



CO00014240

**SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington**

AMENDED EMERGENCY ORDINANCE NO. 06-011

RELATING TO THE USE AND DEVELOPMENT OF PRIVATE GARAGES AND STORAGE STRUCTURES; AMENDING SNOHOMISH COUNTY CODE (SCC) 30.22.100, 30.22.110, 30.22.120, 30.22.130, AND 30.23.110; DECLARING AN EMERGENCY; AND SETTING A PUBLIC HEARING DATE

WHEREAS, Planning and Development Services issued permits for 251 private garages and storage structures over 1,000 square feet in size in 2005; and

WHEREAS, there is a recorded increase in the submittal of applications for private garages larger than 4,000 square feet; and

WHEREAS, several private garages over 9,000 square feet have recently been permitted adjacent to or across the street from residential dwellings; and

WHEREAS, applications for development of large-scale private garages and storage structures are increasing; and

WHEREAS, private garages developed for investment purposes often include multiple bays exceeding traditional residential use and scale; and

WHEREAS, the county council finds it is in the best interests of the public to protect residential areas from the adverse impacts of large scale private garages and storage structures; and

WHEREAS, Snohomish County Code definitions and use matrices permit the development of large scale private garages without performance standards allowing the potential for adverse impacts on residential areas and rural character; and

WHEREAS, suitable permitting processes and performance standards are needed to regulate the development of various sizes of private garages and storage structures to avoid adverse impacts to residential areas and rural character; and

WHEREAS, private garages and storage structures of similar sizes can have similar impacts; however, current regulation of private garages and storage structures with similar impacts is inconsistent; and

WHEREAS, permitting requirements and performance standards for garages and storage structures should be consistent and standardized as much as practicable; and

RELATING TO THE USE AND DEVELOPMENT OF PRIVATE GARAGES AND STORAGE STRUCTURES; AMENDING SNOHOMISH COUNTY CODE (SCC) 30.22.100, 30.22.110, 30.22.120, 30.22.130, AND 30.23.110; DECLARING AN EMERGENCY; AND SETTING A PUBLIC HEARING DATE

WHEREAS, the development of large private garages on lots less than three acres in size may be incompatible with residential neighborhood development and rural areas unless performance standards are required; and

WHEREAS, storage structures over 1,000 square feet on lots less than three acres are currently subject to performance standards and utilization of performance standards for private garages would provide equal protection; and

WHEREAS, storage structures over 1,000 square feet on lots less than three acres currently require a conditional use permit in addition to the protection offered by existing performance standards; and

WHEREAS, under current code, private garages over 1,000 square feet on lots less than three acres do not require a conditional use permit and they are not regulated by performance standards; and

WHEREAS, a review of recent permit records indicates that the size of garages and storage structures typically associated with a residential use have increased and code amendments are needed to address modern development standards and to provide adequate protection from the adverse impacts of large private garages; and

WHEREAS, the 1,000 square foot threshold for storage structure that currently triggers a conditional use permit and performance standards was related to Uniform Building Code use classifications and is no longer applicable pursuant to the International Building Code; and

WHEREAS, the threshold for storage structures on less than three acres requiring performance standards is recommended to be increased to 1,801 square feet and the threshold is recommended to be the same for private garages; and

WHEREAS, an administrative conditional use permit will not be required for development of private garages or storage structures unless they are over 1,801 square feet on lots less than three acres; and

WHEREAS, private garages and storage structures over 4,000 square feet in size may have adverse impacts on neighborhood integrity or rural character and it is proposed that an administrative conditional use permit be required for both of these uses; and

WHEREAS, the proposed regulations address the cumulative effect of multiple private garage and storage structures on lots less than five acres in size; and

WHEREAS, the height and setbacks of private garages and storage structures shall be regulated the same in all zone designations; and

WHEREAS, addressing these issues would provide greater consistency between the Growth Management Act, Snohomish County Comprehensive Plan and its implementing regulations; and

WHEREAS, the county council finds that an emergency exists within the county, and that the Snohomish County Code must be amended immediately to protect existing residential development and rural areas from increasingly frequent development of large scale storage structures and private garages; and

WHEREAS, the council finds that an emergency exists and code amendments are necessary to adequately and reasonably protect residential neighborhoods from increasingly frequent development of large scale private garages and storage structures adversely impacting neighborhood character and integrity; and

WHEREAS, SCC 30.73.090 allows the council to adopt a development regulation without first sending the ordinance to the planning commission in the event of an emergency pursuant to RCW 36.70A.130(2)(b) or 36.70A.390; and

WHEREAS, the council may adopt an emergency ordinance on an interim official control without holding a public hearing prior to taking such action if the council holds a public hearing following public notice as described in SCC 30.73.090(4) within 60 days of adoption and otherwise complies with RCW 36.70A.390; and

WHEREAS, public notice of the time, date, place, and general purpose of the public hearing on a Type 3 emergency action under this section shall be provided by one publication, at least 10 days before the hearing in the official county newspaper and the county council may, utilize additional methods for providing notice; and

WHEREAS, Planning and Development Services has a work plan and schedule for completion of a permanent ordinance; and

WHEREAS, this action is necessary for the immediate preservation of public peace, health and safety.

NOW, THEREFORE, BE IT ORDAINED:

Section 1. The Snohomish County Council adopts the following findings of fact and conclusions:

- A. The recitals set forth above are incorporated herein as findings and conclusions as if set forth in full.

- B. Pursuant to section 2.120 of the Snohomish County Charter, the council finds and concludes that this ordinance is necessary for the immediate preservation of public peace, health and safety and that an emergency exists.
- C. Pursuant to WAC 197-11-880 and SCC 30.61.020, the adoption of regulations pertaining to the use and development of private garages and storage structures must be taken within a time too short to allow for compliance with State Environmental Policy Act (SEPA) in order to avoid an imminent threat to public peace, health and safety resulting from potential adverse impacts to neighborhood integrity. This ordinance is exempt from environmental review under SEPA.

