



CO00003140

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

ORDINANCE NO. 03-107

RELATING TO RESIDENTIAL DEVELOPMENT IN THE BUSINESS PARK ZONE,
AMENDING SNOHOMISH COUNTY CODE CHAPTERS 30.21 RELATING TO THE INTENT
OF ZONES, 30.22 RELATING TO ZONING REQUIREMENTS, AND 30.23 RELATING TO
GENERAL DEVELOPMENT STANDARDS – BULK REGULATIONS, AND ADDING NEW
SECTION 30.31.140

WHEREAS, pursuant to the Snohomish County Charter and the Growth Management Act (GMA), chapter 36.70A RCW, the County Council has adopted the Snohomish County GMA Comprehensive Plan – General Policy Plan for the unincorporated area of Snohomish County; and

WHEREAS, pursuant to the Snohomish County Charter and GMA, the County Council has adopted development regulations, including zoning, that are consistent with its GMA Comprehensive Plan; and

WHEREAS, a need exists to amend the zoning code to provide more flexibility for the uses allowed in the Business Park zone; and

WHEREAS, residential site development plan control, and comprehensive design control is desirable on large sites, and

WHEREAS, large BP zoned sites should provide an option for residential use when compatibility of such development with commercial/industrial uses and with surrounding land uses can be ensured; and

WHEREAS, the Snohomish County Planning Commission held public hearings on May 27 and June 24, 2003; and

WHEREAS, the Snohomish County Council held a public hearing on September 10, 2003; and

WHEREAS, the County Council considered the entire hearing record, including the Planning Commission's recommendation, and written and oral testimony submitted during the council hearings;

NOW THEREFORE, BE IT ORDAINED:

Section 1. The County Council makes the following findings and conclusions:

1: The Business Park (BP) zone is a planned zone where a site development plan is required prior to site development. The BP zone permits commercial and industrial uses that are of an intensity that can be compatible with surrounding uses. A primary intent of the zone is to achieve compatibility with surrounding uses.

2. The BP zone is an implementing zone for both the Urban Commercial and Urban Industrial designations of the General Policy Plan. The Urban Commercial designation specifically recognizes a wide range of uses, including residential. The Planned Community Business (PCB) zone is also an implementing zone for the Urban Commercial designation, and currently permits residential uses.

3. Amendments to Business Park (BP) provisions are proposed in the following subject areas: intent of zone, urban use matrix, use matrix reference notes, and the bulk standards matrix. A new section pertaining to residential development in the BP zone is proposed to be added to Chapter 30.31A.140 (Business Park, Planned Community Business, and Industrial Park zones).

4. The proposed amendments will allow residential use within the Business Park (BP) zone on sites that contain 100 or more acres of contiguous land that is under single ownership or unified control. The new provisions will only apply to sites zoned BP at the time of adoption of the amendments.

5. The proposed amendments will permit either commercial/industrial or residential uses, or a mix of either use, with provisions to ensure that compatibility be maintained between differing uses.

6. The applicability of the proposed amendments is limited to two sites in the county that contain 100 or more contiguous acres of BP zoned property. Only one site, the Agilent site (formerly known as the Hewlett-Packard site) in the Lake Stevens UGA, contains 100 acres that is under single ownership.

7. The Agilent site was zoned BP in 1980, and has completed only the first phase of the approved site development plan for the entire site. Two existing commercial/industrial buildings on approximately 17 acres of the site have previously housed approximately 500 to 600 employees. The buildings are now vacant, and have not been occupied for several months.

8. The proposed amendments are generally consistent with applicable provisions of the Snohomish County General Policy Plan and the Lake Stevens UGA Plan. The proposed amendments could result in the removal from commercial/industrial use of approximately 117 acres of BP zoned land in the Lake Stevens UGA Plan, and will result in a very minor impact upon the industrial land base allocation for the plan. Even with this reduction, lands zoned for commercial and industrial use will still exceed the vacant commercial and industrial land needs in the Lake Stevens UGA for the year 2012.

9. The proposed amendments will have a very minor effect upon the projected employment capacity for the Lake Stevens UGA, as prescribed in the Buildable Lands Report of 2002. The current trend for actual employment in the UGA for the last several years is well below the projected levels.

10. The County has conducted early and continuous public participation in the process of adopting this ordinance. Public participation includes public hearings before the Snohomish

County Planning Commission and Snohomish County Council and opportunity for written comments.

11. The provisions of this ordinance are consistent with the Growth Management Act, chapter 36.70A RCW, County-wide Planning Policies, Snohomish County Comprehensive Plan, and the Snohomish County Code.

12. A Determination of Nonsignificance was issued for the proposed action on May 7, 2003, pursuant to the State Environmental Policy Act ("SEPA"), chapter 43.21C RCW and chapter 197-11 WAC, and Chapter 30.61 SCC, and satisfies the requirements of SEPA.

13. The proposed amendments are in the best interest of the county and will promote the general public health, safety and welfare.

Section 2. Snohomish County Code Section 30.21.025, adopted by Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

30.21.025 Intent of zones.

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

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

(a) Single Family Residential. The intent and function of single family residential zones is to provide for predominantly single family residential development that achieves a minimum net density of four dwelling units per net acre. These zones may be used as holding zones for properties that are designated urban medium-density residential, urban high-density residential, urban commercial, urban industrial, or other land uses in the comprehensive plan. Single family residential zones consist of the following:

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

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

- (i) Townhouse (T). The intent and function of the townhouse zone is to:
 - (A) provide for single family dwellings, both attached and detached, or different styles, sizes, and prices at urban densities greater than those for strictly single family detached development, but less than multifamily development;
 - (B) provide a flexible tool for development of physically suitable, skipped-over or under-used lands in urban areas without adversely affecting adjacent development; and
 - (C) provide design standards and review which recognize the special

characteristics of townhouses, to ensure the development of well-planned communities, and to ensure the compatibility of such housing developments with adjacent, existing, and planned uses. Townhouses are intended to serve the housing needs of a variety of housing consumers and producers. Therefore, townhouses may be built for renter occupancy of units on a site under single ownership, owner agreements pursuant to chapters 64.32 or 64.34 RCW, or owner or renter occupancy of separately conveyed units on individual lots created through formal subdivision pursuant to chapter 58.17 RCW;

(ii) Low-Density Multiple Residential (LDMR). The intent and function of the low-density multiple residential zone is to provide a variety of low-density, multifamily housing including townhouses, multifamily structures, and attached or detached homes on small lots; and

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

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

(i) Neighborhood Business (NB). The intent and function of the neighborhood business zone is to provide for local facilities that serve the everyday needs of the surrounding neighborhood, rather than the larger surrounding community;

(ii) Planned Community Business (PCB). The intent and function of the planned community business zone is to provide for community business enterprises in areas desirable for business but having highly sensitive elements of vehicular circulation, or natural site and environmental conditions while minimizing impacts upon these elements through the establishment of performance criteria. Performance criteria for this zone are intended to control external as well as internal effects of commercial development. It is the goal of this zone to discourage "piecemeal" and strip development by encouraging development under unified control;

