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SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

AMENDED ORDINANCE NO. 05-087

RELATING TO THE URBAN CENTERS DEMONSTRATION PROGRAM, CLARIFYING PERMITTED USES IN URBAN ZONES FOR URBAN CENTERS, ESTABLISHING BULK REGULATIONS FOR URBAN CENTERS, REVISING ELIGIBILITY REQUIREMENTS FOR URBAN CENTERS, REVISING REVIEW AND SUBMITTAL REQUIREMENTS FOR URBAN CENTERS APPLICATIONS, ESTABLISHING DEVELOPMENT STANDARDS FOR THE NEIGHBORHOOD BUSINESS ZONE TO IMPLEMENT THE URBAN CENTERS DEMONSTRATION PROGRAM; AMENDING SNOHOMISH COUNTY CODE (SCC) CHAPTERS 30.21, 30.22, 30.23, 30.31 AND 30.34A; ADDING A NEW SUBSECTION TO CHAPTER 30.34A SCC; AND NEW DEFINITIONS TO SUBTITLE 30.9 SCC.

WHEREAS, RCW 36.70A.130(3) directs counties planning under the Growth Management Act (GMA) to take legislative action to review and, if needed, revise its comprehensive plan and development regulations to ensure that the plan is capable of accommodating forecasted population growth for the succeeding 20-year period; and

WHEREAS, Snohomish County adopted the Snohomish County Growth Management Act Comprehensive Plan ("GMACP") on June 28, 1995; and

WHEREAS, Snohomish County has amended its comprehensive plan several times since its adoption, most recently in December 2004 as part of the "7-year compliance review" required by RCW 36.70A.130(1); and

WHEREAS, the county must also review its plan every ten years, pursuant to RCW 36.70A.130(3) to ensure that it is capable of accommodating projected population growth for the succeeding 20-year period; and

WHEREAS, in the spring of 2003 the county provided general notice it was, pursuant to RCW 36.70A.130, undertaking a review of its comprehensive plan to complete the seven-year compliance review along with the separate 10-year update process, through its widely disseminated *Focus on Tomorrow Newsletter* and through updates to the county website; and

WHEREAS, public open houses concerning the seven-year compliance review and the 10-year update, were held in Everett on February 4, 2003, in Lynnwood on February 6, 2003, in Monroe on February 10, 2003, and in Arlington on February 19, 2003; and

WHEREAS, on July 22, 2003, a joint public meeting before the County Council and Planning Commission was held in Everett concerning the seven-year compliance review and 10-year update; and

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WHEREAS, on November 8, 2003, an all-day event referred to as "Planners in the Library" was held in Lynnwood, Marysville, and Monroe, for the purpose of discussing the seven-year compliance review and 10-year update with the public; and

WHEREAS, in April 2004, the county updated the public on the seven-year compliance review and 10-year update process through its widely disseminated *Focus on the Future Newsletter* and placed on the county website and through updates to the county website; and

WHEREAS, the county held public hearings concerning the seven-year compliance review and 10-year update in Arlington on June 1 and 8, 2004, as well as in Everett on June 3, 2004; and

WHEREAS, on May 15, 2004, an all-day event known as "Planners in the Library" was held in Lynnwood, Marysville, and Monroe, for the purpose of discussing the seven-year compliance review and 10-year update with the public; and

WHEREAS, Snohomish County Department of Planning and Development Services (PDS) staff hosted public workshops on the seven-year compliance review and 10-year update in Lynnwood on June 14, 2004, in Monroe on June 16, 2004, and in Arlington on June 17, 2004; and

WHEREAS, on June 29, 2004, a joint public hearing before the county council and planning commission was held in Everett concerning the seven-year compliance review and 10-year update; and

WHEREAS, on July 27, 2004, PDS presented overviews of the seven-year compliance review and 10-year update to the planning commission and the county council planning committee; and

WHEREAS, on October 12, 2004, PDS unveiled its "preferred alternative" future land use map at an advertised public meeting before the planning commission; and

WHEREAS, on October 14 and 20, 2004, PDS held public open houses to facilitate public knowledge of and to receive public input concerning the "preferred alternative" future land use map; and

WHEREAS, on November 3, 4, 9 and 18, 2004 PDS held public workshops with city and county planning commissioners to discuss key policy issues related to the comprehensive plan, including infrastructure challenges for transportation, parks and drainage, economic development, resource land preservation, fully-contained communities, and others; and

WHEREAS, pursuant to RCW 36.70A.040 (3), the State requires each county planning under the Growth Management Act (GMA) to adopt development regulations that are consistent with and implement the comprehensive plan; and

WHEREAS, The Snohomish County GMA Comprehensive Plan – General Policy Plan (GPP) contains goals, objectives and policies that provide direction for planning and implementing centers; and

WHEREAS, the county council desires to encourage center development consistent with the intent and policies of the GMA comprehensive plan while centers planning is in progress; and

WHEREAS, Snohomish County adopted Ordinance No. 01-052 on August 8, 2001, creating an Urban Centers Demonstration Program; and

WHEREAS, Snohomish County adopted Ordinance No. 02-072 on November 18, 2002, amending the Urban Centers Demonstration Program; and

WHEREAS, Snohomish County adopted Ordinance No. 03-083 on September 10, 2003, amending the Urban Centers Demonstration Program; and

WHEREAS, the Urban Centers Demonstration Program has been in effect for four years providing feedback from participants and staff demonstrating that the program is successful; and

WHEREAS, since adoption of the Urban Centers Demonstration Program, one project has been completed and two other projects are in construction; and

WHEREAS, permit review of the demonstration projects completed and in construction illustrate the need for additional amendments to enhance the program for applicants, staff and the county; and

WHEREAS, the Department of Planning and Development Services drafted amendments to the Snohomish County Code chapter 30.34A, consistent with the 10-year update of the GMA comprehensive plan, to respond to the feedback and experience of implementing the Urban Centers Demonstration Program; and

WHEREAS, on April 19, 21, and 28, 2005, PDS held public open houses on the department's recommended package of comprehensive plan amendments for the 10-year update, including amendments to the General Policy Plan, the Transportation Element, the Capital Facilities Plan, the Comprehensive Park and Recreation Plan, the Future Land Use Map, the county zoning map, and selected sections of the code; and

WHEREAS, on May 24 and 26, June 1 and 2, 2005, the Snohomish County Planning Commission and the Snohomish County Council held joint public hearings to receive public testimony concerning the proposed amendments to the comprehensive plan; and

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WHEREAS, on June 7, 9, 14, 16, 21, 2005, the Snohomish County Planning Commission deliberated on the PDS recommended package of comprehensive plan amendments at an advertised public hearing; and

WHEREAS, at the conclusion of the public hearing the planning commission voted to recommend adoption of the proposed package of comprehensive plan amendments, with certain modifications as enumerated in its recommendation letter dated July 26, 2005; and

WHEREAS, the county council held public hearings on October 3, 4, 5, and 6, 2005 to consider the entire record, including the planning commission's recommendations on the full package of comprehensive plan amendments, and to hear public testimony on this Ordinance No. 05-087; and

WHEREAS, the county council deliberated on the planning commission recommendations, executive alternatives, and public testimony on October 10, 11, 12, 17, 18, 19, 20 and 31, 2005 and November 3 and 9, 2005 and December 14, 19 and 21, 2005.

NOW, THEREFORE, BE IT ORDAINED:

**Section 1.** The foregoing recitals are incorporated herein as findings and conclusions as if set forth in full.

**Section 2.** The county council makes the following additional findings of fact:

- A. The State of Washington Growth Management Act discourages sprawl and encourages growth in urban areas served by a multimodal transportation system.
- B. The Snohomish County GMA Comprehensive Plan - General Policy Plan contains center goals, objectives and policies and designates the general locations of planned centers.
- C. The GPP encourages the use of innovative urban design techniques and development guidelines for meeting the goals and objectives of the plan.
- D. The amendments maintain the GMA comprehensive plan's consistency with the multi-county policies adopted by the Puget Sound Regional Council and the General Policy Plan for Snohomish County.
- E. The Urban Centers Demonstration Program provides opportunities to evaluate the potential for substantive changes in land use development codes, alternative land use development review techniques, and administrative procedures before those codes, techniques and procedures are finalized.

- F. Flexibility in the application of the land use development code and administrative procedures provide opportunities for the development of centers before the centers planning, zoning, and development regulations are completed and to prevent the loss of opportunities for appropriate center development.
- G. As a demonstration program, the allowance for flexibility of some code provisions and the requirement of a pre-application neighborhood meeting demonstrated the need for code revisions to provide better guidance and clarity for applicants and staff.
- H. The Urban Centers Demonstration Program code has been updated as implementation of the demonstration projects progressed. The amendments occurred in 2002 (Ordinance No. 02-072 on November 18 2002) and as part of the 2003 Docket (Ordinance No. 03-083 on September 10, 2003).
- I. Since adoption of the Urban Centers Demonstration Program, one project has been completed and two other projects are in construction.
- J. Since 2003, PDS staff completed a general review of the urban center demonstration projects and determined that additional changes were warranted to continue viability of the Urban Centers demonstration code.
- K. The proposal by PDS to amend chapter 30.21 SCC is necessary to restrict the Urban Centers Demonstration Program, SCC 30.34A, to the Planned Community Business and Neighborhood Business zones.
- L. The proposal by PDS to amend chapter 30.22 SCC is necessary to restrict uses within the Planned Community Business and Neighborhood Business zones that are incompatible with Center development.
- M. The proposal by PDS to amend chapter 30.23 SCC is necessary to add bulk regulations for projects submitted under SCC 30.34A.
- N. The proposal by PDS to amend chapter 30.31A SCC is necessary to create a new zone Planned Community Business-TPV (PCB-TPV), which requires use of SCC 30.34A.
- O. The proposal by PDS to amend chapter 30.31A SCC is necessary to add Neighborhood Business to the list of zones eligible for an Urban Center Demonstration Project under SCC 30.34A.
- P. The proposal by PDS to amend chapter 30.34A SCC is necessary to:
  - 1. Ensure consistency with the Comprehensive Plan definitions of Urban Centers, Urban Villages and Transit/Pedestrian Village;

2. Provide a link to a Master Plan for the 164<sup>th</sup> Street Urban Center and a Concept Plan for the 128<sup>th</sup> Street Urban Center adopted in Appendix H of the GMA Comprehensive Plan General Policy Plan and to allow their use in the review of demonstration projects;
  3. Allow the use of cottage housing within Urban Center Demonstration Projects consistent with GPP Policy LU 2.B.6;
  4. Modify the eligibility criteria for development within PCB-TPV zone to address unique circumstances which may not support mixed use development; and
  5. Amend the list of prohibited uses to ensure demonstration projects have a compatible mix of uses.
- Q. The proposal by PDS to amend Subtitle 30.9 SCC is necessary to include new definitions of Connected Village, Cottage Housing, Net Acreage, Public Realm, Public Use, Sense of Place, Transit Pedestrian Village, Total Floor Area, Urban Center, and Urban Village which are used in the GMA Comprehensive Plan and used to review demonstration projects under SCC 30.34A.

**Section 3.** The county council makes the following conclusions:

- A. The proposal by PDS to amend chapter 30.21 SCC includes amendments to specify specific zones that would allow the use of the urban center demonstration program.
- B. The proposal by PDS to amend chapter 30.22 SCC includes amendments to specify urban center development on the zoning use matrices for better code implementation.
- C. The proposal by PDS to amend chapter 30.23 SCC includes amendments to specify the special bulk regulations for projects submitted under the demonstration program.
- D. The proposal by PDS to amend chapter 30.31A SCC includes amendments to specify minimum zoning criteria and performance standards within zones allowing use of the urban center demonstration program.
- E. The proposal by PDS to amend chapter 30.34A SCC includes amendments to allow flexibility in meeting residential housing requirements by allowing cottage housing.
- F. The proposal by PDS to amend subtitle 30.9 SCC includes changes to clarify definitions contained in the Urban Centers Demonstration Program and utilized in the review of development applications.
- G. The scoping, environmental analysis and public involvement activities associated with the DEIS issued on May 5, 2004, and the FEIS issued on December 13, 2005, satisfy the requirements of the state environmental policy act (SEPA).