Section 2. Snohomish County Code Section 30.22.100, last amended by Amended Ordinance 05-038, on November 30, 2005, is amended to read:

30.22.100 Urban Zone Categories: Use Matrix

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

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Type of Use	Urban Zones														
	R9,600 ⁸⁸	R8,400 ⁸⁸	R7,200 ⁸⁸	T	LDMR	MR	N B	PCB	CB	G C	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵
Day Care Center ¹	C	C	C		C	C	P	P	P	P	P	P	P	P	P
Department Store								P	P ⁸⁶	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 ^{3, 41}	P	P	P	P	P	P	P		P	P		P	P	P	P
Drug Store								P	P	P	P ²²			P	P
Dwelling, Duplex	P ¹²	P ¹²	P ¹²	P	P	P	P		P	P					
Dwelling, Mobile Home	P ⁶	P ⁶	P ⁶	P ⁶	P	P	P ⁶		P ⁶	P ⁶					
Dwelling, Multifamily					P	P	P	P	P	P				P ³¹	
Dwelling, Single Family	P	P	P	P	P	P	P	P ⁴	P	P				P ³¹	
Dwelling, Townhouse	C, P ³	C, P ³	C, P ³	P ³	P		P	P	P	P					
Excavation & Processing of Minerals ²⁸	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 ⁷	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Family Day Care Home ⁸	P	P	P	P	P	P	P		P	P					
Food Product Processing Up to 5000 sq ft ⁹ Over 5000 sq ft ²⁴									P A	P P				P P	P P
Farm Stand Up to 400 sq ft ⁹ 401 to 5,000 sq ft ²⁹	P	P	P						P	P				P	P
Farmers Market ³³										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 ⁸⁶	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
Note: Reference numbers within matrix indicate special conditions apply; see SCC.															
P - Permitted Use	30.22.130. Check other matrices in this chapter if your use is not listed above.														
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C - Conditional Use															

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Type of Use	Urban Zones														
	R9,600 ⁸⁸	R8,400 ⁸⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB	GC	FS	IP ⁷⁶	BP	LI ^{55,76}	HI ⁵⁵
Garage, Private⁶⁰	((P))	((P))	((P))	((P))	((P))	(P)	((P))	((P))	((P))	((P))		((P))	((P))	((P))	((P))
Up to 1,800 sq ft	P	P	P	P	P	P	P	P	P	P		P	P	P	P
1,801 – 4,000 sq ft on More Than 3 Acres ^{41, 59}	P	P	P	P	P	P	P	P	P	P		P	P	P	P
1,801 sq ft and > on Less Than 3 Acres ^{41, 59}	A	A	A	A	A	A	A	A	A	A		A	A	A	A
4,001 sq ft and Greater ^{41, 59}	A	A	A	A	A	A	A	A	A	A		A	A	A	A
Golf Course and Driving Range⁷⁴	C	C	C						P	P		P	P	P	P
Government Structures & Facilities^{27, 41}	C	C	C	C	C	C	C	P	P	P		P	P	P	P
Greenhouse, Lath House, & Nurseries:⁵¹ Retail							P	P	P	P				P	P
Greenhouse, Lath House, & Nurseries:⁵¹ Wholesale⁴⁷							P	P	P	P		P	P	P	P
Grocery Store							P	P	P ⁸⁶	P	P ²²			P	P
Grooming Parlor							P	P	P	P			P ⁵³	P	P
Guesthouse⁸⁵	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, Offsite⁶⁶												C	C	C	C
Hazardous Waste Storage & Treatment Facilities, Onsite⁶⁵							P	P	P	P	P	P	P	P	P
Health and Social Service Facility⁹⁰															
Level I	P	P	P	P	P	P	P	P	P	P			P		
Level II ⁴¹	C	C	C		C	C	C	C	C	C			P	P	P
Level III								P	P	P				P	P
Home Improvement Center							P	P	P ⁸⁶	P				P	P
Home Occupation¹¹	P	P	P	P	P	P	P		P	P				P ⁸⁹	
Hotel/Motel⁸⁹					C	C		P	P	P	P				
Industrial Use, Heavy⁸²													P		P
Junkyard														C ⁴⁴	P ⁴⁴
Kennel,⁴¹ Commercial¹¹	C	C	C						P	P		P	P	P	P
Kennel,⁴¹ Private-Breeding¹³	P	P	P		P	P	P		P	P		P	P	P	P
Kennel,⁴¹ Private-Non-Breeding¹³	P	P	P		P	P	P		P	P		P			
Laboratory										P		P	P	P	P
Library⁴¹	C	C	C		C	C	C	P	P	P		P	P	P	P
Licensed Practitioner^{39, 41}					C	C	P	P	P	P		P	P	P	P
Livestock Auction Facility												P		P	P
Locksmith							P	P	P ⁸⁶	P		P	P	P	P
Lumberyard										P		P	P	P	P
Manufacturing, Heavy⁸¹												P			P

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.

- P - Permitted Use**
- A - Administrative Conditional Use**
- C - Conditional Use**

Type of Use	Urban Zones														
	R9,600 ²²	R8,400 ²²	R7,200 ²²	T	LDMR	MR	NB	PCB	CB	GC	FS	IP ⁷⁴	BP	LI ^{55,76}	HI ⁵⁵
Manufacturing-All Other Forms Not Specifically Listed ²³												P	P	P	P
Massage Parlor									P	P		P	P	P	P
Medical Clinic ²⁹					C	C	P	P	P	P		P	P	P	P
Mini Self-Storage								P			P	P	P	P	P
Mobile Home Park ³⁸					C	C			C	C					
Mobile Home & Travel Trailer Sales										P		C ³⁶		P	P
Model Hobby Park ⁷⁵													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 ²³	P				P	P
Museum ⁴¹	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 ¹⁴	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 ³⁶	P		P ⁴⁹	P ⁴⁹	P	P
Personal Wireless Communications Facilities ^{27, 41, AA, BB, CC}	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P
Pet Shop							P	P	P	P			P ³³	P	P
Petroleum Products & Gas Storage - Bulk										P ⁴³		P	P ⁴³	P ⁴³	P ⁴³
Petroleum Refining ⁴¹												P			
Print Shop									P ³⁷	P		P	P	P	P
Printing Plant								P		P		P	P	P	P
Rail Frack ^{34, 41}										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												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 ⁴⁹	P ⁴⁹	P	P
Retail Store							P	P	P ³⁶	P			P ³³	P	P
Retirement Apartments					P	P	P	P	P	P					
Retirement Housing					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															

