different in how easily accessible information is for different projects. Transparency is important and project websites have been very useful. Why do some projects get a website and others do not?

A: Resources for creation of project websites are limited. When there is enough public interest about a project seen by Councilmembers and PDS, a website is created to clarify important details.

8:15 pm **Adjournment –**next meeting TBD on (hopefully) PUBLIC SCHOOLS and Funding

*Your CCA councilmembers welcome your attendance at council meetings and invite you to participate by giving your comments or contacting any of five Board members listed below.*

**OPEN PUBLIC FORUM for all things “Clearview”**

For discussion anytime:

**What kind of Businesses would you like to see come to Clearview?**

Does it all have to be locally owned? Small businesses? chain stores? What if Fred Myer wanted to come to our area? Or Trader Joe’s? Or an Outlet Mall? How about Cabela’s? If you have ideas or comments, please feel free to chat with one of our officers and we are happy to pass on the information.