- H. The amendments adopted by this ordinance are within the range of the alternatives analyzed in the DEIS and the scope of additional analysis contained within the FEIS and related environmental documents adopted by the county.
- I. There has been early and continuous public participation in the review of the proposed amendments, as required by the GMA and consistent with chapter 30.73 and 30.74 SCC.
- J. The proposal has been broadly disseminated and opportunities have been provided for written comments and public hearing after effective notice.
- K. The county has notified and consulted with developers participating in the demonstration program regarding amendments to the development regulations.
- L. The State Environmental Policy Act requirements with respect to this proposed action have been satisfied by this document.

**Section 4.** The county council bases its findings and conclusions on the entire record of the planning commission and the county council, including all testimony and exhibits. Any finding, which should be deemed a conclusion, and any conclusion which should be deemed a finding, is hereby adopted as such.

**Section 5.** Snohomish County Code Section 30.21.025, last amended by Ordinance No. 04-074 on July 28, 2004, is amended to read:

**30.21.025 Intent of zones.**

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

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

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

P/IU designation (e.g., R-7,200-P/IU). Single family residential zones consist of the following:

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

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

- (i) Townhouse (T). The intent and function of the townhouse zone is to:

(A) provide for single family dwellings, both attached and detached, or different styles, sizes, and prices at urban densities greater than those for strictly single family detached development, but less than multifamily development;

(B) provide a flexible tool for development of physically suitable, skipped-over or under-used lands in urban areas without adversely affecting adjacent development; and

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

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

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

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

(i) Neighborhood Business (NB). The intent and function of the neighborhood business zone is to provide for local facilities that serve the everyday needs of the surrounding neighborhood, rather than the larger surrounding community. Urban villages implemented under chapter 30.34A SCC Urban Centers Demonstration Program are only permitted within the Neighborhood Business (NB) zone;

(ii) Planned Community Business (PCB). The intent and function of the planned community business zone is to provide for community business enterprises in areas desirable for business but having highly sensitive elements of vehicular circulation, or natural site and environmental conditions while minimizing impacts upon these elements through the establishment of performance criteria. Performance criteria for this zone are intended to control external as well as internal effects of commercial development. It is the goal of this zone to discourage "piecemeal" and strip development by encouraging development under unified control. Urban centers implemented under chapter 30.34A SCC Urban Centers Demonstration



Program are only permitted within the Planned Community Business (PCB) zone;

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

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

(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);

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- (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 *for a new rural business, are located\* two and one-half miles from an existing rural business, rural freeway service 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 agricultural-10 acre zone is:

(i) To implement the goals and objectives of the County General Policy Plan, which include the goals of protecting agricultural lands and promoting agriculture as a component of the County economy;

(ii) To protect and promote the continuation of farming in areas where it is already established and in locations where farming has traditionally been a viable component of the local economy; and

(iii) To permit in agricultural lands, with limited exceptions, only agricultural land uses and activities and farm-related uses that provide a support infrastructure for farming, or that support, promote or sustain agricultural operations and production including compatible accessory commercial or retail uses on designated agricultural lands.

(iv) Allowed uses include, but are not limited to:

(A) Storage and refrigeration of regional agricultural products;

(B) Production, sales and marketing of value-added agricultural products derived from regional sources;

(C) Supplemental sources of on-farm income that support and sustain on-farm agricultural operations and production;

(D) Support services that facilitate the production, marketing and distribution of agricultural products;

(E) Off farm and on-farm sales and marketing of predominately regional agricultural products from one or more producers, agriculturally related experiences, products derived from regional agricultural production, products including locally made arts and crafts, and ancillary sales or service activities.

(F) Accessory commercial or retail uses which shall be accessory to the growing of crops or raising of animals and which shall sell products predominately produced on-site, agricultural experiences, or products, including arts and crafts, produced on-site. Accessory commercial or retail sales shall offer for sale a significant amount of products or services produced on-site.

(v) Allowed uses shall comply with all of the following standards:

(A) The uses shall be compatible with resource land service standards.

(B) The allowed uses shall be located, designed and operated so as not to interfere with normal agricultural practices.

(C) The uses may operate out of existing or new buildings with parking and other supportive uses consistent with the size and scale of agricultural buildings but shall not otherwise convert agricultural land to non-agricultural uses.

(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).

**Section 6.** Snohomish County Code Section 30.22.030, adopted by Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

**30.22.030 Number of uses per lot.**

Uses shall be established upon legally created lots that conform to current zoning requirements or on legal nonconforming lots. A lot may have more than one use placed within its bounds, except that only one single family dwelling may be placed on a lot. This exception shall not apply to model homes as defined herein, to planned residential developments proposed and approved pursuant to chapter 30.42B SCC, center projects proposed and approved pursuant to chapter 30.34A SCC, or to land zoned commercial or multiple family residential. Multifamily structures may be placed on lots at densities controlled by chapter 30.23 SCC.

**Section 7.** Snohomish County Code Section 30.22.100, last amended by Amended Ordinance No. 04-074 on July 28, 2004, is amended to read:

30.22.100 Urban Zone Categories: Use Matrix

Type of Use	Urban Zones														
	R9,600 <sup>88</sup>	R8,400 <sup>88</sup>	R7,200 <sup>88</sup>	T	LDM R	M R	NB <sup>1</sup>	PCB <sup>1</sup>	CB	GC	FS	IP <sup>76</sup>	BP	LI <sup>55, 76</sup>	HI <sup>5</sup>
Accessory Apartment <sup>62</sup>	A	A	A	A	A	A	A		A	A					
Adult Entertainment Business/Use <sup>67</sup>												P		P	P
Agriculture <sup>41</sup>	P	P	P		P	P	P		P	P		P	P	P	P
Airport, Stage 1 Utility <sup>1</sup>	C	C	C						P	P		P	P	P	P
Airport-All Others												P	P	P	P
Amusement Facility <sup>41</sup>								P	P	P		P		P	P
Antique Shop							P		P	P				P	P
Art Gallery <sup>41</sup>	C	C	C		C	C	P	P	P	P		P	P	P	P
Asphalt Batch Plant & Continuous Mix Asphalt Plant												P			P
Auto Repair, Major										P		P	P	P	P
Auto Repair, Minor							P	P	P <sup>86</sup>	P	P	P	P	P	P
Auto Towing														P	P
Auto Wrecking Yard														C <sup>44</sup>	P <sup>44</sup>
Bakery							P <sup>69</sup>	P	P	P		P	P	P	P
Bed and Breakfast Guesthouse <sup>58</sup>	C	C	C	C	C	C									
Billboards <sup>46</sup>										P				P	P
Boarding House	P <sup>15</sup>	P <sup>15</sup>	P <sup>15</sup>		P	P	P		P	P					
Boat Launch, Commercial <sup>31</sup>									C	C				C	C
Boat Launch, Non-commercial <sup>31</sup>	C	C	C		C	C			C	C				C	C
Book Sales										P				P	P
Caretaker's Quarters												P	P	P	P
Carport	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Cemetery, Columbarium, Crematorium, Mausoleum <sup>41</sup>	C	C	C		C	C			P	P		P	P	P	P
Church <sup>41</sup>	C	C	C		P	P	P	P	P	P		P	P	P	P
Cleaning Establishment							P	P	P	P		P	P	P	P
Clubhouse					C	C	C	P	P	P		P	P	P	P
Cold Storage										P		P	P	P	P
Commercial Vehicle Storage Facility										P		P	P	P	P
Community Club	C	C	C		C	C	C		P	P		P	P	P	P
Construction Contracting										P		P	P	P	P
Country Club	C	C	C									P	P	P	P
Craft Shop <sup>21</sup>									P <sup>86</sup>	P		P	P	P	P
P - Permitted Use	Note: Reference numbers within matrix indicate special conditions apply; see SCC 30.22.130. Check other matrices in this chapter if your use is not listed above.														
A - Administrative Conditional Use															
C - Conditional Use															

Type of Use	Urban Zones														
	R9,600 <sup>88</sup>	R8,400 <sup>88</sup>	R7,200 <sup>88</sup>	T	LDMR	MR	NB <sup>3</sup>	PCB <sup>3</sup>	CB	G C	FS	IP <sup>76</sup>	BP	LI <sup>35, 76</sup>	HI <sup>35</sup>
Day Care Center <sup>2</sup>	C	C	C		C	C	P	P	P	P	P	P	P	P	P
Department Store								P	P <sup>86</sup>	P				P	P
Distillation of Alcohol												P	P	P	P
Distillation of Wood, Coal, Bones or Manufacturing of Their By-products												P			P
Dock & Boathouse, Private, Non-commercial <sup>3, 41</sup>	P	P	P	P	P	P	P		P	P		P	P	P	P
Drug Store							P	P	P	P	P <sup>22</sup>			P	P
Dwelling, Duplex	P <sup>42</sup>	P <sup>42</sup>	P <sup>42</sup>	P	P	P	P		P	P					
Dwelling, Mobile Home	P <sup>6</sup>	P <sup>6</sup>	P <sup>6</sup>	P <sup>6</sup>	P	P	P <sup>6</sup>		P <sup>6</sup>	P <sup>6</sup>					
Dwelling, Multifamily					P	P	P	P	P	P			P <sup>51</sup>		
Dwelling, Single Family	P	P	P	P	P	P	P	P <sup>4</sup>	P	P			P <sup>51</sup>		
Dwelling, Townhouse	C, P <sup>5</sup>	C, P <sup>5</sup>	C, P <sup>5</sup>	P <sup>5</sup>	P		P	P	P	P					
Excavation & Processing of Minerals <sup>28</sup>	C	C	C		C	C	C		C	C		C	C	C	C
Explosives, Manufacturing												P			P
Explosives, Storage												P			P
Extraction of Animal or Fish Fat or Oil												P			P
Fabrication Shop										P		P	P	P	P
Fairgrounds										P		P	P	P	P
Fallout Shelter, Individual	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Fallout Shelter, Joint <sup>7</sup>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Family Day Care Home <sup>8</sup>	P	P	P	P	P	P	P		P	P					
Farm Product Processing Up to 5000 sq ft Over 5000 sq ft <sup>94</sup>									P A	P P				P P	P P
Farm Stand Up to 400 sq ft <sup>9</sup> 401 to 5,000 sq ft <sup>99</sup>	P	P	P						P	P				P	P
Farmers Market <sup>93</sup>										P			P	P	P
Financial Institutions							P	P	P	P		P	P	P	P
Fish Farm												P	P	P	P
Fix-it Shop								P	P <sup>86</sup>	P		P	P	P	P
Forestry												P		P	P
Forge, Foundry, Blast Furnace for Melting of Ore															P
Foster Home	P	P	P	P	P	P	P		P	P					
Fuel & Coal Yard										P		P	P	P	P
P - Permitted Use	Note: Reference numbers within matrix indicate special conditions apply; see SCC 30.22.130. Check other matrices in this chapter if your use is not listed above.														
A - Administrative Conditional Use															
C - Conditional Use															