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

(iv) General Commercial (GC). The intent and function of the general commercial zone is to provide for a wide variety of retail and nonretail commercial and business uses. General commercial sites are auto-oriented as opposed to pedestrian- or neighborhood-oriented;

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

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

under limited circumstances, may also provide for residential development where sites are large, and where compatibility can be assured for on-site mixed uses and for uses on adjacent properties.;

(vii) Light Industrial (LI). The intent and function of the light industrial zone is to promote, protect, and provide for light industrial uses while also maintaining compatibility with adjacent nonindustrial areas;

(viii) Heavy Industrial (HI). The intent and function of the heavy industrial zone is to promote, protect, and provide for heavy industrial uses while also maintaining compatibility with adjacent nonindustrial areas; and

(ix) Industrial Park (IP/PIP). The intent and function of the industrial park and planned industrial park zones is to provide for heavy and light industrial development under controls to protect the higher uses of land and to stabilize property values primarily in those areas in close proximity to residential or other less intensive development. The IP and remaining Planned Industrial Park (PIP) zones are designed to ensure compatibility between industrial uses in industrial centers and thereby maintain the attractiveness of such centers for both existing and potential users and the surrounding community. Vacant/undeveloped land which is currently zoned PIP shall be developed pursuant to industrial park zone regulations (chapter 30.31A SCC).

(d) Industrial Zones. The industrial zones provide for a range of industrial and manufacturing uses and limited commercial and other nonindustrial uses necessary for the convenience of industrial activities. Industrial zones consist of the following:

- (i) Business Park (BP). See description under SCC 30.21.025(1)(c)(vi);
- (ii) Light Industrial (LI). See description under SCC 30.21.025(1)(c)(vii);
- (iii) Heavy Industrial (HI). See description under SCC 30.21.025(1)(c)(viii); and
- (iv) Industrial Park (IP). See description under SCC 30.21.025(1)(c)(ix).

(2) Rural Zones. The rural zones category consists of zoning classifications applied to lands located outside UGAs that are not designated as agricultural or forest lands of long-term commercial significance. These lands have existing or planned rural services and facilities, and rural fire and police protection services. Rural zones may be used as holding zones for properties that are primarily a transition area within UGAs on steep slopes adjacent to non-UGA lands designated rural or agriculture by the comprehensive plan. Rural zones consist of the following:

(a) Rural Diversification (RD). The intent and function of the rural diversification zone is to provide for the orderly use and development of the most isolated, outlying rural areas of the county and at the same time allow sufficient flexibility so that traditional rural land uses and activities can continue. These areas characteristically have only rudimentary public services and facilities, steep slopes and other natural conditions, which discourage intense development, and a resident population, which forms an extremely rural and undeveloped environment. The resident population of these areas is small and highly dispersed. The zone is intended to protect, maintain, and encourage traditional and appropriate rural land uses, particularly those which allow residents to earn a satisfactory living on their own land. The following guidelines apply:

- (i) a minimum of restrictions shall be placed on traditional and appropriate rural land uses;
- (ii) the rural character of these outlying areas will be protected by carefully regulating the size, location, design, and timing of large-scale, intensive land use development; and
- (iii) large residential lots shall be required with the intent of preserving a desirable

rural lifestyle as well as preventing intensive urban- and suburban-density development, while also protecting the quality of ground and surface water supplies and other natural resources;

(b) Rural Resource Transition - 10 Acre (RRT-10). The intent and function of the rural resource transition - 10 acre zone is to implement the rural residential-10 (resource transition) designation and policies in the comprehensive plan, which identify and designate rural lands with forestry resource values as a transition between designated forest lands and rural lands;

(c) Rural-5 Acre (R-5). The intent and function of the rural-5 acre zone is to maintain rural character in areas that lack urban services;

(d) Rural Business (RB). The intent and function of the rural business zone is to permit the location of small-scale commercial retail businesses and personal services which serve a limited service area and rural population outside established UGAs. This zone is to be implemented as a "floating zone" and will be located where consistent with specific locational criteria. The rural business zone permits small-scale retail sales and services located along county roads on small parcels that serve the immediate rural residential population, and at least one mile from an existing UGA boundary and two and one-half miles from an existing rural business, rural freeway service or rural industrial zone, or commercial designation in the rural area. Rural businesses, which serve the immediate rural population, may be located at crossroads of county roads, state routes, and major arterials;

(e) Clearview Rural Commercial (CRC). The intent and function of the CRC zone is to permit the location of commercial businesses and services that primarily serve the rural population within the defined boundary established by the CRC land use designation. Uses and development are limited to those compatible with existing rural uses that do not require urban utilities and services.

(f) Rural Freeway Service (RFS). The intent and function of the rural freeway service zone is to permit the location of small-scale, freeway-oriented commercial services in the vicinity of on/off ramp frontages and access roads of interstate highways in areas outside a designated UGA boundary and within rural areas of the county. Permitted uses are limited to commercial establishments dependent upon highway users; and

(g) Rural Industrial (RI). The intent and function of the rural industrial zone is to provide for small-scale light industrial, light manufacturing, recycling, mineral processing, and resource-based goods production uses that are compatible with rural character and do not require an urban level of utilities and services.

(3) Resource Zones. The resource zones category consists of zoning classifications that conserve and protect lands useful for agriculture, forestry, or mineral extraction or lands which have long-term commercial significance for these uses. Resource zones consist of the following:

(a) Forestry (F). The intent and function of the forestry zone is to conserve and protect forest lands for long-term forestry and related uses. Forest lands are normally large tracts under one ownership and located in areas outside UGAs and away from residential and intense recreational use;

(b) Forestry and Recreation (F&R). The intent and function of the forestry and recreation zone is to provide for the development and use of forest land for the production of forest products as well as certain other compatible uses such as recreation and to protect publicly-owned parks in UGAs;

(c) Agriculture-10 Acre (A-10). The intent and function of the agriculture-10 acre zone is to preserve those portions of the county which contain prime farmland for agricultural purposes. Since those portions of the county containing the proper combination of soil and

topographical characteristics for intense agricultural development are limited and irreplaceable, the prime function of this zone will be to establish the proper area standards and permitted uses which will encourage the use and preservation of this land for agricultural purposes; and

(d) Mineral Conservation (MC). The intent and function of the mineral conservation zone is to comprehensively regulate excavations within Snohomish County. The zone is designed to accomplish the following:

(i) preserve certain areas of the county which contain minerals of commercial quality and quantity for mineral conservation purposes and to prevent incompatible land use development prior to the extraction of such minerals and materials and to prevent loss forever of such natural resources;

(ii) preserve the goals and objectives of the comprehensive plan by setting certain guidelines and standards for location of zones and under temporary, small-scale conditions to permit other locations by conditional use permit;

(iii) permit the necessary processing and conversion of such material and minerals to marketable products;

(iv) provide for protection of the surrounding neighborhood, ecological and aesthetic values, by enforcing controls for buffering and for manner and method of operation; and

(v) preserve the ultimate suitability of the land from which natural deposits are extracted for rezones and land usages consistent with the goals and objectives of the comprehensive plan.