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	R9,600 ⁸⁸	R8,400 ⁸⁸	R7,200 ⁸⁸	T	LDM R	MR	NB	PCB	CB	GC	FS	IP ⁷⁶	BP	LI ^{55,76}	HI ⁵⁵
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 ^{41, 64}	C	C	C		C	C			P	P		P	P	P	P
College ^{41, 64}	C	C	C		C	C			P	P		P	P	P	P
Other ^{41, 64}					C	C			P	P		P	P	P	P
Second Hand Store									P ⁸⁶	P				P	P
Service Station ⁴¹							P	P	P ⁸⁶	P	P			P	P
Shake & Shingle Mill										P		P	P	P	P
Shooting Range ⁶³												P	P	P	P
Sludge Utilization ³⁹	C ⁵⁶	C ⁵⁶	C ⁵⁶		C ⁵⁶	C ⁵⁶			C ⁵⁶	C ⁵⁶		C ⁵⁶		C ⁵⁶	P ⁵⁰
Small Animal Husbandry ⁴¹	C ³⁷	C ³⁷	C ³⁷				P		P	P		P	P	P	P
Specialty Store							P	P	P ⁸⁶	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 ⁶⁰ ((Over 1,000 sq. ft. on Less Than Three Acres ^{41, 59}))	((G))	((G ⁶⁰))	((G ⁶⁰))	((G))	((G))	((G))	((P))	((P))	((P))	((P))	((P))	((P))	((P))	((P))	((P))
Up to 1,800 sq ft	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
1,801 - 4,000 sq ft on More Than 3 Acres ^{41, 59}	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
1,801 sq ft and > on Less Than 3 Acres ^{41, 59}	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
4,001 sq ft and Greater ^{31, 52}	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Studio ⁴¹	C ⁷⁷	C ⁷⁷	C ⁷⁷		C ⁷⁷	C ⁷⁷	P	P	P ⁸⁶	P		P	P	P	P
Swimming/Wading Pool ^{17, 42}	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 ⁴¹								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 ¹⁸	A	A	A	A	A	A	A	A	A	A	A				
Temporary Residential Sales Coach ⁷³	A	A	A												
Temporary Woodwaste Recycling ⁴³														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.														
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	R9,600 ⁸⁸	R8,400 ⁸⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB	GC	FS	IP ⁷⁶	BP	LI ^{55,76}	HI ⁵⁵
Temporary Woodwaste Storage ⁴³														A	A
Tire Store							P	P	p ⁸⁶	P				P	P
Tool Sales & Rental									p ⁸⁶	P				P	P
Transit Center	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P
Ultralight Airpark ²⁰												P			
Utility Facilities, Electromagnetic Transmission & Receiving Facility ²⁷	C	C	C	C	C	C	C	P	p ⁸⁶	P	C	P	P	P	P
Utility Facilities, Transmission Wires, Pipes & Supports ²⁷	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utility Facilities-All Other Structures ^{39,41}	C	C	C	C	C	C	C	P	p ⁸⁶	P	C	P	P	P	P
Veterinary Clinic					C	C	P	P	p ⁸⁶	P		P	P	P	P
Warehousing										P		P	P	P	P
Wholesale Establishment								P	p ⁸⁶	P		P	P	P	P
Woodwaste Recycling ⁵⁷														C	C
Woodwaste Storage ⁵⁷														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.														
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Section 3. Snohomish County Code Section 30.22.110, last amended by Amended Ordinance 05-038, on November 30, 2005, is amended to read:

30.22.110 Rural and Resource Zone Categories: Use Matrix

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Accessory Apartment ⁴²	A	A	A	A				A	A	A	A
Agriculture ⁴¹	P	P	P	P	P	P	P	P	P	P	P
Airport: Stage 1 Utility ¹	C	C	C					C			
Antique Shop	C		C ⁴⁵	P ⁷⁹	P						
Art Gallery ⁴²	C		C	P ⁷⁹	P						
Asphalt Batch Plant & Continuous Mix Asphalt Plant											P
Auto Repair, Minor				P ⁷⁸	P	P					
Auto Towing	C		C								
Bakery				P ⁷⁸	P						
Bakery, Farm ⁹⁷	P	P	P	P			P		P	P	
Bed and Breakfast Guesthouse ⁵⁸	C		C	P				C	C	A	
Bed and Breakfast Inn ⁵⁸	C		C	P				C	C	C	
Boarding House	P ¹⁵	P ¹⁵	P ¹⁵					P ¹⁵		P ¹⁵	
Boat Launch, Commercial ³¹		C							C		
Boat Launch, Non-commercial ³¹	C		C	C				C	C		
Campground									C ³²		
Caretaker's Quarters	P		C				P				P
Carport	P	P	P	P	P	P	P	P	P	P	P
Cemetery, Columbarium, Crematorium, Mausoleum ⁴¹	P		C								
Church ⁴¹	P		C	C	P						
Cleaning Establishment											
Cold Storage							P				
Commercial Vehicle Home Basing			C ³³								
Commercial Vehicle Storage Facility				C			P				
Community Club	P		C	P	P						
Construction Contracting				P ^{80, 81}							
Country Club	C		C	P							
Craft Shop ²¹				P							
Dams, Power Plants, & Associated Uses									P		
Day Care Center ²				P	P	P					
Distillation of Alcohol	C ³⁴		C ³⁴							C ³⁴	
Dock & Boathouse, Private, Non-commercial ^{3, 41}	P	P	P	P				P	P	P	
Drug Store				P ⁷⁹	P						
P - Permitted Use	Note: Reference numbers within matrix indicate special										
A - Administrative Conditional Use	conditions apply; see SCC 30.22.130. Check other matrices in										
C - Conditional Use	this chapter if your use is not listed above.										