Type of Use	Urban Zones														
	R9,600 <sup>88</sup>	R8,400 <sup>88</sup>	R7,200 <sup>88</sup>	T	LDMR	M R	NB <sup>1</sup> 1	PCB <sup>3</sup>	C B	G C	FS	IP <sup>76</sup>	BP	LI <sup>55,76</sup> 5	HI <sup>5</sup>
Garage, Private	P	P	P	P	P	P	P	P	P	P		P	P	P	P
Golf Course and Driving Range <sup>74</sup>	C	C	C						P	P		P	P	P	P
Government Structures & Facilities <sup>27, 41</sup>	C	C	C	C	C	C	C	P	P	P		P	P	P	P
Greenhouse, Lath House, & Nurseries: <sup>52</sup> Retail							P	P	P	P				P	P
Greenhouse, Lath House, & Nurseries: <sup>52</sup> Wholesale <sup>47</sup>							P	P	P	P		P	P	P	P
Grocery Store							P	P	P <sup>86</sup>	P	P <sup>22</sup>			P	P
Grooming Parlor							P	P	P	P			P <sup>53</sup>	P	P
Guesthouse <sup>85</sup>	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 <sup>66</sup>												C	C	C	C
Hazardous Waste Storage & Treatment Facilities, Onsite <sup>65</sup>							P	P	P	P	P	P	P	P	P
Health and Social Service Facility <sup>90</sup>															
Level I	P	P	P	P	P	P	P	P	P	P			P		
Level II <sup>41</sup>	C	C	C		C	C	C	P	P	P			P		
Level III						C	C	P	P	P		P		P	P
Home Improvement Center							P	P	P <sup>86</sup>	P				P	P
Home Occupation <sup>11</sup>	P	P	P	P	P	P	P		P	P					
Hotel/Motel <sup>89</sup>					C	C		P	P	P	P			P <sup>89</sup>	
Industrial Use, Heavy <sup>82</sup>												P			P
Junkyard														C <sup>44</sup>	P <sup>44</sup>
Kennel, <sup>41</sup> Commercial <sup>12</sup>	C	C	C						P	P		P	P	P	P
Kennel, <sup>41</sup> Private-Breeding <sup>13</sup>	P	P	P		P	P	P		P	P		P	P	P	P
Kennel, <sup>41</sup> Private-Non-Breeding <sup>13</sup>	P	P	P		P	P	P		P	P		P			
Laboratory										P		P	P	P	P
Library <sup>41</sup>	C	C	C		C	C	C	P	P	P		P	P	P	P
Licensed Practitioner <sup>29, 41</sup>					C	C	P	P	P	P		P	P	P	P
Livestock Auction Facility												P		P	P
Locksmith							P	P	P <sup>86</sup>	P		P	P	P	P
Lumberyard										P		P	P	P	P
Manufacturing, Heavy <sup>82</sup>												P			P
P - Permitted Use	Note: Reference numbers within matrix indicate special conditions apply; see SCC 30.22.130. Check other matrices in this chapter if your use is not listed above.														
A - Administrative Conditional Use															
C - Conditional Use															



Type of Use	Urban Zones														
	R9,600 <sup>88</sup>	R8,400 <sup>88</sup>	R7,200 <sup>88</sup>	T	LDM R	MR	NB <sup>1</sup>	PCB <sup>2</sup>	CB	GC	FS	IP <sup>76</sup>	BP	LI <sup>55, 76</sup>	HI <sup>55</sup>
Manufacturing-All Other Forms Not Specifically Listed <sup>83</sup>												P	P	P	P
Massage Parlor									P	P		P	P	P	P
Medical Clinic <sup>29</sup>					C	C	P	P	P	P		P	P	P	P
Mini Self-Storage								P		P		P	P	P	P
Mobile Home Park <sup>38</sup>					C	C			C	C					
Mobile Home & Travel Trailer Sales										P		C <sup>36</sup>		P	P
Model Hobby Park <sup>75</sup>													A	A	A
Model House/Sales Office	P	P	P	P	P	P	P	P	P	P					
Mortuary					C	C			P	P		P	P	P	P
Motor Vehicle & Equipment Sales									P <sup>23</sup>	P				P	P
Museum <sup>41</sup>	C	C	C		C	C	C	P	P	P		P	P	P	P
Office, General							P	P	P	P		P	P	P	P
Park, Public <sup>14</sup>	P	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	P
Park-and-Ride Lot	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P
Personal Services Shop							P	P	P <sup>86</sup>	P		P <sup>49</sup>	P <sup>49</sup>	P	P
Pet Shop							P	P	P	P			P <sup>53</sup>	P	P
Petroleum Products & Gas Storage - Bulk										P <sup>43</sup>		P	P <sup>43</sup>	P <sup>43</sup>	P <sup>43</sup>
Petroleum Refining <sup>41</sup>												P			
Print Shop									P <sup>87</sup>	P		P	P	P	P
Printing Plant								P		P		P	P	P	P
Race Track <sup>24, 41</sup>										C		P	P	P	P
Railroad Right-of-way	C	C	C	C	C	C	P	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	P
Recreational Vehicle Park									C	C	P				
Rendering of Fat, Tallow, or Lard												P			P
Restaurant							P	P	P	P	P	P <sup>49</sup>	P <sup>49</sup>	P	P
Retail Store							P	P	P <sup>86</sup>	P			P <sup>53</sup>	P	P
Retirement Apartments				P	P	P	P	P	P	P					
Retirement Housing				P	P	P	P	P	P	P					
P - Permitted Use	Note: Reference numbers within matrix indicate special conditions apply; see SCC 30.22.130. Check other matrices in this chapter if your use is not listed above.														
A - Administrative Conditional Use															
C - Conditional Use															

Type of Use	Urban Zones														
	R9,600 <sup>88</sup>	R8,400 <sup>88</sup>	R7,200 <sup>88</sup>	T	LDM R	M R	NB <sup>1</sup>	PCB <sup>1</sup>	CB	GC	FS	IP <sup>76</sup>	BP	LI <sup>55, 76</sup>	HI <sup>55</sup>
Rolling or Blooming Mills												P			P
Sanitary Landfill	C	C	C						C	C		C	C	C	C
Sawmill										P		P	P	P	P
Schools															
K-12 & Preschool <sup>41, 68</sup>	C	C	C		C	C			P	P		P	P	P	P
College <sup>41, 68</sup>	C	C	C		C	C			P	P		P	P	P	P
Other <sup>41, 68</sup>					C	C			P	P		P	P	P	P
Second Hand Store									P <sup>86</sup>	P				P	P
Service Station <sup>41</sup>							P	P	P <sup>86</sup>	P	P			P	P
Shake & Shingle Mill										P		P	P	P	P
Shooting Range <sup>93</sup>												P	P	P	P
Sludge Utilization <sup>39</sup>	C <sup>56</sup>	C <sup>56</sup>	C <sup>56</sup>		C <sup>56</sup>	C <sup>56</sup>			C <sup>56</sup>	C <sup>56</sup>		C <sup>56</sup>		C <sup>56</sup>	P <sup>C50</sup>
Small Animal Husbandry <sup>41</sup>	C <sup>37</sup>	C <sup>37</sup>	C <sup>37</sup>				P		P	P		P	P	P	P
Specialty Store							P	P	P <sup>86</sup>	P				P	P
Stables	P	P	P		P	P	P	P	P	P		P	P	P	P
Stockyard or Slaughter House												P			P
Storage, Retail Sales Livestock Feed									P	P				P	P
Storage Structure Over 1,000 sq. ft. On Less Than Three Acres <sup>41, 59</sup>															
C	C	C <sup>60</sup>	C <sup>60</sup>	C	C	C	P	P	P	P	P	P	P	P	P
Studio <sup>41</sup>	C <sup>77</sup>	C <sup>77</sup>	C <sup>77</sup>		C <sup>77</sup>	C <sup>77</sup>	P	P	P <sup>86</sup>	P		P	P	P	P
Swimming/Wading Pool <sup>17, 42</sup>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Tannery												P			P
Tar Distillation or Manufacturing												P			P
Tavern <sup>41</sup>								P	P	P				P	P
Television/Radio Stations														P	P
Temporary Dwelling During Construction	A	A	A	A	A	A	A	A	A	A	A				
Temporary Dwelling For Relative <sup>18</sup>	A	A	A	A	A	A	A	A	A	A	A				
Temporary Residential Sales Coach <sup>73</sup>	A	A	A												
Temporary Woodwaste Recycling <sup>63</sup>														A	A
P - Permitted Use	Note: Reference numbers within matrix indicate special conditions apply; see SCC 30.22.130. Check other matrices in this chapter if your use is not listed above.														
A - Administrative Conditional Use															
C - Conditional Use															

Type of Use	Urban Zones														
	R9,600 <sup>88</sup>	R8,400 <sup>88</sup>	R7,200 <sup>88</sup>	T	LDMR	M R	NB <sup>1</sup>	PCB <sup>1</sup>	CB	G C	FS	IP <sup>7</sup> <sub>6</sub>	BP	LI <sup>55, 76</sup>	HI <sup>55</sup>
Temporary Woodwaste Storage <sup>63</sup>														A	A
Tire Store							P	P	P <sup>86</sup>	P				P	P
Tool Sales & Rental									P <sup>86</sup>	P				P	P
Transit Center	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P
Ultralight Airpark <sup>20</sup>												P			
Utility Facilities, Electromagnetic Transmission & Receiving Facility <sup>27</sup>	C	C	C	C	C	C	C	P	P <sup>86</sup>	P	C	P	P	P	P
Utility Facilities, Transmission Wires, Pipes & Supports <sup>27</sup>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utility Facilities-All Other Structures <sup>27, 41</sup>	C	C	C	C	C	C	C	P	P <sup>86</sup>	P	C	P	P	P	P
Veterinary Clinic					C	C	P	P	P <sup>86</sup>	P		P	P	P	P
Warehousing										P		P	P	P	P
Wholesale Establishment								P	P <sup>86</sup>	P		P	P	P	P
Woodwaste Recycling <sup>57</sup>														C	C
Woodwaste Storage <sup>57</sup>														C	C
Yacht/Boat Club												P	P	P	P
All other uses not otherwise mentioned												P	P	P	P
Permitted Use	Note: Reference numbers within matrix indicate special conditions apply; see SCC 30.22.130. Check other matrices in this chapter if your use is not listed above.														
A - Administrative Conditional Use															
C - Conditional Use															

**Section 8.** Snohomish County Code Section 30.22.130, last amended by Amended Ordinance 04-074 on July 28, 2004, 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; and

(b) At least 50% by farm product unit of the products sold shall be grown, raised or harvested in Snohomish County, and 75% by farm product unit of the products sold shall be grown, raised or harvested in the State of Washington.

(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) RESERVED for future use (Social Service Center - DELETED by Amended Ord. 04-010 effective March 15, 2004)
- (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, Licensed Practitioner:

(a) 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) RESERVED for future use (Group Care Facility - DELETED by Amended Ord. 04-010 effective March 15, 2004)



- (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 - DELETED by Amended Ord. 04-074 effective August 23, 2004)
- (37) Small Animal Husbandry: There shall be a five-acre minimum site size.
- (38) Mobile Home Park: Such development must fulfill the requirements of chapter 30.42E SCC.
- (39) Sludge Utilization: See SCC 30.28.085.
- (40) Homestead Parcel: See SCC 30.28.055.
- (41) Special Setback Requirements for this use are contained in SCC 30.23.110.
- (42) 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.
- (43) 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.
- (44) 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.
- (45) 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.
- (46) Billboards: See SCC 30.27.080 for specific requirements.
- (47) 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.
- (48) Stockyard and Livestock Auction Facility: The minimum lot size is 10 acres.
- (49) Restaurants and Personal Service Shops: Located to service principally the constructed industrial park uses.

(50) Sludge Utilization: A conditional use permit is required for manufacture of materials by a non-governmental agency containing stabilized or digested sludge for a public utilization.

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

(a) 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.

(52) 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.

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

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

(55) 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.

(56) 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(39):

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

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

(59) 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.

(60) 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.

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

AMENDED ORDINANCE NO. 05-087

RELATING TO THE URBAN CENTERS DEMONSTRATION PROGRAM, CLARIFYING PERMITTED USES IN URBAN ZONES FOR URBAN CENTERS, ESTABLISHING BULK REGULATIONS FOR URBAN CENTERS, REVISING ELIGIBILITY REQUIREMENTS FOR URBAN CENTERS, REVISING REVIEW AND SUBMITTAL REQUIREMENTS FOR URBAN CENTERS APPLICATIONS, ESTABLISHING DEVELOPMENT STANDARDS FOR THE NEIGHBORHOOD BUSINESS ZONE TO IMPLEMENT THE URBAN CENTERS DEMONSTRATION PROGRAM; AMENDING SNOHOMISH COUNTY CODE (SCC) CHAPTERS 30.21, 30.22, 30.23, 30.31 AND 30.34A; ADDING A NEW SUBSECTION TO CHAPTER 30.34A SCC; AND NEW DEFINITIONS TO SUBTITLE 30.91 SCC.

- (62) Accessory Apartments: See SCC 30.28.010.
- (63) Temporary Woodwaste Recycling and Temporary Woodwaste Storage Facilities: See SCC 30.28.090.
- (64) Home Occupation: See SCC 30.28.050(2).
- (65) 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.
- (66) 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.
- (67) Adult Entertainment Uses: See SCC 30.28.015.
- (68) Special Building Height provisions for this use are contained in SCC 30.23.050(4).
- (69) 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.
- (70) 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.
- (71) 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.
- (72) 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.
- (73) 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.