(4) Other Zones: The other zones category consists of existing zoning classifications that are no longer primary implementing zones but may be used in special circumstances due to topography, natural features, or the presence of extensive critical areas. Other zones consist of the following:

- (a) Suburban Agriculture-1 Acre (SA-1);
- (b) Rural Conservation (RC);
- (c) Rural Use (RU);
- (d) Residential 20,000 sq. ft. (R-20,000);
- (e) Residential 12, 500 sq. ft. (R-12,500); and
- (f) Waterfront beach (WFB).



30.22.100 Urban Zone Categories: Use Matrix

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30.22.100 Urban Zone Categories: Use Matrix

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30.22.100 Urban Zone Categories: Use Matrix

Type of Use	Urban Zones															
	R9,600	R8,400	R7,200	T	LDMR	M R	N B	PCB	CB	G C	FS	IP ⁷⁸	BP	LI ^{56,77}	H	
Garage, Private	P	P	P	P	P	P	P	P	P	P		P	P	P	P	
Golf Course and Driving Range	C	C	C						P	P		P	P	P	P	
Government Structures & Facilities ^{27, 42}	C	C	C	C	C	C	C	P	P	P		P	P	P	P	
Greenhouse, Lath House, & Nurseries: ⁵³ Retail							P	P	P	P				P	P	
Greenhouse, Lath House, & Nurseries: ⁵³ Wholesale ⁴⁸							P	P	P	P		P	P	P	P	
Grocery Store							P	P	P ⁸⁷	P	P ²²			P	P	
Grooming Parlor							P	P	P	P			P ⁵⁴	P	P	
Group Care Facility ³⁵					C	C			C	C						
Guesthouse ⁸⁶	P	P	P		P	P	P	P	P	P						
Gymnasium								P	P	P		P	P	P	P	
Hardware Store							P	P	P	P				P	P	
Hazardous Waste Storage & Treatment Facilities, Offsite ⁶⁷												C	C	C	C	
Hazardous Waste Storage & Treatment Facilities, Onsite ⁶⁶							P	P	P	P	P	P	P	P	P	
Home Improvement Center							P	P	P ⁸⁷	P				P	P	
Home Occupation ¹¹	P	P	P	P	P	P	P		P	P						
Hospital ^{29, 42}	C	C	C		C	C		P	C	C			P			
Hotel/Motel ²⁹					C	C		P	P	P	P					
Industrial Use, Heavy ⁸³												P			P	
Junkyard														C ⁴⁵	P ⁴	
Kennel, ⁴² Commercial ¹²	C	C	C						P	P		P	P	P	P	
Kennel, ⁴² Private-Breeding ¹³	P	P	P		P	P	P		P	P		P	P	P	P	
Kennel, ⁴² Private-Non-Breeding ¹³	P	P	P		P	P	P		P	P		P				
Laboratory										P		P	P	P	P	
Library ⁴²	C	C	C		C	C	C	P	P	P		P	P	P	P	
Licensed Practitioner ^{29, 42}					C	C	P	P	P	P		P	P	P	P	
Livestock Auction Facility												P		P	P	
Locksmith							P	P	P ⁸⁷	P		P	P	P	P	
Lumberyard										P		P	P	P	P	
Manufacturing, Heavy												P			P	
P - Permitted Use	Note: Reference numbers within matrix indicate special conditions apply; see SCC															
A - Administrative Conditional Use	30.22.130. Check other matrices in this chapter if your use is not listed above.															
C - Conditional Use																

30.22.100 Urban Zone Categories: Use Matrix

Type of Use	Urban Zones															
	R9,600	R8,400	R7,200	T	LDMR	MR	NB	PCB	CB	GC	F S	IP ⁷⁸	BP	LI ^{56, 77}	H	
Manufacturing-All Other Forms Not Specifically Listed ⁸⁴												P	P	P		
Massage Parlor									P	P		P	P	P		
Medical Clinic ²⁸					C	C	P	P	P	P		P	P	P		
Mini Self-Storage								P		P		P	P	P		
Mobile Home Park ³⁹					C	C			C	C						
Mobile Home & Travel Trailer Sales										P		C ³⁶		P		
Model Hobby Park ⁷⁶													A	A		
Model House/Sales Office	P	P	P	P	P	P	P	P	P	P						
Mortuary					C	C			P	P		P	P	P		
Motor Vehicle & Equipment Sales									P ²³	P				P		
Museum ⁴²	C	C	C		C	C	C	P	P	P		P	P	P		
Nursing Home ⁴²	C	C	C		C	C			P	P						
Office, General							P	P	P	P		P	P	P		
Park, Public ¹⁴	P	P	P		P	P	P	P	P	P		P	P	P		
Park-and-Pool Lot	C	C	C	C	C	P	P	P	P	P	P	P	P	P		
Park-and-Ride Lot	C	C	C	C	C	P	P	P	P	P	P	P	P	P		
Personal Services Shop							P	P	P ⁸⁷	P		P ⁵⁰	P ⁵⁰	P		
Pet Shop							P	P	P	P			P ⁵⁴	P		
Petroleum Products & Gas Storage - Bulk										P ⁴⁴		P	P ⁴⁴	P ⁴⁴	P	
Petroleum Refining ⁴²												P				
Print Shop									P ⁸⁷	P		P	P	P		
Printing Plant								P		P		P	P	P		
Race Track ^{24, 42}										C		P	P	P		
Railroad Right-of-way	C	C	C	C	C	C	P	P	P	P	P	P	P	P		
Recreational Facility Not Otherwise Listed	C	C	C		C	C	P	P	P	P		P	P	P		
Recreational Vehicle Park									C	C	P					
Rendering of Fat, Tallow, or Lard												P				
Restaurant							P	P	P	P	P	P ⁵⁰	P ⁵⁰	P		
Retail Store							P	P	P ⁸⁷	P			P ⁵⁴	P		
Retirement Apartments				P	P	P	P	P	P	P						
Retirement Housing				P	P	P	P	P	P	P						
P - Permitted Use A - Administrative Conditional Use C - Conditional Use	Note: Reference numbers within matrix indicate special conditions apply; see SC 30.22.130. Check other matrices in this chapter if your use is not listed above.															

30.22.100 Urban Zone Categories: Use Matrix

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[illegible]

Section 4. Snohomish County Code Section 30.22.130, adopted by Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

30.22.130 Reference notes for use matrix.

(1) Airport, Stage 1 Utility:

- (a) Not for commercial use and for use of small private planes; and
- (b) In the RU zone, they shall be primarily for the use of the resident property owner.

(2) Day Care Center:

- (a) In WFB, R-7,200, R-8,400, R-9,600, R-12,500, R-20,000, and SA-1 zones, shall only be permitted in connection with and secondary to a school facility or place of worship; and
- (b) Outdoor play areas shall be fenced or otherwise controlled, and noise buffering provided to protect adjoining residences.