RELATING TO THE USE AND DEVELOPMENT OF PRIVATE GARAGES AND STORAGE STRUCTURES; AMENDING SNOHOMISH COUNTY CODE (SCC) 30.22.100, 30.22.110, 30.22.120, 30.22.130, AND 30.23.110; DECLARING AN EMERGENCY; AND SETTING A PUBLIC HEARING DATE

30.22.110 Rural and Resource Zone Categories: Use Matrix

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Dwelling, Duplex	P	P	P					P		P	
Dwelling, Mobile Home	P	P	P		P ⁶			P	P	P	P
Dwelling, Single Family	P	P	P		P			P	P	P	P
Equestrian Center ^{41, 76, 72}	P	C	C					C	P	C ⁷⁰	
Excavation & Processing of Minerals ²⁸	C	C	C				C	P,C	C	C	C
Explosives, Manufacturing		C									
Explosives, Storage	C		C				C	P	C		C
Fabrication Shop							P				
Fallout Shelter, Individual	P	P	P	P	P	P	P	P	P	P	P
Fallout Shelter, Joint ⁷	P		P	P	P	P	P	P	P	P	P
Family Day Care Home ⁸	P		P	P	P			P		P	
Farm Product Processing Up to 5,000 sq ft Over 5,000 sq ft ³⁴	P A	P A	P A	P A			P A	P A		P A	
Farm Support Business ³³	A	A	A	A			P			A	
Farm Stand Up to 400 sq ft ⁹ 401 – 5,000 sq ft ^{99, 100}	P P	P P	P ¹⁰⁰ P, A ¹⁰⁰	P P	P P	P P	P P	P P	P P	P P	P
Farm Workers Dwelling										P ¹⁰	
Farmers Market ³³	P	P	P ¹⁰¹ A ¹⁰¹	P	P	P	P			P	
Farmland Enterprises ³³		A	A							A	
Financial Institutions											
Fish Farm	P	P	P					P	P	P	
Fix-it Shop				P ⁷⁸	P		P				
Forestry	P	P	P				P	P	P	P	P
Industry Storage & Maintenance Facility	P ³⁰	P					P	P	P		
Foster Home	P	P	P	P				P		P	
Garage, Private ⁶⁰ Up to 1,800 sq ft 1,801 – 4,000 sq ft on More Than 3 Acres ^{41, 59} 1,801 and > on Less Than 3 Acres ^{41, 59} 4,001 sq ft and Greater ^{41, 59}	((P)) P P A A	((P)) P P A A	((P)) P P A A	((P)) P ⁷⁹ P ⁷⁹ A ⁷⁹	((P)) P P A A	((P)) P P A A	((P)) P P A A	((P)) P P A A	((P)) P P A A	((P)) P P A A	((P)) P P A A
Golf Course and Driving Range ⁷⁴	C		C							C ⁷⁴	
Government Structures & Facilities ^{27, 41}	C	C	C	C	P		C	C	C		C
Greenhouse, Lath House, Nurseries: ⁵¹ Retail	P	P	P	P	P		P	P		P	
Greenhouse, Lath House, Nurseries: ⁵² Wholesale ⁴⁸	P	P	P	P	P		P	P		P	
Grocery Store				P ⁸⁰	P	P ⁷⁹					
Grooming Parlor					P						
Guesthouse ⁸⁵	P	P	P	P				P	P	P	
Gym											
Hardware Store				P ⁸⁰	P						
Hazardous Waste Storage & Treatment Facilities Onsite ⁶⁵	P			P		P	P	P	P		

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.

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30.22.110 Rural and Resource Zone Categories: Use Matrix

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Health and Social Service Facility ⁹⁰											
Level I	P	P	P	P	P			P	P	P	P
Level II ^{41, 91}			C	C							
Level III											
Home Improvement Center				P ⁸⁰	P						
Home Occupation ^{11, 84}	P ⁶⁴	P ⁶⁴	P ⁶⁴	P ⁶⁴	P			P ⁶⁴	P ⁶⁴	P ⁶⁴	P ⁶⁴
Homestead Parcel ⁴⁰	C		C							C	
Hotel/Motel ⁸⁹				P		P					
Kennel, ⁴¹ Commercial ¹²	P	P	P					P		C	
Kennel, ⁴¹ Private-Breeding ⁴³	P	P	P					P		P	
Kennel, ⁴¹ Private-Non-Breeding ¹³	P	P	P	P				P		P	
Kitchen, farm	P	P	P	P			P			P	
Library ⁴¹	C		C	P							
Licensed Practitioner ^{39, 41}				P ⁷⁹							
Livestock Auction Facility	C ⁴⁸		C ⁴⁸		P		P			C ⁴⁸	
Locksmith				P	P						
Log Sealing Station	C	C	C				P	P	P	P	
Lumberyard							P				
Manufacturing-All Other Forms Not Specifically Listed											
Metal Working Shop				C ⁷⁸			C				
Mini-equestrian Center ^{41, 91, 92}	P	P	P	P			P	P	P	P ⁷¹	
Model Hobby Park ⁷⁵			A							A	
Model House/Sales Office	P	P	P					P	P		
Motor Vehicle & Equipment Sales					P ²³						
Museum ⁴¹	C		C	P						C ⁶¹	
Office, General				P	P						
Park, Public ¹⁴	P	P	P	P	P		P	P	P	P	P
				P	P	P	P				
Park-and-Pool Lot											
Park-and-Ride Lot	C	C	C	P		P		C	C	C	
Personal Services Shop				P ⁷⁹	P						
Personal Wireless Communications Facilities ^{27, 41, AA, BB, CC}	C	C	C	C	C	C	C	C	C	C	C
Pet Shop											
Petroleum Products & Gas Storage - Bulk							P ³³				
Photo Processing Shop											
Print shop				P							
Public Events/Assemblies on Farmland ⁹⁶										P ⁹⁶	
Race Track ^{34, 41}			C								
Railroad Right-of-way	C	C	C		P		P	C	C	C	C
Recreational Facility Not Otherwise Listed ⁹⁸	C		C		P		P ⁷⁹			C	
Recreational Vehicle ¹⁹	P	P	P					P	P	P	
Recreational Vehicle Park									C		
P - Permitted Use	Note: Reference numbers within matrix indicate special conditions apply; see										
A - Administrative Conditional Use	SCC 30.22.130. Check other matrices in this chapter if your use is not listed above.										
C - Conditional Use											