(74) 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.

(75) Model Hobby Park: SCC 30.28.060.

(76) 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.

(77) 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

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

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

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

(81) 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(81)(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.

(82) 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.

(83) "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.

(84) Home Occupations: See SCC 30.28.050(3).

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

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

(87) 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.

(88) Public/Institutional Use Designation (P/IU): When applied to land that is (a) included in an Urban Growth Area and (b) designated P/IU on the Snohomish County Future Land Use Map concurrent with or prior to its inclusion in a UGA, the R-7,200, R-8,400 and R-9,600 zones shall allow only the following permitted or conditional uses: churches and school instructional facilities. All other uses are prohibited within areas that meet criteria (a) and (b), unless the P/IU designation is changed.

(89) Hotel/Motel uses are permitted in the Light Industrial zone when the following criteria are met:

- (a) The Light Industrial zone is located within a municipal boundary;
- (b) The municipal airport boundary includes no less than 1000 acres of land zoned light industrial; and
- (c) The hotel/motel use is served by both public water and sewer.

(90) Health and social service facilities regulated under this title do not include secure community transition facilities (SCTFs) proposed pursuant to chapter 71.09 RCW. See SCC 30.91H.095.

(a) Snohomish County is preempted from regulation of SCTFs. In accordance with the requirements of state law the county shall take all reasonable steps permitted by chapter 71.09 RCW to ensure that SCTFs comply with applicable siting criteria of state law. Every effort shall be made by the county through the available state procedures to ensure strict compliance with all relevant public safety concerns, such as emergency response time, minimum distances to be maintained by the SCTF from "risk potential" locations, electronic monitoring of individual residents, household security measures and program staffing.

(b) Nothing herein shall be interpreted as to prohibit or otherwise limit the county from evaluating, commenting on, or proposing public safety measures to the state of Washington in response to a proposed siting of a SCTF in Snohomish County.

(c) Nothing herein shall be interpreted to require or authorize the siting of more beds or facilities in Snohomish County than the county is otherwise required to site for its SCTFs pursuant to the requirements of state law.

(91) Level II health and social service uses are allowed outside the UGA only when the use is not served by public sewer.

(92) The area of the shooting range devoted to retail sales of guns, bows, and related equipment shall not exceed one-third (1/3) of the gross floor area of the shooting range and shall be located within a building or structure. (93) Farmers Market: See SCC 30.28.036.

(94) Farm Product Processing and Farm Support Business: See SCC 30.28.038.

(95) Farmland Enterprise: See SCC 30.28.037.

(96) Public Events/Assemblies on Farmland: Such event or assembly shall:

(a) Comply with the requirements of Chapter 6.37 SCC; and

(b) Not exceed two events per year. No event shall exceed two weeks in duration.

(97) Bakery, Farm: The gross floor area of the use shall not exceed 1,000 square feet.

(98) Recreational Facility Not Otherwise Listed: See SCC 30.28.076.

(99) Farm Stand: See SCC 30.28.039.

(100) Farm Stand: Allowed as a Permitted Use (P) when sited on land designated riverway commercial farmland, upland commercial farmland or local commercial farmland in the comprehensive plan. Allowed as an Administrative Conditional Use (A) when sited on land not designated riverway commercial farmland, upland commercial farmland or local commercial farmland in the comprehensive plan.

(101) Farmers Market: Allowed as a Permitted Use (P) when sited on land designated riverway commercial farmland, upland commercial farmland or local commercial farmland in the comprehensive plan. Allowed as an Administrative Conditional Use (A) when sited on land not

designated riverway commercial farmland, upland commercial farmland or local commercial farmland in the comprehensive plan.

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

**Section 9.** Snohomish County Code Section 30.23.030(1), last amended by Ordinance No. 03-107, Sept. 10, 2003, is amended to read:.

Table 30.030(1) BULK MATRIX

Category	Zone	Max. Bldg. Height <sup>27</sup> (ft)	Lot Dimension (ft)			Setback Requirements From: (ft) <sup>(28)</sup>							
			Min. Lot Area <sup>22, 29</sup>	Min. Lot Width	Min. Corner Lot Width	Public Right of Way under 60', <sup>43</sup>	Public and Private Right of Way <sup>9, 11, 43</sup>	Commercial and Industrial Zones <sup>11</sup>	Residential, Multifamily, and Rural Zones <sup>11</sup>	Resource Ag	Lands Forest	Water Bodies <sup>12</sup>	Max. Lot Coverage <sup>8</sup>
Resource	MC <sup>31</sup>		10 ac <sup>32</sup>						33				
	F <sup>38</sup>	45 <sup>6</sup>	20 ac <sup>3</sup>	300	300	130 <sup>10, 13</sup>	100 <sup>13</sup>	100 <sup>13, 33</sup>	50 <sup>20</sup>	100 <sup>21, 30</sup>	25 <sup>13</sup>	35%	
	F&R <sup>38, 39</sup>	25 <sup>7</sup>	200,000 sf <sup>2, 23</sup>	100	100	50 <sup>10</sup>	20	5	5 <sup>33</sup>	50 <sup>20</sup>	100 <sup>21, 30</sup>	25	35%
	A-10 <sup>37, 39, 40</sup>	45	10 ac	None	none	50 <sup>10</sup>	20	5	5 <sup>33</sup>	50 <sup>20</sup>	100 <sup>21, 30</sup>	25	none
Rural	RRT-10	45	10 ac	225	225	50	20	5	5 <sup>33</sup>	50 <sup>20</sup>	100 <sup>21, 30</sup>	25	35%
	R-5 <sup>37, 38, 39, 40</sup>	45 <sup>25</sup>	200,000 sf <sup>2, 23, 25</sup>	165 <sup>25</sup>	165 <sup>25</sup>	50 <sup>10</sup>	20	5	5 <sup>33</sup>	50 <sup>20</sup>	100 <sup>21, 30</sup>	25	35%
	RC <sup>37, 38, 39, 40</sup>	35	100,000 sf <sup>23, 25</sup>	165 <sup>25</sup>	165 <sup>25</sup>	50 <sup>10</sup>	20	5	5 <sup>33</sup>	50 <sup>20</sup>	100 <sup>21, 30</sup>	25	35%
	RD <sup>38</sup>	45	200,000 <sup>23</sup>	165	165	50 <sup>10</sup>	20	5	5 <sup>33</sup>	50 <sup>20</sup>	100 <sup>21, 30</sup>	25	35%
Other	RB	35	None	None	none	55	25	none	50 <sup>33</sup>	50	100 <sup>21</sup>	none	35%
	CRC	35 <sup>(43)</sup>	None	None	None	25 <sup>(28)</sup>	25 <sup>(27)</sup>	None	25	50	100 <sup>(22)</sup>	none	50% <sup>(44)</sup> 30% <sup>(45)</sup>
	RFS	35	None	None	none	55	25	none	50	50	100 <sup>21</sup>	None	35%
	RI	50	None	None	none	55	25	none	100 <sup>33</sup>	100	100 <sup>21</sup>	none	35%
	SA-1 <sup>37, 39</sup>	35	1 ac/ 43,560 sf	150	150	50 <sup>10</sup>	20	5	5 <sup>33</sup>	50 <sup>20</sup>	100 <sup>21</sup>	25	35%
	RU <sup>37, 39</sup>	35		60	65	50 <sup>10</sup>	20	5	5 <sup>33</sup>	50 <sup>20</sup>	100 <sup>21</sup>	25	35%
	R20,000 <sup>37, 39</sup>	25	20,000 sf	85	90	50 <sup>10</sup>	20	5	5	50 <sup>20</sup>	100 <sup>21</sup>	25	35%
	R12,500 <sup>40</sup>	25	12,500 sf	75	80	50 <sup>10</sup>	20	5	5	50 <sup>20</sup>	100 <sup>21</sup>	25	35%

AMENDED ORDINANCE NO. 05-087  
RELATING TO THE URBAN CENTERS DEMONSTRATION PROGRAM, CLARIFYING PERMITTED USES IN URBAN ZONES FOR URBAN CENTERS, ESTABLISHING BULK REGULATIONS FOR URBAN CENTERS, REVISING ELIGIBILITY REQUIREMENTS FOR URBAN CENTERS, REVISING REVIEW AND SUBMITTAL REQUIREMENTS FOR URBAN CENTERS APPLICATIONS, ESTABLISHING DEVELOPMENT STANDARDS FOR THE NEIGHBORHOOD BUSINESS ZONE TO IMPLEMENT THE URBAN CENTERS DEMONSTRATION PROGRAM, AMENDING SNOHOMISH COUNTY CODE (SCC) CHAPTERS 30.21, 30.22, 30.23, 30.31 AND 30.34A, ADDING A NEW SUBSECTION TO CHAPTER 30.34A SCC, AND NEW DEFINITIONS TO SUBTITLE 30.91 SCC.  
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			Lot Dimension (ft)					Setback Requirements From: (ft) <sup>(28)</sup>					
Category	Zone	Max. Bldg. Height <sup>27</sup> (ft)	Min. Lot Area <sup>22, 29</sup>	Min. Lot Width	Min. Corner Lot Width	Public Right of Way <sup>43</sup>	Public and Private Right of Way <sup>9, 11, 43</sup>	Commercial and Industrial Zones <sup>11</sup>	Residential, Multifamily, and Rural Zones <sup>11</sup>	Resource Lands	Water Bodies <sup>12</sup>	Max. Lot Coverage <sup>8</sup>	
	WFB	25	7,200 sf <sup>24</sup>	60	65	50 <sup>10</sup>	20	5	5	50 <sup>20</sup>	100 <sup>21</sup>	25	35%

Table 30.23.030(1) (continued)

Lot Dimension (ft)			Setback Requirements From: (ft) <sup>28</sup>										
Category	Zone	Max. Bldg. Height (ft) <sup>27</sup>	Min. Lot Area <sup>22, 29</sup>	Min. Lot Width	Min. Corner Lot Width	Public Right of Way under 60', <sup>34</sup>	Public and Private Right of Way <sup>9, 11, 34</sup>	Commercial and Industrial Zones <sup>11</sup>	Residential, Multiple Family, and Rural Zones <sup>11</sup>	Resource Lands	Water Bodies <sup>12</sup>	Max. Lot Coverage <sup>8, 33</sup>	
Urban	R9,600	25	9,600 sf <sup>24</sup>	70	75	50 <sup>10</sup>	20	5	5	Ag <sup>20</sup>	100 <sup>21</sup>	25	35%
	R8,400	25	8,400 sf <sup>24</sup>	65	70	50 <sup>10</sup>	20	5	5	50 <sup>20</sup>	100 <sup>21</sup>	25	35%
	R7,200	25	7,200 sf <sup>24</sup>	60	65	50 <sup>10</sup>	20	5	5	50 <sup>20</sup>	100 <sup>21</sup>	25	35%
	T	35	35	35	35	50 <sup>14, 10</sup>	20 <sup>14</sup>	5 <sup>14</sup>	5 <sup>14</sup>	50 <sup>20</sup>	100 <sup>21</sup>	25 <sup>14</sup>	35
	LDMR	35	7,200 sf <sup>4</sup>	60	70	55 <sup>15, 10</sup>	25 <sup>15</sup>	36	35	50 <sup>20</sup>	100 <sup>21</sup>	25 <sup>15</sup>	30%
	MR	35	7,200 sf <sup>5</sup>	60	70	55 <sup>15, 10</sup>	25 <sup>15</sup>	36	35	50 <sup>20</sup>	100 <sup>21</sup>	25 <sup>15</sup>	40%
	FS	35	none	none	none	25 <sup>25</sup>	25 <sup>26</sup>	5/15 <sup>16</sup>	25		100 <sup>21</sup>	none	None
	NB <sup>1</sup>	25 <sup>uu</sup>	None <sup>vv</sup>	none	none	25 <sup>25, ww</sup>	25 <sup>26, ww</sup>	none	10 <sup>xx</sup>	none	100 <sup>21</sup>	none	35% <sup>yy</sup>
	PCB <sup>1</sup>	40 <sup>uu</sup>	none <sup>19, xv</sup>	none	none	55 <sup>25, ww</sup>	25 <sup>18, 26, ww</sup>	none	25 <sup>xx</sup>	none	100 <sup>21</sup>	none	none <sup>xy</sup>
	CB <sup>1</sup>	35	none	none	none	25 <sup>25</sup>	25 <sup>26</sup>	none	10		100 <sup>21</sup>	none	50%
	GC <sup>1</sup>	45	none	none	none	25 <sup>25</sup>	25 <sup>26</sup>	none	10		100 <sup>21</sup>	none	50%
	IP	65	none	none	none	30 <sup>17, 25</sup>	25 <sup>17, 26</sup>	none <sup>17</sup>	25 <sup>17</sup>		100 <sup>21</sup>	none	50%
	BP	50	none <sup>19</sup>	none	none	30 <sup>25</sup>	25 <sup>26</sup>	none	25		100 <sup>21</sup>	none	35%
	LI	50	none	none	none	25 <sup>25</sup>	25 <sup>26</sup>	none	50		100 <sup>21</sup>	none	none
	HI	65	none	none	none	25 <sup>25</sup>	25 <sup>26</sup>	none	50		100 <sup>21</sup>	none	none