(3) Dock and Boathouse, Private, Non-commercial:

- (a) The height of any covered over-water structure shall not exceed 12 feet as measured from the line of ordinary high water;
- (b) The total roof area of covered, over-water structures shall not exceed 1,000 square feet;
- (c) The entirety of such structures shall have a width no greater than 50 percent of the width of the lot at the natural shoreline upon which it is located;
- (d) No over-water structure shall extend beyond the mean low water mark a distance greater than the average length of all preexisting over-water structures along the same shoreline and within 300 feet of the parcel on which proposed. Where no such preexisting structures exist within 300 feet, the pier length shall not exceed 50 feet;
- (e) Structures permitted hereunder shall not be used as a dwelling, nor shall any boat moored at any wharf be used as a dwelling while so moored; and
- (f) Covered structures are subject to a minimum setback of three feet from any side lot line or extension thereof. No side yard setback shall be required for uncovered structures. No rear yard setback shall be required for any structure permitted hereunder.

(4) Dwelling, Single family: In PCB zones, shall be allowed only if included within the same structure as a commercial establishment.

(5) Dwelling, Townhouse shall be:

- (a) Subject to all conditions of chapter 30.31E SCC;
- (b) Subject to the maximum density allowed by the appropriate implementing zone for the comprehensive plan designation applied to the site;
- (c) A permitted use when placed on individual lots created by the subdivision process; and
- (d) A conditional use when located on individual lots not created through the subdivision process.

(6) Dwelling, Mobile Home:

- (a) Shall be multi-sectioned by original design, with a width of 20 feet or greater along its entire body length;
- (b) Shall be constructed with a non-metallic type, pitched roof;
- (c) Except where the base of the mobile home is flush to ground level, shall be installed either with:
 - (i) skirting material which is compatible with the siding of the mobile home; or
 - (ii) a perimeter masonry foundation;
- (d) Shall have the wheels and tongue removed; and
- (e) In the RU zone the above only applies if the permitted lot size is less than 20,000 square feet.

(7) Fallout Shelter, Joint, by two or more property owners:

Side and rear yard requirements may be waived by the department along the boundaries lying between the properties involved with the proposal, and zone; provided that its function as a shelter is not impaired.

(8) Family Day Care Home:

- (a) No play yards or equipment shall be located in any required setback from a street; and
- (b) Outdoor play areas shall be fenced or otherwise controlled.

(9) Farm Stand:

- (a) There shall be only one stand on each lot;
- (b) The maximum size in the A-10 zone shall be 500 square feet;
- (c) The maximum size in all other zones shall be 300 square feet; and
- (d) At least 75 percent (by value) of the products sold must be grown or raised in Snohomish County.

(10) Farm Worker Dwelling:

- (a) At least one person residing in each farm worker dwelling unit shall be employed full time in the farm operation;
- (b) An agricultural farm worker dwelling unit affidavit must be signed and recorded with the county attesting to the need for such dwellings to continue the farm operation;
- (c) The number of farm worker dwellings shall be limited to one per each 40 acres under single contiguous ownership to a maximum of six total dwellings, with 40 acres being required to construct the first accessory dwelling unit. Construction of the maximum number of dwelling units permitted shall be interpreted as exhausting all residential potential of the land until such time as the property is legally subdivided; and
- (d) All farm worker dwellings must be clustered on the farm within a 10-acre farmstead which includes the main dwelling. The farmstead's boundaries shall be designated with a legal description by the property owner with the intent of allowing maximum flexibility while minimizing interference with productive farm operation. Farm worker dwellings may be located other than as provided for in this subsection only if environmental or physical constraints preclude meeting these conditions.

(11) Home Occupation: See SCC 30.28.050(1).

(12) Kennel, Commercial: There shall be a five-acre minimum lot area; except in the R-5 and RD zones, where 200,000 square feet shall be the minimum lot area.

(13) Kennel, Private-breeding, and Kennel, Private Non-breeding: Where the animals comprising the kennel are housed within the dwelling, the yard or some portion thereof shall be fenced and maintained in good repair or to contain or to confine the animals upon the property and restrict the entrance of other animals.

(14) Parks, Publicly-owned and Operated:

- (a) No bleachers are permitted if the site is less than five acres in size;
- (b) All lighting shall be shielded to protect adjacent properties; and
- (c) No amusement devices for hire are permitted.

(15) Boarding House: There shall be accommodations for no more than two persons.

(16) Social Service Center: Hours of operation shall be restricted to that compatible with the neighborhood and proposed usage of the facility.

(17) Swimming/Wading Pool (not to include hot tubs and spas): For the sole use of occupants and guests:

- (a) No part of the pool shall project more than one foot above the adjoining ground level in a required setback; and
- (b) The pool shall be enclosed with a fence not less than four feet high, of sufficient design and strength to keep out children.

(18) Temporary Dwelling for a relative:

- (a) The dwelling shall be occupied only by a relative, by blood or marriage, of the occupant(s) of the permanent dwelling;
- (b) The relative must receive from, or administer to, the occupant of the other dwelling continuous care and assistance necessitated by advanced age or infirmity;
- (c) The need for such continuous care and assistance shall be attested to in writing by a licensed physician;
- (d) The temporary dwelling shall be occupied by not more than two persons;
- (e) Use as a commercial rental unit shall be prohibited;
- (f) The temporary dwelling shall be situated not less than 20 feet from the permanent dwelling on the same lot and shall not be located in any required yard of the principal dwelling;
- (g) A land use permit binder shall be executed by the landowner, recorded with the Snohomish County Auditor and a copy of the recorded document submitted to the department for inclusion in the permit file;
- (h) Adequate screening, landscaping, or other measures shall be provided to protect surrounding property values and ensure compatibility with the immediate neighborhood;
- (i) An annual renewal of the temporary dwelling permit, together with recertification of need, shall be accomplished by the applicant through the department in the same month of each year in which the initial mobile home/building permit was issued;
- (j) An agreement to terminate such temporary use at such time as the need no longer exists shall be executed by the applicant and recorded with the Snohomish County Auditor; and
- (k) Only one temporary dwelling may be established on a lot. The temporary dwelling shall not be located on a lot on which a detached accessory apartment is located.

(19) Recreational Vehicle:

- (a) There shall be no more than one per lot; and
- (b) Shall not be placed on a single site for more than 180 days in any 12-month period.

(20) Ultralight Airpark:

- (a) Applicant shall submit a plan for the ultralight airpark showing the location of all buildings, ground circulation, and parking areas, common flight patterns, and arrival and departure routes;
- (b) Applicant shall describe in writing the types of activities, events, and flight operations which are expected to occur at the airpark; and
- (c) Approval shall be dependent upon a determination by the county decision maker that all potential impacts such as noise, safety hazards, sanitation, traffic, and parking are compatible with the site and neighboring land uses, particularly those involving residential uses or livestock or small animal husbandry; and further that the proposed use can comply with Federal Aviation Administration regulations (FAR Part 103), which state that ultralight vehicle operations will not:
 - (i) create a hazard for other persons or property;
 - (ii) occur between sunset and sunrise;
 - (iii) occur over any substantially developed area of a city, town, or settlement, particularly over residential areas or over any open air assembly of people; or
 - (iv) occur in an airport traffic area, control zone, terminal control area, or positive control area without prior authorization of the airport manager with jurisdiction.

(21) Craft Shop:

- (a) Articles shall not be manufactured by chemical processes;
- (b) No more than three persons shall be employed at any one time in the fabricating, repair, or processing of materials; and

(c) The aggregate nameplate horsepower rating of all mechanical equipment on the premises shall not exceed two.