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30.22.110 Rural and Resource Zone Categories: Use Matrix

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CR C	RFS	RI	F	F&R	A-10	MC
Resort									C		
Restaurant				P ⁸⁰	P	P					
Retail Store				P ⁸⁰	P						
Rural Industries ⁴¹	P ²³										
Sanitary Landfill	C	C	C					C			C
Sawmill	C ²⁶	C ²⁶	C ²⁶				P	P	P		
Schools											
K-12 & Preschool ^{41, 48}	C		C	P							
College ^{41, 48}	C		C								
Other ^{41, 48}				C			C				
Second Hand Store				P ⁷⁸	P						
Service Station ⁴¹				P	P	P					
Shake & Shingle Mill	C ²⁶	C ²⁶	C ²⁶				P	P			
Shooting Range ⁵³	C	C	C					C			
Sludge Utilization ³⁹	C	C, P	C					C		C	C ⁵⁶
Small Animal Husbandry ⁴¹	P		P		P			P	P	P	P
Specialty Store				P ⁷⁸	P						
Stables	P	P	P	P			P	P	P	P	
Stockyard or Slaughter House							C ⁴⁸				
Storage, Retail Sales Livestock Feed			P ³⁴	P			P			P	
Storage Structure ⁶⁰ ((Over 1,000 sq. ft. on Less Than Three Acres ^{41, 49}) Up to 1,800 sq ft	((G))	((G))	((G))	((P ⁷⁹))			((P ⁷⁸))	((G))	((G))	((G))	((P))
1,801 - 4,000 sq ft on More Than 3 Acres ^{41, 59}	P	P	P	P ⁷⁹			P ⁷⁸	P	P	P	P
1,801 sq ft and > on Less Than 3 Acres ^{41, 59}	P	P	P	P ⁷⁹			P	P	P	P	P
4,001 sq ft and Greater ^{41, 59}	A	A	A	A ⁷⁹			A	A	A	A	A
Studio ⁴¹	C ⁷⁷		C ⁷⁷								
Swimming/Wading Pool ^{17, 41}	P	P	P					P	P	P	P
Tavern ⁴¹				P	P						
Temporary Dwelling During Construction	A	A	A	A		A	A	A	A	A	A
Temporary Dwelling For Relative ¹⁸	A	A	A					P	P		
Temporary Logging Crew Quarters											
Temporary Residential Sales Coach ⁷³	A		A								
Temporary Woodwaste Recycling ⁴³	A						A	A			
Temporary Woodwaste Storage ⁴³	A							A			
Tire Store					P						
Tool Sales & Rental				P	P						
Transit Center	C	C	C	P		P		C	C	C	
Ultralight Airpark ²⁰	C	C	C					C			
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											

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30.22.110 Rural and Resource Zone Categories: Use Matrix

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Utility Facilities, Electromagnetic Transmission & Receiving Facilities ²⁷	C	C	C	C	P	C	P	C	C	C	C
Utility Facilities, Transmission Wires or Pipes & Supports ²⁷	P	P	P	P	P	P	P	P	P	P	P
Utility Facilities-All Other Structures ^{27,41}	C	C	C	C	P	C	P	C	C	C	C
Veterinary Clinic	P		C	P	P					C	
Wedding Facility ⁴⁷		P	P							P	
Woodwaste Recycling ³⁷	C	C	C				C	C			
Woodwaste Storage ³⁷	C	C	C				C	C			
Yacht/Boat Club				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 4. Snohomish County Code Section 30.22.120, last amended by Amended Ordinance 05-038, on November 30, 2005, is amended to read:

RELATING TO THE USE AND DEVELOPMENT OF PRIVATE GARAGES AND STORAGE STRUCTURES; AMENDING SNOHOMISH COUNTY CODE (SCC) 30.22.100, 30.22.110, 30.22.120, 30.22.130, AND 30.23.110; DECLARING AN EMERGENCY; AND SETTING A PUBLIC HEARING DATE