**Section 10.** Snohomish County Code Section 30.23.040, adopted by Amended Ordinance 02-064 on December 2, 2002, is amended to read:

**30.23.040 Reference notes for bulk matrix:**

- (1) MR bulk requirements shall apply for all residential development permitted in urban commercial zones.
- (2) When subdivisionally described, the minimum lot area shall be 1/128th of a section.
- (3) When subdivisionally described, the minimum lot area shall be 1/32nd of a section.
- (4) In the LDMR zone, the maximum density shall be calculated based on 4,000 square feet of land per dwelling unit.
- (5) In the MR zone, the maximum density shall be calculated based on 2,000 square feet of land per dwelling unit.
- (6) Commercial forestry structures shall not exceed 65 feet in height.
- (7) Non-residential structures shall not exceed 45 feet in height.
- (8) Lot coverage includes all buildings on the given lot.
- (9) Includes public rights-of-way 60 feet and wider; public rights-of-way under 60 feet in a recorded plat with curbs and gutters; and private roads and easements. These setbacks shall be measured from the edge of the right-of-way.
- (10) Applies to public rights-of-way under 60 feet. These setbacks shall be measured from the center of the right-of-way.
- (11) These setbacks shall be measured from the property line.
- (12) These setbacks shall be measured from the ordinary high-water mark and shall apply only to the rear setback. In the LDMR and MR zones this setback applies to single family dwellings only. Greater setbacks than those listed may apply to areas subject to Shoreline Management Master Program jurisdiction. Some uses have special setbacks. See SCC 30.23.110 for specifics.
- (13) The listed setbacks apply where the adjacent property is zoned F. In all other cases, setbacks are the same as in the R-8,400 zone. In the F zone, the setbacks for residential structures on 10 acres or less which were legally created prior to being zoned to F shall be the same as in the R-8,400 zone.
- (14) The listed setbacks apply to single family detached structures. For a townhouse, see chapter 30.31E SCC.
- (15) MR and LDMR setbacks.
  - (a) Single family detached structures and duplexes shall have the minimum setbacks required in the R-8,400 zone. Building separation between single family detached structures or duplexes shall be a minimum of 10 feet.
  - (b) Other structures shall have minimum side and rear setbacks of five feet (10 feet where abutting residential, rural, or resource zones). Building separation between primary MR and LDMR structures shall be a minimum of 15 feet. Building separation between primary structures and secondary/accessory structures, including but not limited to carports and garages, and separation between secondary structures themselves, shall be determined by the applicable sections of the Uniform Building Code (UBC).

(c) Multi-story structures shall increase all setbacks by three feet and building separations by five feet for each additional story over two stories.

(16) In the FS zone, the setback from non-residential property shall be five feet for side setbacks and 15 feet for rear setbacks.

(17) In the IP zone there shall be an additional one foot setback for every one foot of building height over 45 feet.

(18) In the PCB zone the setback from private roads and easements is 25 feet.

(19) See SCC 30.31A.020(1) and (2) which specifies the minimum area of a tract of land necessary for PCB or BP zoning.

(20) See additional setback provisions for dwellings located along the boundaries of designated farmland contained in SCC 30.32B.130.

(21) See additional setback provisions for structures located adjacent to forest lands, and/or on lands designated local forest or commercial forest contained in SCC 30.32A.110.

(22) The minimum lot size for properties designated Rural Residential (RR) - 10 (Resource Transition) on the comprehensive plan shall be 10 acres. For properties designated Rural Residential - 10 (Resource Transition) and located outside the Tulalip Reservation the lot/unit yield for rural cluster subdivisions or housing demonstration program projects using PRD provisions shall be based on a minimum lot size of 200,000 square feet.

(23) Minimum lot area requirements may be modified within UGAs in accordance with SCC 30.23.020.

(24) In rural cluster subdivisions approved in accordance with the provisions of chapter 30.41C SCC, the minimum lot area shall be as provided in SCC 30.23.220. The maximum lot area shall be 20,000 square feet or less when located in rural/urban transition areas.

(25) These setbacks shall be measured from the edge of the right-of-way as determined by the director of the department of public works.

(26) Except where specifically prohibited by the hearing examiner, the director of the department may waive or modify building setback requirements abutting private roads and/or private access easements serving lots within commercial and industrial zones only if such waiver or modification will not have a likely impact upon future right-of-way needs and/or right-of-way improvements.

(27) See SCC 30.23.050 for height limit exceptions.

(28) See SCC 30.23.100 et seq. for additional setback requirements and exceptions.

(29) See SCC 30.23.200 et seq. for additional lot area requirements and exceptions.

(30) SCC 30.32A.120 (Siting of new structures: commercial forest land) requires an application for a new structure on parcels designated commercial forest, but not within a designated commercial forest-forest transition area, to provide a minimum 500-foot setback, which shall be a resource protection area, from the property boundaries of adjacent commercial forest lands except that if the size, shape, and/or physical site constraints of an existing legal lot do not allow a setback of 500 feet, the new structure shall maintain the maximum setback possible, as determined by the department.

(31) Performance standards and minimum zoning criteria to establish and continue a MC zone are set forth in chapter 30.31D SCC

(32) The site shall be a contiguous geographic area and have a size of not less than 10 acres, except in the case of subsurface shaft excavations, no minimum acreage is required, pursuant to SCC 30.31D.020(1)(a).

(33) See SCC Table 30.28.050(3)(i) for setback requirements for structures containing a home occupation.

(34) See SCC 30.23.120 for other setback exceptions.

(35) See chapter 30.31E SCC, for more complete information on the Townhouse Zone height, setback, and lot coverage requirements.

(36) See SCC 30.23.040(15) for MR and LDMR setbacks.

(37) Agriculture: All structures used for housing or feeding animals, not including household pets, shall be located at least 30 feet from all property lines and dwellings, as provided in SCC 32.23.110(1).

(38) There shall be no subdivision of land designated commercial forest in the comprehensive plan except to allow installation of communication and utility facilities if all the following requirements are met:

- (a) The facility cannot suitably be located on undesignated land;
- (b) The installation cannot be accomplished without subdivision;
- (c) The facility is to be located on the lowest feasible grade of forest land; and
- (d) The facility removes as little land as possible from timber production.

(39) On parcels designated commercial forest, but not within a designated commercial forest - forest transition area, establish and maintain a minimum 500-foot setback, which shall be a resource protection area, from the property boundaries of adjacent commercial forest lands except when the size, shape, and/or physical site constraints of an existing legal lot do not allow a setback of 500 feet, the new structure shall maintain the maximum setback possible as provided in SCC 30.32A.120.

(40) Land designated local commercial farmland shall not be divided into lots of less than 10 acres unless:

(a) A properly executed deed restriction which runs with the land and which provides that the land divided is to be used exclusively for agriculture, forestry, utility purposes, or for gift or dedication to a public or not-for-profit park or conservation agency and specifically not for a dwelling(s), is recorded with the Snohomish County Auditor; or

(b) A rural cluster subdivision at the underlying zoning is approved, as provided for in SCC 30.32B.120.

(41) Minimum lot area in the rural use zone shall be the minimum allowed by the zone identified as the implementing zone by the comprehensive plan for the plan designation applied to the subject property. Where more than one implementing zone is identified for the same designation, the minimum lot size shall be that of the zone allowing the smallest lot size.

(42) Figure 30.23.040(42) EASEMENT SETBACKS PER BULK MATRIX.

(43) Additional bulk requirements may apply. Refer to SCC 30.31F.100 and 30.31F.140.

(44) The 50% maximum lot coverage limitation applies solely to the portion of the area within the CRC comprehensive plan designation and zone that is centered at 180th Street SE and SR 9, generally extending between the intersection of 172nd Street/SR 9 to just south of 184th Street/SR 9, as indicated on the County's FLUM and zoning map.

(45) The 30% maximum lot coverage limitation applies solely to the portion area located within the CRC comprehensive plan designation and zone that is centered at State Route (SR) 9 and 164th Street SE, as indicated on the County's Future Land Use Map (FLUM) and zoning map.

(uu) Projects submitted under the Urban Centers Demonstration Program (chapter 30.34A SCC) require a maximum building height of 45 feet if using surface parking or 90 feet if using structured parking.

(vv) Projects submitted under the Urban Centers Demonstration Program (chapter 30.34A SCC) require a minimum lot size of 5 acres unless within 120 feet of a park-and-ride facility where minimum lot area is 3 acres per SCC 30.31A.020 (2) and (3).

(ww) Projects submitted under the Urban Centers Demonstration Program (chapter 30.34A SCC) require a setback of 5 feet minimum and 10 feet maximum.

(xx) Projects submitted under the Urban Centers Demonstration Program (chapter 30.34A SCC) require a setback from residential, multiple family and rural zones of 10 feet minimum and 25 feet maximum.

(yy) Projects submitted under the Urban Centers Demonstration Program (chapter 30.34A SCC) require a maximum lot coverage of 90 percent of net acreage.

**Section 11.** The title of Chapter 30.31A SCC, adopted by Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

**Chapter 30.31A**  
**BUSINESS PARK (BP), PLANNED COMMUNITY BUSINESS (PCB), NEIGHBORHOOD**  
**BUSINESS (NB)**  
**AND INDUSTRIAL PARK (IP) ZONES**

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**Section 12.** Snohomish County Code Section 30.31A.010, adopted by Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

**30.31A.010 Purpose and applicability.**

This chapter regulates development in and establishes zoning criteria for the planned community business (PCB), neighborhood business (NB), business park (BP), and industrial park (IP) zones. The PCB zone includes a subzone of planned community business – transit pedestrian village (PCB-TPV) with additional performance requirements described in 30.34A. This chapter ((It-))sets forth procedures and standards to be followed in applying for, and building in these zones.

**Section 13.** Snohomish County Code Section 30.31A.020, adopted by Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

**30.31A.020 Minimum zoning criteria.**

(1) A tract of land proposed for BP zoning shall contain sufficient area to create a contiguous tract of BP zoned land at least four acres in size.

(2) A tract of land proposed for PCB zoning shall contain sufficient area to create a contiguous tract of PCB zoned land at least five acres in size. Rezoning to PCB-TPV is only allowed when a master plan has been approved by the department and is adopted as part of the rezone. The county may rezone during adoption of a master or concept plan. A property owner may also complete a master plan as outlined in the GMACP and request a rezone through the docketing process.

(3) A tract of land proposed for NB zoning shall contain sufficient area to create a contiguous tract of NB zoned land at least three acres in size.

~~((3))~~ (4) A tract of land must be in single ownership or, for multiple parcels, under unified control. This requirement shall apply during preliminary and final plan stages to ensure continuity of plan development.

~~((4))~~ (5) Zoning request must be accompanied by a preliminary development plan prepared by a team of design professionals in compliance with the regulations and requirements of this chapter. Rezones to PCB-TPV subzone must be accompanied by a master plan or concept plan, approved by the department, in compliance with the regulations and requirements of Chapter 30.34A SCC.

~~((5))~~ (6) Preliminary and final plans must comply with bulk regulations contained in SCC 30.23.030 or if project is submitted under Chapter 30.34A, the plans must comply with the bulk regulations in SCC 30.23.030.