(22) **Grocery and Drug Stores:** In the FS zone, there shall be a 5,000-square foot floor area limitation.

(23) **Motor Vehicle and Equipment Sales:** In the CB and CRC zone, all display, storage, and sales activities shall be conducted indoors.

(24) **Race Track:** The track shall be operated in such a manner so as not to cause offense by reason of noise or vibration beyond the boundaries of the subject property.

(25) **Rural Industry:**

(a) The number of employees shall not exceed 10;

(b) All operations shall be carried out in a manner so as to avoid the emission or creation of smoke, dust, fumes, odors, heat, glare, vibration, noise, traffic, surface water drainage, sewage, water pollution, or other emissions which are unduly or unreasonably offensive or injurious to properties, residents, or improvements in the vicinity;

(c) The owner of the rural industry must reside on the same premises as the rural industry and, in the RD zone, the residence shall be considered as a caretaker's quarters; and

(d) Outside storage, loading or employee parking in the RD zone shall provide 15-foot wide Type A landscaping as defined in SCC 30.25.017.

(26) **Sawmill, Shake and Shingle Mill:**

(a) Such uses shall not include the manufacture of finished wood products such as furniture and plywood, but shall include lumber manufacturing;

(b) The number of employees shall not exceed 25 during any eight-hour work shift;

(c) All operations shall be carried out in a manner so as to avoid the emission or creation of smoke, dust, fumes, odors, heat, glare, vibration, noise, traffic, surface water drainage, sewage, water pollution, or other emissions which are unduly or unreasonably offensive or injurious to properties, residents or improvements in the vicinity; and

(d) Sawmills and shakemills adjacent to a state highway in the RU zone shall provide 25 feet of Type A landscaping as defined in SCC 30.25.017.

(27) **Governmental and Utility Structures and Facilities:** Special lot area requirements for this use are contained in SCC 30.23.200.

(28) **Excavation and Processing of Minerals:** See SCC 30.28.035.

(29) **Medical Clinic, Hospital, Licensed Practitioner, Hotel/Motel:**

(a) Where the abutting property is designated for residential use, Type A landscaping as defined in SCC 30.25.017 is required; and

(b) A prescription pharmacy may be permitted when located within the main building containing licensed practitioner(s).

(30) **Forest Industry Storage & Maintenance Facility** (except harvesting) adjacent to property lines in the RU zone shall provide 15-foot wide Type A landscaping as defined in SCC 30.25.017.

(31) **Boat Launch Facilities, Commercial or Non-commercial:**

(a) The hearing examiner may regulate, among other factors, required launching depth, lengths of existing docks and piers;

(b) Off-street parking shall be provided in an amount suitable to the expected usage of the facility. When used by the general public, the guideline should be 32 to 40 spaces capable of accommodating both a car and boat trailer for each ramp lane of boat access to the water;

(c) A level vehicle-maneuvering space measuring at least 50 feet square shall be provided;

(d) Pedestrian access to the water separate from the boat launching lane or lanes may be required where it is deemed necessary in the interest of public safety;

- (e) Safety buoys shall be installed and maintained separating boating activities from other water oriented recreation and uses where this is reasonably required for public safety, welfare, and health; and
- (f) All site improvements for boat launch facilities shall comply with all other requirements of the zone in which it is located.

(32) Campground:

- (a) The maximum overall density shall be seven camp or tent sites per acre; and
- (b) The minimum site size shall be 10 acres.

(33) Commercial Vehicle Home Basing:

- (a) The vehicles may be parked and maintained only on the property wherein resides a person who uses them in their business;
- (b) Two or more vehicles may be so based; and
- (c) The vehicles shall be in operable conditions.

(34) Distillation of Alcohol:

- (a) The distillation shall be from plant products, for the purpose of sale as fuel, and for the production of methane from animal waste produced on the premises;
- (b) Such distillation shall be only one of several products of normal agricultural activities occurring on the premises; and
- (c) By-products created in this process shall be used for fuel or fertilizer on the premises.

(35) Group Care Facility:

- (a) The number of persons to reside in the facility shall be generally consistent with the maximum allowed residential density in the zone;
- (b) The allowance of the proposed use must be found to not adversely affect the surrounding area as to present use or character of future development; and
- (c) In other than single-family residences, yard requirements shall be as set forth for apartment structures in the allowed zone.

(36) Mobile Home and Travel Trailer Sales:

- (a) Property shall directly front upon a principal or minor arterial in order to reduce encroachment into the interior of IP designated areas;
- (b) The hearing examiner shall consider the visual and aesthetic characteristics of the use proposal and determine whether nearby business and industrial uses, existing or proposed, would be potentially harmed thereby. A finding of potential incompatibility shall be grounds for denial;
- (c) The conditional use permit shall include a condition requiring mandatory review by the hearing examiner at intervals not to exceed five years for the express purpose of evaluating the continued compatibility of the use with other IP uses. The review required herein is in addition to any review which may be held pursuant to chapter 30.42C SCC;
- (d) Such use shall not be deemed to be outside storage for the purpose of SCC 30.25.024; and
- (e) Such use shall be temporary until business or industrial development is timely on the site or on nearby IP designated property.

(37) Farm Product Processing:

- (a) Where a lot of nonconforming size has been previously developed for residential use and the owner resides therein, farm product processing may be permitted by the hearing examiner when the following criteria are met:
 - (i) no more than one person outside of immediate family shall be employed full time in farm product processing at any one time; and
 - (ii) nature of operation and any structures shall not adversely affect adjacent properties; and
 - (iii) physical scale and use intensity must be compatible with surrounding neighborhood.

(b) Retail sales of products produced on the premises for off-site consumption may be allowed.

(38) **Small Animal Husbandry:** There shall be a five-acre minimum site size.

(39) **Mobile Home Park:** Such development must fulfill the requirements of chapter 30.42E SCC.

(40) **Sludge Utilization:** See SCC 30.28.085.

(41) **Homestead Parcel:** See SCC 30.28.055.

(42) **Special Setback Requirements** for this use are contained in SCC 30.23.110.

(43) **Minimum Lot Size** for duplexes shall be one and one-half times the minimum lot size for single-family dwellings. In the RU zone, this provision only applies when the minimum lot size for single-family dwellings is 12,500 square feet or less.

(44) **Petroleum Products and Gas, Bulk Storage:**

(a) All above ground storage tanks shall be located 150 feet from all property lines; and

(b) Storage tanks below ground shall be located no closer to the property line than a distance equal to the greatest dimensions (diameter, length or height) of the buried tank.

(45) **Auto Wrecking Yards and Junkyards:** A sight-obscuring fence a minimum of seven feet high shall be established and maintained in the LI zone. For requirements for this use, SCC 30.25.020 and 30.25.050 applies.

(46) **Antique Shops** when established as a home occupation as regulated by SCC 30.28.050(1); provided further that all merchandise sold or offered for sale shall be predominantly "antique" and antique-related objects.

(47) **Billboards:** See SCC 30.27.080 for specific requirements.