30.22.120 Other Zone Categories: Use Matrix

Type of Use	Other Zones					
	SA-1	RC	RU	R20,000	R12,500	WFB
Accessory Apartment ⁶²	A	A	A	A	A	A
Agriculture ⁴¹	P	P	P	P	P	P
Airport, Stage 1 Utility ¹	C	C	C	C	C	C
Antique Shop			C ⁴⁵			
Art Gallery ⁴¹	C	C	P	C	C	C
Bakery, Farm ⁵⁷		P				
Bed and Breakfast Guesthouse ⁵⁸	C	C	C	C	C	C
Bed and Breakfast Inn ⁵⁸		C				
Boarding House	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵
Boat Launch, Non-commercial ³¹	C	C	C	C	C	C
Caretaker's Quarters		C				
Carport	P	P	P	P	P	P
Cemetery, Columbarium, Crematorium, Mausoleum ⁴¹	C	C	C	C	C	C
Church ⁴¹	C	C	P	C	C	C
Community Club	C	C	P	C	C	C
Country Club	C	C	C	C	C	C
Day Care Center ³	C		P	C	C	C
Distillation of Alcohol		C ³⁴	C ³⁴			
Dock & Boathouse, Private, Non-commercial ^{3, 42}	P	P	P	P	P	P
Dwelling, Duplex	P	P	P ⁴²	P	P ⁴²	P ⁴²
Dwelling, Mobile Home	P	P	P ⁶	P	P ⁶	P ⁶
Dwelling, Single Family	P	P	P	P	P	P
Dwelling, Townhouse						P, C ³
Equestrian Center ^{41, 70, 71}		P				
Excavation & Processing of Minerals ²⁸	C	C	C	C	C	C
Explosives Storage		C	C			
Fallout Shelter, Individual	P	P	P	P	P	P
Fallout Shelter, Joint ⁷	P	P	P	P	P	P
Family Day Care Home ⁸	P	P	P	P	P	P
Farm Product Processing Up to 5,000 sq ft Over 5,000 sq ft		P P	A			
Farm Support Businesses ³⁴		A				
Farm Stand Up to 400 sq ft ³ 401 to 5,000 sq ft ⁷⁷	P	P ¹⁰⁰ A ¹⁰⁰	P	P	P	P
Farmers Market ³¹		P ¹⁰¹ A ¹⁰¹				
Farmland Enterprises ⁹⁵		A				
Fish Farm	P	P	P			
Forestry	P	P	P			
Foster Home	P	P	P	P	P	P
Garage, Private ⁶⁰	((P))	((P))	((P))	((P))	((P))	((P))
Up to 1,800 sq ft	P	P	P	P	P	P
1,801 – 4,000 sq ft on More Than 3 Acres ^{41, 59}	P	P	P	P	P	P
1,801 sq ft and > on Less Than 3 Acres ^{41, 59}	A	A	A	A	A	A
4,001 sq ft and Greater ^{41, 59}	A	A	A	A	A	A

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P - Permitted Use
 A - Administrative Conditional Use
 C - Conditional 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.

30.22.120 Other Zone Categories: Use Matrix

Type of Use	Other Zones					
	SA-I	RC	RU	R20,000	R12,500	WFB
Golf Course and Driving Range ⁷⁴	C	C	C	C	C	C
Government Structures & Facilities ^{17,41}	C	C	C	C	C	C
Greenhouse, Lath House, Nurseries: ⁵³ Retail	P					
Greenhouse, Lath House, Nurseries: ⁵³ Wholesale ⁴⁷	P		P	C		
Guesthouse ⁸⁵	P	P	P	P	P	P
Health and Social Service Facility ⁹⁰						
Level I	P	P	P	P	P	P
Level II ^{41, 91}	C	C	C	C	C	C
Level III						
Home Occupation ¹¹	p ^{64, 84}	p ^{64, 84}	p ^{64, 84}	P	P	P
Homestead Parcel ⁴⁰		C				
Kennel, ⁴¹ Commercial	C	C	P	C	C	C
Kennel, ⁴¹ Private-Breeding ¹³	C	P	P	P	P	P
Kennel, ⁴¹ Private-Non-Breeding ¹³	P	P	P	P	P	P
Kitchen, Farm		P	P			
Library ⁴¹	C	C	P	C	C	C
Livestock Auction Facility		C ⁴⁸	C ⁴⁸			
Log Scaling Station		C				
Mane-questrian Center ^{41, 71, 92}		P				
Model House/Sales Office	P	P	P	P	P	P
Museum ⁴¹	C	C	P	C	C	C
Park, Public ¹⁴	P	P	P	P	P	P
Park-and-Pool Lot				C	C	
Park-and-Ride Lot	C	C	C	C	C	
Personal Wireless Communications Facilities ^{17, 41, AA, BB, CC}	C	C	C	C	C	C
Petroleum Products & Gas Storage - Bulk			C ⁴³			
Race Track ^{24, 41}		C	C			
Railroad Right-of-way	C	C	C	C	C	C
Recreational Facility Not Otherwise Listed ⁹⁵	C	C	P	C	C	C
Recreational Vehicle ¹⁹	P	P	P			
Sanitary Landfill	C	C	C	C	C	C
Sawmill			C ²⁶			
Schools K-12 & Preschool ^{41, 64}	C	C	C	C	C	C
College ^{41, 64}	C	C	C	C	C	C
Shake & Shingle Mill			C ²⁶			
Shooting Range ⁸³		C	C			
Sludge Utilization ³⁹	C	C	C	C	C ⁵⁶	C ⁵⁶
Small Animal Husbandry ⁴¹	P	P	P	C ³⁷	C ³⁷	C ³⁷

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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	

30.22.120 Other Zone Categories: Use Matrix

Type of Use	Other Zones					
	SA-1	RC	RU	R20,000	R12,500	WFB
Stables	P	P	P	P	P	P
Stockyard or Slaughter House			C ⁴⁸			
Storage, Retail Sales Livestock Feed		P ⁴⁴				
Storage Structure ⁴² ((Over 1,000 sq. ft. on Less Than Three Acres ^{41,46}))						
Up to 1,800 sq ft	((G))P	((G))P	((G))P	((G))P	((G))P	((G))P
1,801 - 4,000 sq ft on More Than 3 Acres ^{41, 59}	P	P	P	P	P	P
1,801 sq ft and > on Less Than 3 Acres ^{41, 59}	Δ	Δ	Δ	Δ	Δ	Δ
4,001 sq ft and Greater ^{41, 59}	Δ	Δ	Δ	Δ	Δ	Δ
Studio ⁴¹	C ⁷⁷	C ⁷⁷	P	C ⁷⁷	C ⁷⁷	C ⁷⁷
Swimming/Wading Pool ^{17, 41}	P	P	P	P	P	P
Temporary Dwelling During Construction	A	A	A	A	A	A
Temporary Dwelling For Relative ¹⁸	A	A	A	A	A	A
Temporary Residential Sales Coach ⁷³	A	A	A	A	A	A
Transit Center	C	C	C	C	C	
Ultralight Airpark ²⁰		C				
Utility Facilities, Electromagnetic Transmission & Receiving Facilities ³⁷	C	C	C	C	C	C
Utility Facilities, Transmission Wires, Pipes & Supports ³⁷	P	P	P	P	P	P
Utility Facilities-All Other Structures ^{37, 41}	C	C	C	C	C	C
Veterinary Clinic	C	C	P			
Yacht/Boat Club						C
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 5. Snohomish County Code Section 30.22.130, last amended by Amended Ordinance 05-038, on November 30, 2005, 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;

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(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 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 SCC 30.42B.100, SCC 30.42C.100 and SCC 30.43A.100;

(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) 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 (20).