~~((6))~~ (7) All utility services and distribution lines shall be located underground, and in the case of the BP zone~~((,-))~~ and projects submitted under Chapter 30.34A the property shall be served by public water and sewer services and paved streets, paved private roads, or paved common access areas.

**Section 14.** Snohomish County Code Section 30.31A.100, adopted by Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

**30.31A.100 General performance standards.**

Each planned zone and uses located in the BP, PCB, NB, and IP zones shall comply with the following requirements unless more specific requirements are provided in code:

(1) Processes and Equipment. Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable beyond the boundaries of the lot upon which the use is located by reason of offensive odors, dust, smoke, gas, or electronic interference;

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(2) Development Phases. Where the proposal contains more than one phase, all development shall occur in a sequence consistent with the phasing plan which shall be presented as an element of the preliminary plan unless revisions are approved by the department;

(3) Building Design. Buildings shall be designed to be compatible with their surroundings, both within and adjacent to the zone;

(4) Restrictive Covenants. Restrictive covenants shall be provided which shall ensure the long-term maintenance and upkeep of landscaping, storm drainage facilities, other private property improvements, and open space areas and facilities. Further, the covenants shall reference the official or binding site plan(s) and indicate their availability at the department, and shall provide that Snohomish County is an additional beneficiary with standing to enforce, and shall preclude the avoidance of performance obligations through lease agreements;

(5) Off-street Parking. Permanent off-street parking shall be in accordance with terms of chapter 30.26 SCC;

(6) Signing. Signs for business identification or advertising of products shall conform to the approved sign design scheme submitted with the final plan, and must comply with chapters 30.54B and 30.27 SCC;

(7) Noise. Noise levels generated within the development shall not exceed those established in chapter 10.01 SCC - noise control, or violate other law or regulation relating to noise. Noise of machines and operations shall be muffled so as to not become objectionable due to intermittence or beat frequency, or shrillness; and

(8) Landscaping. General landscaping and open space requirements shall be in accordance with chapter 30.25 SCC.

**Section 15.** Snohomish County Code Section 30.31A.110, adopted by Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

**30.31A.110 PCB and NB zones performance standards.**

The PCB and NB zones may also include areas designated on the future land use map as urban center or urban village, respectively, with specific performance requirements for applications submitted under SCC 30.34A. The PCB-TPV subzone shall meet the minimum zoning criteria and general performance standards of this chapter and chapter 30.34A. In addition to the minimum zoning criteria and general performance standards set forth above, the following are specific performance requirements in the PCB and NB zones:

(1) All uses permitted in this zone shall be entirely contained within an enclosed structure except the following:

- (a) Public utility transmission facilities;
- (b) Eating establishments where the space for outdoor public service is adjacent to the closed structure and does not disrupt vehicular traffic within or adjacent to the zone;
- (c) Permitted signing;
- (d) Parking and loading facilities;
- (e) Plant nurseries; ((and))

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- (f) Outdoor storage areas, when in conjunction with an enclosed principal use; and
- (g) Public realm.

(2) No outside loading and unloading of goods and materials shall occur between the hours of 11:00 p.m. and 7:00 a.m. unless approved in writing by the director based upon a showing that any resulting impact to adjoining properties is minor.

**Section 16.** A new section is added to Chapter 30.34A of the Snohomish County Code to read:

**30.34A.005 Types of centers.**

(1) The following types of centers are designated in the GMA Comprehensive Plan and identified on the Future Land Use Map (FLUM) and associated with this chapter: Urban Center, Transit/Pedestrian Village and Urban Village.

(2) Parcels within the PCB and NB zones, but not designated an urban center or urban village, may request inclusion in this chapter if the project meets the eligibility requirements in SCC 30.34A.020(2).

**Section 17.** Snohomish County Code Section 30.34A.010, last amended by Amended Ordinance No. 03-083 on September 10, 2003, is amended to read:

**30.34A.010 Purpose and applicability.**

(1) The purpose of the urban centers demonstration program is to ~~((encourage))~~ensure innovative, well designed, well sited, mixed-use, higher density development to be located within or next to ~~((designated))~~ urban centers designated on the future land use map through a range of development approaches which allow for modification of the established County site requirements and development and infrastructure standards. The urban centers demonstration program is hereby created to:

(a) be consistent with the multi-county planning policies (Vision 2020) by encouraging more compact, higher density, mixed-use development of retail, office and residential uses within the same building or on the same site and within and near designated urban centers and on sites easily served by major transit corridors rather than auto-oriented, strip commercial development that is isolated from the surrounding land uses;

(b) be consistent with the Countywide planning policies and the comprehensive plan by ensuring that proposed land uses and developments are compatible in use, character, and size with the county's stated goals and objectives for future urban centers;

(c) implement the General Policy Plan urban center goals, objectives, and policies of the comprehensive plan;

(d) ~~((to-))~~provide a compatible mix of residential, retail/service and office land uses within and next to urban center locations;

(e) ~~((encourage-))~~ensure innovative site and building design to achieve above purposes by allowing flexibility within and modification from ~~((existing-))~~existing codes through flexibility but not limited to height limits, setbacks, road standards, lot coverage, shared parking and residential densities per acre;



(f) ~~((encourage-))~~ensure inclusion of public open spaces, pedestrian circulation and facilities, street design, and landscaping that are superior to that ~~((allowed-))~~required by the current county code;

(g) establish circulation systems for motorized and non-motorized travel that link development within the projects and with the surrounding neighborhoods, emphasizing and facilitating the use of public transit, walking and bicycling modes of travel;

(h) ensure provision of facilities necessary for a quality urban environment (i.e., utilities, public services, capital facilities, and public and private amenities);

(i) provide connections between activity generators, achieve a sense of place, and limit conflicts between pedestrians and vehicles; and

(j) provide the opportunity to identify and evaluate the potential for permanent, substantive changes to the county's land use development codes and administrative procedures.

(2) This chapter applies to any project found eligible for inclusion in the program pursuant to SCC 30.34A.020. An eligible project may be located in any zoning classification.

**Section 18.** Snohomish County Code Section 30.34A.020, last amended by Amended Ordinance No. 03-083 on September 10, 2003, is amended to read:

**30.34A.020 Eligibility for demonstration program.**

(1) Applicants located within the Planned Community Business – Transit/Pedestrian Village subzone (PCB-TPV) ~~((a designated "Transit/Pedestrian Village"))~~ are required to participate in the program. Applicants located within a designated "Urban Center" or "Urban Village" and zoned Planned Community Business (PCB) or Neighborhood Business (NB) may participate in the program.

(2) The Director has the authority to grant a special waiver of the requirement of a minimum of two different uses for properties within the PCB-TPV subzone.

(a) Property must meet two of the following criteria to be considered for a special waiver:

(i) The parcel does not front on a public road; or

(ii) The parcel size or configuration would not lend itself to mixed-use development; or

(iii) The parcel is located within an existing single-family neighborhood.

(b) An applicant shall request a waiver by providing written documentation of the above criteria to the director.

(c) Director will review the request and provide a written decision to the applicant.

(d) All determinations of waivers are final.

~~((--(2) Applicants located within a designated "Urban Center" may request automatic inclusion in the program--))~~

(3) Owners of properties located within the Planned Community Business (PCB) or Neighborhood Business (NB) zone, but outside of a designated center, ((Other applicants-)) may request inclusion in the program based on eligibility. The director will determine eligibility based on the following criteria as demonstrated by the applicant:

~~((--(a) The project must be located in the southwest urban growth area or within the boundaries of other center designations (i.e., village center, urban center, village center/urban~~

center) as described in the comprehensive plan or an adopted subarea plan;

~~— (b) If the project is in the southwest urban growth area:~~

~~— (i) at least one acre of the project area must be within one of the circular urban center designations of the plan or within one-half mile of such a designation;~~

~~— (ii) the project must front on or take access off a major transit corridor or be located within one-quarter mile of a transit agency's park-and-ride facility;~~

~~— (iii) the developable area of a project shall consist of at least five acres, unless any part of the project is located within 120 feet of a transit agency's park-and-ride facility, in which case the developable area must be at least three acres; and~~

~~— (iv) if the developable area is at least 20 acres and has no executed development agreements limiting development, the project area may be located a quarter-mile from a major transit corridor; and~~

~~— (c) If the project is in an urban designation of an adopted subarea plan, the project must meet the requirements of the plan--))~~

(a) The project meets the purpose of this chapter including a mix of uses and good design (SCC 30.34A.010(1));

(b) The proposed development includes a compatible mix of high density residential development with public, commercial and/or office use;

(c) Residential development achieves a net density based on total site acreage of at least 12 dwelling units per acre in the NB zone and 20 dwelling units per acre in the PCB zone.

(d) The project must front on or take access off a major transit corridor or be located within one-quarter mile of a transit agency's park-and-ride facility;

(e) The developable area of a project shall consist of at least five acres in the PCB zone and three acres in the NB zone.

(f) If the developable area is at least 20 acres and has no executed development agreements limiting development, the project area may be located within one-quarter mile, measured along a road, from a major transit corridor.

(g) The development includes public areas, and transit- and pedestrian-oriented development, even if transit is not currently available; and

(h) The proposed development shall be located a minimum of one mile from another center situated in either the county or a city; and

(h) The proponent provides a parking management plan.

~~((--(4) Applicants within urban growth areas or on sites not currently designated as a center may request inclusion in this program, if the following criteria are met:~~

~~— (a) the project meets the purpose of this chapter including a mix of uses and good design (SCC 30.34A.010(1));--~~

~~— (b) the proposed development is at least 10 acres in size, located within an urban growth area and located a minimum of one mile from another center situated in either the county or a city;~~

~~— (c) the proposed development includes a compatible mix of high density residential at a net density of at least 12 dwelling units per acre and commercial and/or office;~~

~~— (d) the development includes public areas and transit and pedestrian-oriented development, even if transit is not currently available;~~

~~— (e) the proponent provides a parking management plan; and~~

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~~—(f) the proposed development is consistent with adopted subarea plans.))~~

(5) The property proposed for development must be in single ownership or under unified control during preliminary and final site plan approval stages to ensure continuity of plan development.

(6) A finding of eligibility for inclusion in the program does not guarantee approval of any project permit under the provisions of this chapter.

**Section 19.** Snohomish County Code Section 30.34A.030, last amended by Amended Ordinance No. 03-083 on September 10, 2003, is amended to read:

**30.34A.030 Submittal requirements.**

(1) A pre-application conference is required.

(2) If the county has an executed interlocal agreement with an adjacent city for development review under this program, the county will notify the city planning staff of the pre-application conference and meet all provisions of the executed agreement.

(3) Formal application is not accepted until the applicant has completed all requirements of SCC 30.34A.020, 30.34A.030, and 30.34A.050. A submittal will be deemed complete when accepted by the county.

(4) In order for the Centers Review Committee and staff to review the project, the applicant must submit the documentation listed below as part of the original submittal and updated, as necessary, for all resubmittals:

(a) Justification for each request for modification or variance from development regulations;

(b) Description of how project meets the purpose of SCC 30.34A.010;

(c) Description of how the proposed project meets each special development standard listed in SCC 30.34A.080; and

(d) If the proposed project is located within a designated Transit/Pedestrian Village in the comprehensive plan, a description of how the project meets the conditions and requirements of a county adopted master plan or concept plan, when applicable.

~~((3))~~ (5) The department shall establish submittal requirements for an application included in the program. The following shall be included on the submittal requirements checklist:

(a) A site plan, including designation of all public realm elements and how they relate to other elements of the development and area, shall be prepared pursuant to the regulations ~~((for preliminary site plans for planned community business and business park zones))~~ in SCC 30.31A.210;

(b) Textual and visual materials that address ~~((the))~~ each decision criteria in SCC 30.34A.080;

(c) Building elevations, perspective drawings, building setback lines for all lots, minimum and maximum building heights for buildings, and a landscaping plan that complies with ~~((Chapter))~~ chapter 30.25 SCC;

(d) Site-specific design guidelines by the applicant consistent with ~~((the applicable policies and provisions of any subarea plans and consistent with))~~ the purpose of section SCC 30.34A.010, and the special development standards (SCC 30.34A.080) and the decision criteria (SCC 30.34A.090); and

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(e) A list of requested modifications to county code and standards consistent with SCC 30.34A.110.