(48) **Nursery, Wholesale:** In R-20,000 zone, a wholesale nursery is permitted on three acres or more; a conditional use permit is required on less than three acres.

(49) **Stockyard and Livestock Auction Facility:** The minimum lot size is 10 acres.

(50) **Restaurants and Personal Service Shops:** Located to service principally the constructed industrial park uses.

(51) **Sludge Utilization:** A conditional use permit is required for manufacture of materials by a nongovernmental agency containing stabilized or digested sludge for a public utilization.

(52) **Single Family and Multifamily Dwellings:** are a prohibited use, except for the following:

(a)((that such)) Existing dwellings that are nonconforming as a result of a county-initiated rezone to BP may make improvements or additions provided such improvements are consistent with the bulk regulations contained in chapter 30.23 SCC; provided further that such improvements do not increase the ground area covered by the structural portion of the nonconforming use by more than 100 percent of that existing at the existing date of the nonconformance; and

(b) New single family and multifamily dwellings in the BP zone authorized pursuant to the provisions of SCC 30.31A.140.

(53) **Greenhouses, Lath Houses, and Nurseries:**

(a) Incidental sale of soil, bark, fertilizers, plant nutrients, rocks, and similar plant husbandry materials is permitted;

(b) The sale of garden tools and any other hardware or equipment shall be prohibited; and

(c) There shall be no on-site signs advertising other than the principal use.

(54) **Retail Store:** See SCC 30.31A.120 for specific requirements for retail stores in the BP zone.

(55) **Retail Sales of Hay, Grain, and Other Livestock Feed** are permitted on site in conjunction with a livestock auction facility.

(56) **Noise of Machines and Operations** in the LI and HI zones shall comply with chapter 10.01 SCC and machines and operations shall be muffled so as not to become objectionable due to intermittence, beat frequency, or shrillness.

(57) **Sludge Utilization** only at a completed sanitary landfill or on a completed cell within a sanitary landfill, subject to the provision of SCC 30.22.130(42):

(58) **Woodwaste Recycling and Woodwaste Storage Facility**: See SCC 30.28.095.

(59) **Bed and Breakfast Guesthouses and Bed and Breakfast Inns**: See SCC 30.28.020.

(60) **Storage Structure** over 1,000 sq. ft. on less than three acres: This use is subject to the following requirements:

(a) Special setback requirements for this use are contained in SCC 30.23.110;

(b) Artificial lighting shall be hooded or shaded so that direct outside lighting, if any, will not result in glare when viewed from the surrounding property or rights-of-way;

(c) The applicant shall submit building elevations that document a residential appearance through the design and through depiction of appropriate building materials for the exterior finish; and

(d) The applicant shall propose a screening plan which will result in a building screened from the view of neighboring property owners. Landscaping will be required on the subject property's boundary line or lines and/or around the building sides, as necessary, to effectively accomplish this objective.

(61) **Storage Structures Over 1,000 sq. ft.** in the R-7,200 and R-8,400 zones are limited to 20 feet in building height.

(62) **Museums**: Museums within the agriculture A-10 zone are permitted only in structures which are legally existing on October 31, 1991.

(63) **Accessory Apartments**: See SCC 30.28.010.

(64) **Temporary Woodwaste Recycling and Temporary Woodwaste Storage Facilities**: See SCC 30.28.090.

(65) **Home Occupation**: See SCC 30.28.050(2).

(66) **On-site Hazardous Waste Treatment and Storage Facilities** are allowed only as an incidental use to any use generating hazardous waste which is otherwise allowed; provided that such facilities demonstrate compliance with the state siting criteria for dangerous waste management facilities pursuant to RCW 70.105.210 and WAC 173-303-282 as now written or hereafter amended.

(67) **An application for a conditional use permit** to allow an off-site hazardous waste treatment and storage facility shall demonstrate compliance with the state siting criteria for dangerous waste management facilities pursuant to RCW 70.105.210 and WAC 173-303-282 as now written or hereafter amended.

(68) **Adult Entertainment Uses**: See SCC 30.28.015.

(69) **Special Building Height** provisions for this use are contained in SCC 30.23.050(4).

(70) **Bakery**: In the NB zone, the gross floor area of the use shall not exceed 1,000 square feet and the bakery business shall be primarily retail in nature.

(71) **Equestrian Centers** are allowed with a conditional use permit on all lands zoned A-10 except in that portion of the special flood hazard area of the lower Snohomish and Stillaguamish rivers designated density fringe as described in chapter 30.65 SCC.

(72) **Mini-equestrian Centers** are allowed as a permitted use on all lands zoned A-10 except in that portion of the special flood hazard area of the lower Snohomish and Stillaguamish rivers designated density fringe as described in chapter 30.65 SCC.

(73) **Equestrian Centers and Mini-equestrian Centers** require the following:

(a) Five-acre minimum site size for a mini-equestrian center;

(b) Covered riding arenas shall not exceed 15,000 square feet for a mini-equestrian center; provided that stabling areas, whether attached or detached, shall not be included in this calculation;

(c) Any lighting of an outdoor or covered arena shall be shielded so as not to glare on surrounding properties or rights-of-way;

(d) On sites located in RC and R-5 zones, Type A landscaping as defined in SCC 30.25.017 is required to screen any outside storage, including animal waste storage, and parking areas from adjacent properties;

(e) Riding lessons, rentals, or shows shall only occur between 8 a.m. and 9 p.m.;

(f) Outside storage, including animal waste storage, and parking areas shall be set back at least 30 feet from any adjacent property line. All structures shall be set back as required in SCC 30.23.110(8); and

(g) The facility shall comply with all applicable county building, health, and fire code requirements.

(74) Temporary Residential Sales Coach (TRSC):

(a) The commercial coach shall be installed in accordance with all applicable provisions within chapter 30.54A SCC;

(b) The TRSC shall be set back a minimum of 20 feet from all existing and proposed road rights-of-way and five feet from proposed and existing property lines;

(c) Vehicular access to the temporary residential sales coach shall be approved by the county or state; and

(d) Temporary residential sales coaches may be permitted in approved preliminary plats, prior to final plat approval, when the following additional conditions have been met:

(i) plat construction plans have been approved;

(ii) the fire marshal has approved the TRSC proposal;

(iii) proposed lot lines for the subject lot are marked on site; and

(iv) the site has been inspected for TRSC installation to verify compliance with all applicable regulations and plat conditions, and to assure that grading, drainage, utilities infrastructure, and native growth protection areas are not adversely affected.

(75) Golf Course and Driving Range: In the A-10 zone, artificial lighting of the golf course or driving range shall not be allowed. Grading shall be limited in order to preserve prime farmland. At least 75 percent of prime farmland on site shall remain undisturbed.

(76) Model Hobby Park: SCC 30.28.060.

(77) Commercial Retail Uses are not allowed in the Light Industrial and Industrial Park zones when said zones are located in the Maltby UGA of the comprehensive plan, and where such properties are, or can be served by railway spur lines.