(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 30.28.085.

(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) Private garages and ~~((Storage Structures over 1,000 sq. ft. on less than three acres: This use is))~~ storage structures are subject to the following requirements:

(a) Special setback requirements for ~~((this))~~ these ~~((use))~~ uses are contained in SCC 30.23.110(20);

(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))~~ For all garages and storage structures larger than 1,800 square feet, building ((elevations)) plans ((that)) shall document a residential appearance ((through the design)) and ((through depiction of appropriate)) use building materials compatible and consistent with existing on-site or adjacent residential development ((for the)) exterior ((finish)) finishes; and

(d) The applicant shall propose a vegetative screening plan with the building permit or conditional use permit application 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 and frontage, as necessary, to effectively accomplish this objective. At the director's discretion, existing natural vegetation or other adequate visual screening may be approved if it is determined that it meets the intent of this requirement. After a site visit, the director may also

Determine that the vegetative screening is not warranted due to existing circumstances on the site or adjacent properties. When a vegetative screen is required, the minimum planting requirements of SCC 30.25.015(5) shall apply.

(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.)) The cumulative square footage of all private garages and storage structures shall not exceed 6,000 square feet on any lot less than 5 acres, except this provision shall not apply in the LDMR, MR, T, NB, GC, PCB, CB, FS, BP, IP, LI, HI, RB, RFS, CRC and RI zones.

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

(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 30.25.017.

(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.028.

(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 in Ag-10 zone: 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.

(102) Community Facilities for Juveniles in R-5 zones must be located within one mile of an active public transportation route at the time of permitting.

(103) All community facilities for juveniles shall meet the performance standards set forth in SCC 30.28.025.

(104) Personal wireless telecommunications service facilities: See chapter 30.28A SCC and landscaping standards in SCC 30.25.025.

(105) Personal wireless telecommunications service facilities are subject to a building permit pursuant to SCC 30.28A.020 and the development standards set forth in chapter 30.28A SCC and landscaping standards in SCC 30.25.025.

(106) A building permit only is required for facilities co-locating on existing utility poles, towers, and/or antennas unless otherwise specified in 30.28A SCC.

Section 6. Snohomish County Code Section 30.22.110, last amended by Amended Ordinance 05-038, on November 30, 2005, is amended to read:

30.23.110 Special setbacks for certain uses.

This section supplements the normal setbacks required by the underlying zone for the specified use.

(1) 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.

(2) Amusement Facilities: Theaters must be at least 300 feet from the property line of any preschool or K-12 school. Other amusement facilities must be at least 500 feet from the property line of any park, playground, preschool, or K-12 school. Distances shall be measured horizontally by following a straight line from the nearest point in the building in which the amusement facility will be located, to the nearest property line of a parcel which contains a park, playground, preschool, or K-12 school.

(3) Art Gallery: All buildings must be at least 20 feet from any other lot in a residential zone.

(4) Cemetery, Mausoleum, and Crematoriums: All buildings must be at least 50 feet from external boundaries of the property.

RELATING TO THE USE AND DEVELOPMENT OF PRIVATE GARAGES AND STORAGE STRUCTURES; AMENDING SNOHOMISH COUNTY CODE (SCC) 30.22.100, 30.22.110, 30.22.120, 30.22.130, AND 30.23.110; DECLARING AN EMERGENCY; AND SETTING A PUBLIC HEARING DATE

- (5) Church: All buildings must be at least 25 feet from any other lot in a residential zone.
- (6) Dock and Boathouse: Covered structures must be at least three feet from any side lot line or extension thereof. No setback from adjacent properties is required for any uncovered structure, and no setback from the water is required for any structure permitted hereunder.
- (7) Educational Institutions:
 - (a) All buildings must be at least 35 feet from all external property lines; and
 - (b) All buildings must be at least 75 feet from the centerlines of all street rights-of-way, or 45 feet from the edges of all such rights-of-way, whichever is greater.
- (8) Equestrian Center and Mini-Equestrian Center: Open or covered arenas must be at least 50 feet from any external property line. New structures located on or adjacent to lands subject to chapter 30.32A SCC shall comply with all applicable setbacks.
- (9) Governmental Structure or Facility: All structures must be at least 20 feet from any other lot in a residential zone.
- (10) Health and Social Service Facility, Level II: All buildings must be at least 30 feet from all external property boundaries.
- (11) Kennel, Commercial; Kennel, Private-Breeding; or Kennel, Private-Non-Breeding: All animal runs, and all buildings and structures devoted primarily to housing animals, must be at least 30 feet from all external property lines.
- (12) Library: All buildings must be at least 20 feet from any other lot in a residential zone.
- (13) Museum: All buildings must be at least 20 feet from any other lot in a residential zone.
- (14) Office, Licensed Practitioners: All buildings must be at least 20 feet from any other lot in a residential zone.
- (15) Race Track: The track must be at least 50 feet from all external property lines.
- (16) Rural Industry: All buildings and structures, storage areas, or other activities (except sales stands) occurring outside of a residential structure must be at least 20 feet from any property line.
- (17) School Preschool and K-12:
 - (a) All buildings must be at least 35 feet from all external property lines; and
 - (b) All buildings must be at least 75 feet from the centerlines of all street rights-of-way, or 45 feet from the edges of all such rights-of-way, whichever is greater.
- (18) Service Station:
 - (a) Where the right-of-way is less than 60 feet, pump islands shall meet a minimum setback of 45 feet from the centerline of the right-of-way. Where the right-of-way is 60 feet or more, pump islands shall meet a minimum set-back on one-half the right-of-way plus 15 feet. Setbacks shall apply to private rights-of-way and easements.
 - (b) Where the right-of-way is less than 60 feet, canopies shall meet a minimum setback of 35 feet from the centerline of the right-of-way. Where the right-of-way is 60 feet or more, canopies shall meet a minimum setback of one-half the right-of-way plus five feet. Setbacks shall apply to private rights-of-way and easements.
- (19) Small Animal Husbandry: All structures used for housing or feeding animals must be at least 30 feet from all property lines.