((4))((6)) A fee consistent with the Rezoning Fees for commercial zones (SCC 30.86.200) in effect on the date of submittal shall be paid to the department of planning and development services at the time of application submittal. All other applicable fees required by code (i.e., drainage, landscaping review, traffic concurrency, and subdivision or binding site plan, etc.) shall be paid upon submittal.

**Section 20.** Snohomish County Code Section 30.34A.040, last amended by Amended Ordinance No. 03-083 on September 10, 2003, is amended to read:

**30.34A.040 Centers review committee.**

(1) The committee is hereby created and shall be comprised of nine persons appointed by the Snohomish County Council upon the recommendation of the Snohomish County Executive. The county executive may recommend alternates for the committee to serve for a particular demonstration project when an existing committee member is unable to serve, has a conflict of interest, or has schedule conflicts.

(2) The committee shall consist of one representative each from the department, the department of public works, the Snohomish County Economic Development Council, and a transit agency serving southwest Snohomish County; two representatives from the development industry; a representative of the nearest adjacent city; and two representatives of local citizen groups that have a presence within the southwest urban growth area. The Council may appoint representatives from both transit agencies, Sound Transit and Community Transit, and both representatives may participate on the committee if the ((propose)) proposed project could affect their agency's transit facilities. The Council may also appoint representatives from all five cities closest to the designated centers ((Bothell, Everett, Lynnwood, Mill Creek, and Mukilteo)), although only the city expected to annex the area including the demonstration project will serve on the committee during review of that project.

(3) The committee shall select no more than two members to participate in the site plan review meetings of the department.

(4) The committee shall select a committee chair and secretary.

(5) Duties and authority are as follows:

(a) The committee is authorized to meet with eligible program applicants at a public meeting to discuss the proposed site plans and recommend modifications;

(b) The committee shall provide recommendations regarding the project including recommendations on the scale, density, design, building mass, circulation within the development, access to adjacent communities and neighborhoods, access to transit from the development, and proposed uses to the applicant following the initial meeting and to the director following the public open house, but prior to a final decision by the director;

(c) The committee shall evaluate and make recommendations to the director and the county engineer regarding modifications to the county zoning code and deviations from the EDDS, respectively; and

(d) The committee shall conduct program evaluations and make project reports to the county council in accordance with SCC 30.34A.130.

**Section 21.** Snohomish County Code Section 30.34A.070, adopted by Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

**30.34A.070 Procedures - director's decision.**

(1) For the purpose of achieving greater design flexibility, the director shall have the authority to modify strict compliance with any individual criterion of this chapter, if the applicant demonstrates consistency with the purpose in SCC 30.34A.010.

(2) In the evaluation of a decision on a project, the director shall consider the recommendations of the committee, and city recommendations if an applicable interlocal agreement has been executed, and may impose conditions and requirements recommended by the committee or the city.

~~((2))~~ (3) Following project review and consideration of the committee's recommendation, staff will prepare a decision for the director to ((shall either)) approve, approve with conditions, or deny the proposed project based on Section 30.34A.090, Decision Criteria.

(a) The decision shall specify all exhibits and conditions of approval, including but not limited to((-)) a list of approved modifications and variances from existing codes and EDDS, the site plan and specific design elements, features of the public realm, and construction phasing.

(b) If the application is not approved, the decision shall state the reasons for denial.

~~((2) In the evaluation of and decision on a project, the director shall consider recommendations of the committee, and city recommendations if an applicable interlocal agreement has been executed, and may impose conditions and requirements recommended by the committee or the city.))~~

(4) Prior to a decision of the director, staff shall convey to the applicant the required conditions of approval, fees and timing of the required improvements.

~~((3))~~ (5) As a condition of approval by the director and prior to approval of any development activity or site disturbance, the applicant shall sign a concomitant agreement in a form approved by the county. The concomitant agreement shall:

(a) ((reference)) Reference the required conditions of approval, including the site plan, design elements, and all other conditions of project approval((-));

(b) List the required urban center amenities (i.e., public realm, public open spaces, pedestrian circulation, transit facilities, etc.) and the requirement that at least half of these amenities are integrated with and constructed in the first phase of development;

(c) Include covenants, fees and homeowner bylaws and other documents referencing which restrictions or conditions (i.e., maintenance, common fee ownership of public realm, open space, community facilities, private roads and drives, etc.) are conditions of development approval and require county approval to modify; and

(d) ((The concomitant agreement shall)) ((be)) Be recorded prior to issuance of a development permit or request for major or minor modification or change, run with the land, and shall be binding on the owners, heirs, assigns, or successors of the property.

~~((4))~~ (6) Recording of the concomitant agreement shall invalidate any preliminary site plan or

final site plan previously approved for a project on the same site. The requirements in chapter 30.31A SCC for modifications or amendments to previously approved site plans shall not apply if the proposed project is approved pursuant to this chapter.

~~((5))~~(7) Subsequent development shall be consistent with the design guidelines approved pursuant to this chapter and comply with all other applicable requirements of the county code.

~~((6))~~(8) Minor changes to a site plan or design elements approved under this chapter may be approved by the director. Changes that increase the floor area in one building by more than ten percent, change access points, move buildings around on the site, or substantially change the land use are major and shall be subject to the requirements of this chapter or must comply with plans or regulations as may be adopted in the future to implement the center goals, objectives, and policies of the comprehensive plan. Increases in trip generation shall be reviewed pursuant to SCC 30.66B.075.

(9) A minor or major change to the approved site plan that has an effect on any condition of the concomitant agreement shall require the recording of a new concomitant agreement prior to issuance of a development permit or request for an additional major or minor modification or change.

~~((7))~~(10) Applications that include public or nonprofit housing shall be given priority for expedited site plan review as authorized in chapter 30.76 SCC.

**Section 22.** A new section is added to Chapter 30.34A of the Snohomish County Code to read:

#### **30.34A.075 Cottage Housing.**

(1) Cottage housing may be used as one component of the high-density residential requirements (12 to 50 dwelling units per net acres) of the demonstration project, except within the Planned Community Business – Transit/Pedestrian Village zone.

(2) The total floor area of each cottage unit shall not exceed 1,000 square feet.

(3) Cottage housing units shall be developed in clusters of a minimum of 4 units to a maximum of 12 units.

(4) The height limit for all structures shall not exceed 18 feet. Cottages or amenity buildings having pitched roofs may extend up to 25 feet at the ridge of the roof.

(5) Cottage housing units shall be oriented around a common open space with the covered porches and main entrances fronting on the common open space. The common open space must be at least 250 square feet per cottage housing unit. Open space with a dimension of less than 20 feet shall not be included in the calculated common open space.

(6) Each cottage housing unit shall be provided with a private use open space of 250 square feet with no dimension of less than 10 feet on one side. It should be contiguous to each cottage, for the exclusive use of the cottage resident, and oriented toward the common open space.

(7) Cottage housing units shall have a covered porch or entry at least 60 square feet in size with a minimum dimension of 6 feet on any side.

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(8) All structures shall maintain no less than 10 feet of separation. Projections may extend into the required separation as follows:

- (a) Eaves may extend up to 12 inches and
- (b) Minor appurtenances such as pipes, gas and electrical meters, alarm systems, air vents, and downspouts.

(9) Parking for each cottage housing unit shall be provided as follows:

- (a) Units that do not exceed 650 square feet: maximum of 1.5 spaces.
- (b) Units that exceed 650 square feet: maximum of 2.0 spaces.

(10) Parking shall be:

(a) Clustered and separated from the common area by landscaping and/or architectural screen. Solid board fencing shall not be allowed as an architectural screen.

(b) Located in clusters of not more than four abutting spaces.

(c) Screened from public streets and adjacent residential uses by landscaping and/or architectural screen.

(d) Include structure(s) (e.g., racks, lockers, etc.) for bicycle parking.

(11) All fences on the interior of a lot or property line shall be no more than 36 inches in height.

(12) Internal pedestrian circulation shall be provided through paved paths.

**Section 23.** Snohomish County Code Section 30.34A.080, last amended by Amended Ordinance No. 03-083 on September 10, 2003, is amended to read:

### **30.34A.080 Special development standards.**

(1) All projects shall meet the following special development standards.

(a) Where the county has adopted a master plan for a Transit/Pedestrian Village (TPV) and an applicant's proposed project is located within the TPV, the applicant is required to meet the conditions and requirements of the plan;

(b) Where the county has adopted a concept plan for an Urban Center the applicant is required to consider the conditions and requirements of the plan;

~~((b))~~(c) If the county has executed an interlocal agreement with an adjacent city, the city will be involved in demonstration project review as specified in the interlocal agreement((-));

(d) Residential use is a required component of all urban center demonstration projects except with approved waiver under SCC 30.34A.020(1);

~~((a))~~ (e) The project shall provide for ~~((opportunities for two or more))~~ at least one additional different, but compatible, land use ~~((categories))~~ category such as ~~((residential,))~~ retail, public use (civic or community), or office uses ~~((that may be located in the same building or on the same site;))~~. Parks and open spaces shall be considered part of the public realm;

(f) Uses may be located in the same building (integrated vertically) or on the same site (integrated horizontally);

(g) The first phase of development must include construction of at least two types of uses, unless one is waived by the director, and half the public realm;

~~((—(b)—Residential use is a required component of all urban center demonstration projects.))~~

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—~~((e))~~ (h) The project shall include open space in the form of one or more plazas that are accessible to the public or in the form of natural open space that is integrated with adjacent open spaces and connected by pedestrian paths to the center;

~~((d))~~ (i) The project shall provide residential units at a net density of 12 to 50 units per acre, except in the TPV where a net density of 20 to 50 units per acre is required, based on the total site acreage, or more, with additional density subject to approval by the director. Housing that meets the definition of "Retirement ~~((A))~~apartments" or "Retirement housing" per the definitions contained in SCC 30.91R.180 and 190, shall qualify towards meeting the minimum residential density requirement; and

~~((e))~~ (j) When the residential net density is greater than 24 units per acre based on the total site acreage, and the residential development is in a separate building or when the office or mixed-use height is greater than 50 feet, the following features shall be provided:

(i) at least 50 percent of required parking shall be located under the building or in a parking structure~~((:))~~ ~~((or))~~ and

(ii) buildings shall be constructed with pitched roofs or stepped-back upper floors;

~~((f))~~ (j) When a grocery store is larger than 40,000 square feet, at least 50 percent of required parking shall be located under the building or in a parking structure~~((:))~~;

~~((g))~~ (k) The project shall provide visual screening of mechanical equipment from adjacent street grades and adjacent buildings;

~~((h))~~ (l) The project is designed in a compact form and incorporates some design features ~~((that are consistent with the recommendations of))~~ described in the following design reports that are available at the department's office:

(i) Residential Development Handbook for Snohomish County Communities, March 1992, Site Planning and Building Design, pp. G-79 - G-124;

(ii) Snohomish County Tomorrow Approved Transit Oriented Development Guidelines, July 1999;

(iii) SW Snohomish County Urban Centers Phase 1 Report, February 2001, Appendix E, Site Design and Building Design, pp. 14-25; and

(iv) Sound Transit Swamp Creek Station Area Plan: 164th Street & Ash Way, Snohomish County, Washington, April 2002, Section VI Design Guidelines; ~~((and--))~~

~~((v)) Specific center design guidelines within an applicable subarea plan;~~

~~((i))~~ (m) The vehicular and pedestrian circulation system is designed to be consistent with the purpose of this chapter, with this title, and with the provisions described in ~~((ef))~~ the following design reports that are available at the department:

(i) Residential Development Handbook for Snohomish County Communities, March 1992, Streetscape, pp. G-63 - G-78;

(ii) SW Snohomish County Urban Centers Phase 1 Report, February 2001, Appendix E, Street Design, pp. 9-13; and

~~((iii)) Sound Transit Swamp Creek Station Area Plan: 164th Street & Ash Way, Snohomish County, Washington, April 2002, Section VI Design Guidelines; and~~

~~((iv))~~ (iii) Specific road designs for public roads in centers that have been approved by the Department of Public Works including ~~((design guidelines within an applicable subarea plan))~~ Ash Way Design for the Transit/Pedestrian Village, August 2003;



(n) Internal roads and drive aisles must meet the minimum private road standards in the EDDS. The director may require additional circulation requirements, if needed, for pedestrian safety or based on pedestrian connectivity as per SCC 30.42B.140, if not in conflict with this chapter;

~~((f))~~ (o) Surface off-street parking is located primarily to the rear or the side of principal buildings and is composed of pervious materials where feasible; ~~((and))~~

~~((k))~~ (p) Parking will be provided as per ~~((Chapter))~~ chapter 30.26 SCC with a site plan showing parking that can be converted in the future to a parking structure or underground parking to allow for additional building density; ~~and((-))~~

~~((t))~~ (q) Reduction of required spaces for mixed-use and/or joint uses shall be determined per SCC 30.26.040, 30.26.045, ((through)) 30.26.050, and 30.26.055 with a maximum reduction of 25%.