(78) Studio: Studio uses may require the imposition of special conditions to ensure compatibility with adjacent residential, multiple family, or rural-zoned properties. The hearing examiner may impose such conditions when deemed necessary pursuant to the provisions of chapter 30.42C SCC. The following criteria are provided for hearing examiner consideration when specific circumstances necessitate the imposition of conditions:

(a) The number of nonresident artists and professionals permitted to use a studio at the same time may be limited to no more than 10 for any lot 200,000 square feet or larger in size, and limited to five for any lot less than 200,000 square feet in size;

(b) The hours of facility operation may be limited; and

(c) Landscape buffers may be required to visually screen facility structures or outdoor storage areas when the structures or outdoor storage areas are proposed within 100 feet of adjacent residential, multiple family, and rural-zoned properties. The buffer shall be an

effective site-obscuring screen consistent with Type A landscaping as defined in SCC 32.25.017

(79) The gross floor area of the use shall not exceed 1,000 square feet.

(80) The gross floor area of the use shall not exceed 2,000 square feet.

(81) The gross floor area of the use shall not exceed 4,000 square feet.

(82) The construction contracting use in the Rural Business zone shall be subject to the following requirements:

(a) The use complies with all of the performance standards required by SCC 30.31F.100 and 30.31F.110;

(b) Not more than 1,000 square feet of outdoor storage of materials shall be allowed and shall be screened in accordance with SCC 30.25.024;

(c) In addition to the provisions of SCC 30.22.130(82)(b), not more than five commercial vehicles or construction machines shall be stored outdoors and shall be screened in accordance with SCC 30.25.020 and 30.25.032;

(d) The on-site fueling of vehicles shall be prohibited; and

(e) The storage of inoperable vehicles and hazardous or earth materials shall be prohibited.

(83) **Manufacturing, Heavy** includes the following uses: Distillation of wood, coal, bones, or the manufacture of their by-products; explosives manufacturing; manufacture of fertilizer; extraction of animal or fish fat or oil; forge, foundry, blast furnace or melting of ore; manufacturing of acid, animal black/black bone, cement or lime, chlorine, creosote, fertilizer, glue or gelatin, potash, pulp; rendering of fat, tallow and lard, rolling or booming mills; tannery; or tar distillation and manufacturing. See SCC 30.91M.026.

(84) "**All other forms of manufacture not specifically listed**" is a category which uses manufacturing workers, as described under the Dictionary of Occupational Titles, published by the US Department of Labor, to produce, assemble or create products and which the director finds consistent with generally accepted practices and performance standards for the industrial zone where the use is proposed. See SCC 30.91M.024 and 30.91M.026.

(85) **Home Occupations:** See SCC 30.28.050(3).

(86) A single family dwelling may have only one guesthouse.

(87) Outdoor display or storage of goods and products is prohibited on site.

(88) **Wedding Facility:**

(a) Such use is permitted only on undeveloped land or in structures which are legally existing on January 1, 2001;

(b) The applicant shall demonstrate that the following criteria are met with respect to the activities related to the use:

(i) compliance with the noise control provisions of chapter 10.01 SCC;

(ii) adequate vehicular site distance and safe turning movements exist at the access to the site consistent with the EDDS as defined in title 13 SCC; and

(iii) adequate sanitation facilities are provided on site pursuant to chapter 30.52A SCC and applicable Snohomish Health District provisions;

(c) Adequate on-site parking shall be provided for the use pursuant to SCC 30.26.035;

(d) A certificate of occupancy shall be obtained pursuant to chapter 30.52A SCC for the use of any existing structure. The certificate of occupancy shall be subject to an annual inspection and renewal pursuant to SCC 30.53A.060 to ensure building and fire code compliance;

(e) In the A-10 zone, the applicant must demonstrate that the activities related to the use are subordinate to the use of the site for agricultural purposes; and

(f) In the A-10 zone, any grading or disturbances required to support the use shall be limited to preserve prime farmland. At least 90 percent of prime farmland on site shall remain undisturbed.

Section 5. Snohomish County Code Section 30.23.030, adopted by Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

30.23.030 Bulk matrix:

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

Table 30.23.30(1)
BULK MATRIX

Setback Requirements From: (ft) ⁽²⁸⁾													
Category	Zone	Max. Bldg. Height (ft) ²⁷	Lot Dimension (ft)			Public and Private Right of Way ^{9, 11, 43}							
			Min. Lot Area ^{22, 29}	Min. Lot Width	Min. Corner Lot Width	Public Right of Way under 60' ⁴³	Commercial and Industrial Zones ¹¹	Residential, Multifamily, and Rural Zones ¹¹	Resource Ag	Forest Lands	Water Bodies ¹²	Max. Lot Coverage	
Resource	MC ³¹		10 ac ³²						³³				
	F ³⁸	45 ⁶	20 ac ³	300	300	130 ^{10, 13}	100 ¹³	100 ^{13, 33}	50 ²⁰	100 ^{21, 30}	25 ¹³	35%	
	F&R ^{38, 39}	25 ⁷	200,000 sf ²³	100	100	50 ¹⁰	20	5	5 ³³	50 ²⁰	100 ^{21, 30}	25	35%
	A-10 ^{37, 39, 40}	45	10 ac	None	none	50 ¹⁰	20	5	5 ³³	50 ²⁰	100 ^{21, 30}	25	none
Rural	RRT-10	45	10 ac	225	225	50	20	5	5 ³³	50 ²⁰	100 ^{21, 30}	25	35%
	R-5 ^{37, 38, 39, 40}	45 ²⁵	200,000 sf ^{2, 23, 25}	165 ²⁵	165 ²⁵	50 ¹⁰	20	5	5 ³³	50 ²⁰	100 ^{21, 30}	25	35%
	RC ^{37, 38, 39, 40}	35	100,000 sf ^{23, 25}	165 ²⁵	165 ²⁵	50 ¹⁰	20	5	5 ³³	50 ²⁰	100 ^{21, 30}	25	35%
	RD ³⁸	45	200,000 ²³	165	165	50 ¹⁰	20	5	5 ³³	50 ²⁰	100 ^{21, 30}	25	35%
	RB	35	None	None	none	55	25	none	50 ³³	50	100 ²¹	none	35%
	CRC	35 ⁽⁴³⁾	None	None	None	25 ⁽²⁶⁾	25 ⁽²⁷⁾	None	25	50	100 ⁽²²⁾	none	50% ⁽⁴⁴⁾ 30% ⁽⁴⁵⁾
Other	RFS	35	None	None	none	55	25	none	50	50	100 ²¹	None	35%
	RI	50	None	None	none	55	25	none	100 ³³	100	100 ²¹	none	35%
	SA-1 ^{37, 39}	35	1 ac/ 43,560 sf ⁴¹	150	150	50 ¹⁰	20	5	5 ³³	50 ²⁰	100 ²¹	25	35%
	RU ^{37, 39}	35		60	65	50 ¹⁰	20	5	5 ³³	50 ²⁰	100 ²¹	25	35%
	R20,000 ^{37, 39}	25	20,000 sf	85	90	50 ¹⁰	20	5	5	50 ²⁰	100 ²¹	25	35%
	R12,500 ⁴⁰	25	12,500 sf	75	80	50 ¹⁰	20	5	5	50 ²⁰	100 ²¹	25	35%
WFB	25	7,2000 sf ²⁴	60	65	50 ¹⁰	20	5	5	50 ²⁰	100 ²¹	25	35%	