(20) ~~((Storage structure))~~ Storage structures and private garages over ((1,000)) 1,801 square feet ((located on less than three acres: The building)) must be at least 15 feet from any external property line. Storage structures and private garages over 4,000 square feet in size must be setback at least 20 feet from any external property line.

(21) Studio: All buildings must be at least 20 feet from any other lot in a residential, multiple-family, or rural zone. The hearing examiner may require an additional setback distance when necessary to maintain compatibility of the proposed building with residential uses on adjoining properties.

(22) Swimming or Wading Pool: The pool must be at least five feet from any property line.

(23) Tavern: The use must be at least 500 feet from the external property lines of all public school grounds and public parks or playgrounds.

(24) Utility Structures: All structures must be at least 20 feet from any other lot in a residential zone.

(25) Personal Wireless Telecommunications Service Facilities: The setbacks of a wireless communications support structure used for a personal wireless telecommunications service facility shall be measured from the base of the structure to the property line of the parcel on which it is located. Where guy wire supports are used, setbacks shall be measured from the base of the guy wire anchored to the ground, rather than the base of the structure except as provided for in SCC 30.23.110(25)(a).

(a) In zones categorized as Rural or Resource under SCC 30.21.020, any road right-of-way may be included in the setback calculation. In all other zones categorized under SCC 30.21.020, road right-of-way shall not be included in the setback calculation.

(b) Wireless communications support structures shall be setback from a property line with a minimum of 50 feet except as provided for in SCC 30.23.110(25)(c) through 30.23.110(25)(e). For the purposes of this subsection, a wireless communications support structure lease area boundaries shall not be considered property lines.

(c) Setbacks may be modified by the approval authority to no less than 20 feet from a property line only if there is significant existing vegetation, topography, or some other land feature that will provide a higher level of screening of the facility. In accordance with SCC 30.25.025(2), a Native Vegetation Retention Area (NVRA) shall be established and maintained when this provision is used.

(d) Wireless communications support structures located on utility support structures shall have no specific setback requirement.

(e) Wireless communications support structures located on parcels adjacent to forest lands or lands designated local forest shall be set back in accordance with SCC 30.32A.110.

(f) To minimize the potential for birds to collide into antenna support structures, personal wireless telecommunications services facilities shall not be located within the recommended construction buffer zone for birds listed as priority species by the Washington Department of Fish and Wildlife as described in its Management Recommendations for Washington's Priority Species □ Volume IV: Birds (May 2004), or listed as endangered or threatened species under the federal Endangered Species Act (64 FR 14307), and as amended, unless the applicant demonstrates that the proposed location will not have a significant impact on such birds.

(g) In no case shall a wireless communications support structure be constructed so that its base is closer to an existing dwelling than a distance equal to the height of the wireless communications support structure, unless the owner of such dwelling consents in writing that a closer distance is permitted.

Section 7. Finding of emergency and effective date. The council finds that the adoption of code amendments to regulate the use and development of private garages and private garage condominiums is necessary for the immediate preservation of the public peace, health, safety, welfare, and the environment. Based on the foregoing, the county council declares that an emergency exists and that this ordinance shall take effect immediately upon adoption.

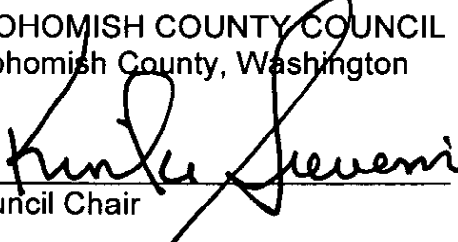
Section 8. Interim control ordinance. Pursuant to SCC 30.73.090, this emergency ordinance adopts development regulations that shall remain in effect for six (6) months from the effective date, unless affirmed or amended prior to that time as a permanent regulation following a public hearing for which notice has been provided under SCC 30.73.090.

Section 9. Public hearing. A public hearing is scheduled on March 1, 2006, at the hour of 10:30 a.m. in the Jackson Board Room, 8th Floor, Snohomish County East Administration Building, 3000 Rockefeller Avenue, in Everett, Washington, for County Council to consider public testimony as to whether it should amend, repeal, or affirm this ordinance.

Section 10. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

PASSED this 15th day of February, 2006.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



Council Chair

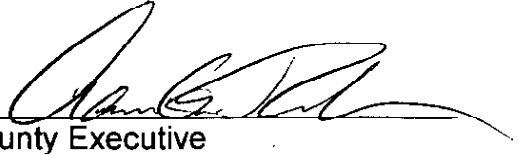
ATTEST:



Asst. Clerk of the Council

RELATING TO THE USE AND DEVELOPMENT OF PRIVATE GARAGES AND STORAGE STRUCTURES; AMENDING SNOHOMISH COUNTY CODE (SCC) 30.22.100, 30.22.110, 30.22.120, 30.22.130, AND 30.23.110; DECLARING AN EMERGENCY; AND SETTING A PUBLIC HEARING DATE

- APPROVED
- VETOED
- EMERGENCY



County Executive

DATE: 2/16/06

Approved as to form only:

Deputy Prosecuting Attorney

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