(2) The director may modify the requirements of SCC 30.34A.080(1)~~((d))~~(f), (1)~~((e))~~(g), (1)~~((j))~~(m), and (1)~~((k))~~(n) when:

(a) The proposed plan represents an equal or better result than would be achieved by strictly following the requirements of the code;

(b) The proposed plan meets the design requirements of an executed interlocal agreement with an adjacent city; and

(c) The proposed plan fulfills the purpose of this chapter.

**Section 24.** Snohomish County Code Section 30.34A.090, adopted by Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

#### **30.34A.090 Decision criteria.**

The director may approve or approve with conditions the proposed project when all the following are met:

(1) The project complies with the special development standards of SCC 30.34A.080(1), applicable requirements of other applicable county codes, and any modifications approved pursuant to SCC 30.34A.080(2) or 30.34A.110;

(2) The project is consistent with the bulk regulations for the PCB and NB zones in SCC 30.23.030.

(3) The project meets the use requirements in SCC 30.34A.100.

~~((2))~~ (4) The project demonstrates high quality design by incorporating elements such as

(a) Innovative architecture;

(b) Building massing or orientation that responds to site conditions;

(c) Use of structural articulation to reduce bulk and scale impacts of the project;

(d) Use of complementary colors and materials; and

(e) Use of lighting, landscaping, street furniture, public art, and open space to achieve an integrated design;

~~((3))~~ (5) The project features a high intensity mix of residential and office or commercial mixed-use development~~((;and))~~.

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~~((4))~~(6) Buildings and site features are arranged, designed, and oriented to facilitate pedestrian access, to limit conflict between pedestrians and vehicles, and to provide transit linkages.

**Section 25.** Snohomish County Code Section 30.34A.100, adopted by Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

**30.34A.100 Permitted and prohibited uses.**

The following uses shall apply to projects approved under this chapter regardless of the zoning of the proposed site:

(1) The uses listed as permitted uses in SCC 30.22.100 in the planned community business (PCB) ~~((and business park (BP)))~~ zones shall be permitted in an urban center except for prohibited uses listed below in SCC 30.34A.100(5);

(2) The uses listed as permitted uses in SCC 30.22.100 in the neighborhood business (NB) zone shall be permitted in an urban village except for prohibited uses listed below in SCC 30.34A.100(5);

~~((2))~~ (3) The conditional uses listed in SCC 30.22.100 for the PCB and ~~((BP))~~NB zones shall be prohibited;

~~((3))~~ (4) The uses prohibited in the PCB and ~~((BP))~~NB zones by SCC 30.22.100 shall be prohibited; and

~~((4))~~ (5) In addition to the uses prohibited by SCC 30.34A.100~~((2) and))~~ (3) and (4), the following uses shall be prohibited:

(a) Agriculture;

~~((b) Airport;))~~

~~((e))~~(b) Auto repair;

(c) Carport;

~~((d) Cemetery, columbarium, crematorium, mausoleum, mortuary;))~~

~~((e))~~(d) Commercial vehicle storage facility;

(e) Department store with a footprint larger than 40,000 square feet;

(f) Drug store with a footprint larger than 40,000 square feet;

(g) Dwelling, Mobile Home;

~~((f))~~(h) Dwelling, single family detached unless developed as cottage housing as per SCC 30.34A.075;

(i) Excavation and processing of minerals;

~~((g) Golf courses and driving ranges;))~~

~~((h))~~(j) Greenhouse, lathhouse, nurseries;

~~((i))~~(k) Grocery store with a footprint larger than 60,000 square feet;

~~((j))~~(l) Hazardous waste storage and treatment facilities;

(m) Home improvement center with a footprint larger than 40,000 square feet;

~~((k) Mini self-storage;))~~

~~((l))~~(n) Kennel;

~~((m) Lumber yard;))~~

(o) Mini self-storage;

~~((n))~~(p) Race track;

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- ~~((p))~~ ~~Sawmill;~~
- ~~((e))~~(q) Retail store with a footprint larger than 40,000 square feet;
  - ~~((e))~~(r) Service station;
  - ~~((e))~~(s) Small animal husbandry;
  - ~~((e))~~(t) Stables;
  - ~~((e))~~(u) Storage structure;
  - ~~((e))~~(v) Tire store;
  - ~~((e))~~(w) Ultralight airpark;
  - ~~((e))~~(x) Utility facilities: Freestanding electromagnetic transmission and receiving facilities;
- and
- ~~((e))~~(y) Wholesale establishment.
- ~~((5))~~(6) Uses not otherwise addressed in the PCB and ~~((BP))~~NB zones may be permitted at the discretion of the director upon a finding of consistency with the purpose of this chapter (SCC 30.34A.010) and the decision criteria (SCC 30.34A.090).

**Section 26.** Snohomish County Code Section 30.34A.110, adopted by Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

**30.34A.110 Modifications to the Snohomish County Code and standards.**

(1) An applicant may request modifications to the following provisions of the county code to the extent that they are consistent with this chapter:

- ~~((a))~~ ~~Chapter 30.23 SCC General Development Standards - Bulk Regulations;~~
- ~~((b))~~ (a) Chapter 30.25 SCC General Development Standards - Landscaping;
  - ~~((e))~~ (b) Chapter 30.26 SCC General Development Standards - Parking;
  - ~~((e))~~ (c) Chapter 30.27 SCC General Development Standards - Signs; and
  - ~~((e))~~ (d) Chapter 30.31A SCC Business Park (BP), Planned Community Business (PCB), and Industrial Park (IP) Zones.

(2) The director may approve modifications to the provisions listed in SCC 30.34A.110(1) or any other request for modifications consistent with SCC 30.34A.010, and the county engineer may approve deviations from the EDDS after:

- (a) ~~((considering))~~ Considering the committee's recommendations, ~~((and))~~
- (b) Considering city recommendations if an applicable interlocal agreement has been executed, and
- (c) ~~((finds))~~ Documenting in writing that the modifications are consistent with the purpose and requirements of this chapter and do not threaten the public health, safety, or welfare.

**Section 27.** Snohomish County Code Section 30.34A.140, adopted by Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

**30.34A.140 Sunset clause.**

This chapter shall expire on ~~((upon adoption of master plans for all centers designated on the Future Land Use map of the county's GMA comprehensive plan or after four years of the effective date of this chapter))~~ November 29, ~~((2006))~~ 2007. Projects with complete application submittals, as per SCC 30.34A.030(3), before the expiration will be considered vested under this chapter.

**Section 28.** A new section is added to Chapter 30.91C of the Snohomish County Code to read:

**30.91C.XXX "Connected village"** means the internal and external connections of the center emphasizing walking, bicycling and traveling by bus.

**Section 29.** A new section is added to Chapter 30.91C of the Snohomish County Code to read:

**30.91C.XXX "Cottage housing"** means a development of detached dwellings which has the following characteristics:

- Each unit is of a size and function suitable for a single person or very small family;
- Each unit has the construction characteristics of a single-family house;
- All units are located on a commonly owned piece of property;
- The development is designed with a coherent concept and includes: shared usable open space, off-street parking, access within the site and from the site, amenities such as a multipurpose room, workshop, garden, and coordinated landscaping.

**Section 30.** A new section is added to Chapter 30.91N of the Snohomish County Code to read:

**30.91N.XXX "Net acreage"** means, for the purposes of Chapter 30.34A SCC, the acreage of a development excluding roads, critical areas and required buffers, drainage detention/retention areas, biofiltration swales, and areas required for public use.

**Section 31.** A new section is added to Chapter 30.91P of the Snohomish County Code to read:

**30.91P.XXX "Public realm"** means those areas of an urban center (whether publicly or privately owned) to which the public has access for informal recreation activities such as walking, sitting, games and observing wildlife. Examples include parks, public squares or plazas, children's play areas, trails and other publicly accessible open spaces. The public realm does not include streets, sidewalks, rights-of-ways, parking areas, or structures.

**Section 32.** A new section is added to Chapter 30.91P of the Snohomish County Code to read:

**30.91P.XXX "Public use"** means for the purposes of Chapter 30.34A SCC, a civic or community use that is owned and operated by a government or non-profit agency and available for use by the public. Examples include a library, community center, senior center or performing arts center.

**Section 33.** A new section is added to Chapter 30.91S of the Snohomish County Code to read:

**30.91S.XXX "Sense of place"** means the successful interaction of design elements — i.e., buildings, street furniture, graphics, interiors, and landscape — resulting in an environment that is coordinated and attracts people on a conscious and subconscious level.

**Section 34.** A new section is added to Chapter 30.91T of the Snohomish County Code to read:

**30.91T.XXX "Transit Pedestrian Village"** means a core area within designated Urban Centers where transit-oriented development will be required. They feature mixed-use buildings combining housing and offices with neighborhood oriented retail shops and services, with street front retail at key locations in a compact area. Transit/Pedestrian Villages require access to transit and will be considered for inclusion in the regional light rail system or enhanced high-capacity express bus service. They provide multiple family housing at a density that supports high-capacity transit. Emphasis is placed on the public realm and creation of a sense of place with the inclusion of park, open spaces, plazas, transit centers and other public facilities.

**Section 35.** A new section is added to Chapter 30.91T of the Snohomish County Code to read:

**30.91T.XXX "Total Floor Area"** means the area included within the surrounding exterior walls, but excluding any space where the floor to ceiling height is less than six feet.

**Section 36.** A new section is added to Chapter 30.91U of the Snohomish County Code to read:

**30.91U.XXX "Urban Center"** means an area with a mix of high-density residential, office and retail development with public and community facilities and pedestrian connections located along designated high capacity routes or transit corridors.

**Section 37.** A new section is added to Chapter 30.91U of the Snohomish County Code to read:

**30.91U.XXX "Urban Village"** means a mixed-use area with a variety of small-scale commercial and office uses, public buildings, high-density residential units, and public open space. Pedestrian orientation includes pedestrian circulation, pedestrian scale and pedestrian convenience with connections between neighborhoods, communities and other centers. Urban Villages serve several neighborhoods or communities within a radius of about two miles.

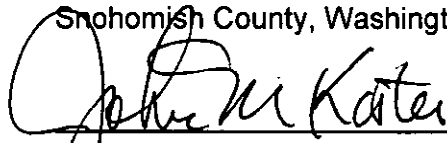
**Section 38.** Effective Date. The provisions of this ordinance shall take effect on February 1, 2006.

**Section 39. 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 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 of this ordinance is held to be invalid by the Board or 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.

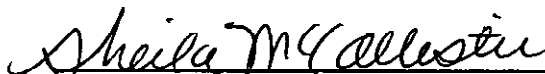
PASSED this 21<sup>st</sup> day of December, 2005.

SNOHOMISH COUNTY COUNCIL

Snohomish County, Washington

  
Council Vice-Chair

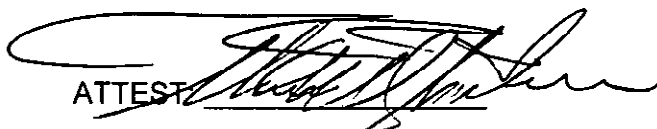
ATTEST:

  
Asst. Clerk of the Council

( ☒ ) APPROVED  
( ) EMERGENCY  
( ) VETOED

DATE: 12/30/05, 2005

  
Aaron G. Reardon  
Snohomish County Executive

  
ATTEST  
Approved as to form only:

\_\_\_\_\_  
Deputy Prosecuting Attorney

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