Table 30.23.030(1) (continued)

Category	Zone	Lot Dimension (ft)			Setback Requirements From: (ft) ²⁸						
		Min. Lot Area ^{22, 29}	Min. Lot Width	Min. Corner Lot Width	Public Right of Way under 60' ³⁴	Public and Private Right of Way ^{9, 11, 34}	Commercial and Industrial Zones ¹¹	Residential, Multiple Family, and Rural Zones ¹¹	Resource Lands	Water Bodies ¹²	Max. Lot Coverage ⁸
Urban	R9,600	9,600 sf ²⁴	70	75	50 ¹⁰	20	5	5	50 ²⁰	100 ²¹	35%
	R8,400	8,400 sf ²⁴	65	70	50 ¹⁰	20	5	5	50 ²⁰	100 ²¹	35%
	R7,200	7,200 sf ²⁴	60	65	50 ¹⁰	20	5	5	50 ²⁰	100 ²¹	35%
	T	35	35	35	50 ^{14, 10}	20 ¹⁴	5 ¹⁴	5 ¹⁴	50 ²⁰	100 ²¹	35
	LDMR	35	60	70	55 ^{15, 10}	25 ¹⁵			50 ²⁰	100 ²¹	30%
	MR	35	60	70	55 ^{15, 10}	25 ¹⁵	38		50 ²⁰	100 ²¹	40%
	FS	35	none	none	25 ²⁵	25 ²⁶	5/15 ¹⁶	25		100 ²¹	None
	NB ¹	25	none	none	25 ²⁵	25 ²⁶	none	10		100 ²¹	35%
	PCB ¹	40	none ¹⁹	none	55 ²⁵	25 ^{18, 26}	none	25		100 ²¹	none
	CB ¹	35	none	none	25 ²⁵	25 ²⁶	none	10		100 ²¹	50%
	GC ¹	45	none	none	25 ²⁵	25 ²⁶	none	10		100 ²¹	50%
	IP	65	none	none	30 ^{17, 25}	25 ^{17, 26}	none ¹⁷	25 ¹⁷		100 ²¹	50%
	BP ¹	50	none ¹⁹	none	30 ²⁵	25 ²⁶	none	25		100 ²¹	35%
	LI	50	none	none	25 ²⁵	25 ²⁶	none	50		100 ²¹	none
	HI	65	none	none	25 ²⁵	25 ²⁶	none	50		100 ²¹	none

Section 6. A new section is added to Chapter 30.31A of the Snohomish County Code as follows:

30.31A.140 BP zone performance standards for residential development.

Placement of new single-family and multiple family dwellings in the BP zone is subject to the following:

(1) The site shall consist of a minimum of 100 contiguous acres which shall be under single ownership or unified development control.

(2) The BP zoning on the subject site shall have been approved prior to the effective date of this section.

(3) Where mixed use development consisting of residential and commercial/industrial uses is proposed:

(a) The BP preliminary and final plan requirements contained in chapter 30.31A SCC shall apply to all portions of the site containing commercial/industrial and/or residential uses except as modified by this section;

(b) The director may require additional buffering, setbacks, landscaping, or other design features to maximize compatibility between residential and commercial/industrial uses, and between single family and multiple family uses; and

(c) The provisions of SSC 30.31A.120 shall apply to any portion of the site used for commercial/industrial, and shall not apply to the area developed for residential use.

(4) A preliminary site plan proposing residential development shall, in addition to any other applicable requirements of the county code, meet the following development and design standards:

(a) The maximum residential unit yield for the entire site shall be based on a maximum net density of 12 dwelling units per acre for the residential development area, and shall be calculated based upon the number of dwelling units per buildable acre (gross area less roadways and critical areas);

(b) Bulk regulations specified for the MR zone shall be applied to residential development on the site unless modified by this section;

(c) The project shall make appropriate provisions for usable open space in an amount and manner reasonably related to the project or its impacts and acceptable to the director upon review of the applicants site-specific design guidelines for the site. Usable open space shall be integrated into the project design and be located in a manner as to be accessible to project residents by sidewalk and/or pedestrian paths;

(d) Visual diversification shall be achieved by variation of street elevations, front setbacks, and floor plans, together with a landscaping plan that complies with chapter 30.25.026 SCC;

(e) The applicant shall submit site specific design guidelines consistent with the development and design standards of this section. The Residential Development Handbook for Snohomish County Communities, March 1992, Site Planning and Building Design pertaining to residential development may be used as a guide in the preparation of the applicant's site specific design guidelines;

(f) The vehicular and pedestrian circulation system shall be either private or public roadways designed consistent with the provisions of chapter 13.05 SCC, Engineering Design And Development Standards (EDDS);

(g) Private and public roadways shall provide at a minimum, a 5 foot wide pedestrian sidewalk on at least one side where such roadways serve more than seven dwelling units; and

(h) All private and public roadways serving the residential areas shall include street trees in an amount equal to one tree for each dwelling unit, or in an amount required by EDDS for such development, whichever is greater.

(5) Applications for residential building permits shall include:

(a) An approved preliminary site plan meeting the requirements of 30.31A.210 and this section. Approval of the preliminary site plan shall be by the Director or designee where no new commercial/industrial uses are proposed;

(b) A final site plan meeting the requirements of chapter 30.31A SCC. A final site plan may be approved concurrent with residential building permit application; and

(c) An approved binding site plan where the applicant has chosen to develop the land pursuant to chapter 30.41D SCC or an approved final plat where the applicant has elected to develop the land pursuant to chapter 30.41A SCC.

(6) All development shall be consistent with the design guidelines and final site plan approved pursuant to this section, including conditions of approval, and shall comply with any and all other applicable requirements of the county code unless modified by the Director under the provisions of this section.

(7) An existing preliminary or final BP plan may be revised to include single family and multiple family residential use when consistent with the provisions of this section. Such revision shall constitute and be processed as a minor revision pursuant to SCC 30.31A.500, where no new commercial/industrial structures are proposed and where no revisions are requested to the location of previously proposed or approved commercial/industrial structures except to remove proposed commercial/industrial structures. Any proposed changes to the site plan components that predominantly effect commercial/industrial uses will be processed pursuant to the provisions of SCC30.31A.500.

Section 7. Severability and savings. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by the Growth Management Hearings Board (Board) or by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided, however, that if any section, sentence, clause or phrase is held to be invalid or unconstitutional by the Board or by a court of competent jurisdiction, then the section, sentence, clause or phrase in effect prior to the effective date of this ordinance shall be in full force and effect for that individual section, sentence, clause or phrase as if this ordinance had never been adopted.

PASSED this 10th day of September, 2003.

ATTEST:

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Sheila McAllister
Clerk of the Council, asst.

[Signature]
Chairperson

(☒) APPROVED
() EMERGENCY
() VETOED
ATTEST:

DATE:

[Signature]
County Executive

Approved as to form only: per Memo PDS 03-061
of same date.

[Signature] 6/26/03
Deputy Prosecuting Attorney

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