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SNOHOMISH COUNTY COUNCIL  
SNOHOMISH COUNTY, WASHINGTON

AMENDED ORDINANCE NO. 10-008

RELATING TO AIRPARKS, AMENDING CHAPTER 30.22 OF THE SNOHOMISH COUNTY CODE (SCC); ADDING A NEW SECTION TO CHAPTER 30.28 SCC; AND ADDING A NEW DEFINITION TO CHAPTER 30.91A SCC

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

WHEREAS, on December 9, 2002, the county council adopted Title 30, the Unified Development Code (UDC) of the Snohomish County Code containing regulations that guide development within the unincorporated areas of Snohomish County; and

WHEREAS, airpark communities are unique, permitted communities in Snohomish County that consist of single-family homes and include an airport stage 1 utility allowed by conditional use permit approval where airstrips for small private planes are owned and operated by the residents of these communities; and

WHEREAS, these communities contain runways for take-off and landing of private airplanes and wide driveways between and among the residences for taxiing and storing of private airplanes; and

WHEREAS, these communities and their private airport facilities operate under conditional use permits issued by Snohomish County; and

WHEREAS, these communities are gated for the safety of non-residents of the communities to protect against any accidents between automobiles and airplanes on common roads or runways; and

WHEREAS, airpark communities are located in rural residential areas, which in recent years have seen an increase in the number of new residences and residents; and

WHEREAS, Snohomish County values informing the public of airparks in the vicinity of new homes; and

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2           WHEAREAS, the Washington State Department of Transportation (WSDOT)  
3 Aviation recommends that towns, cities and counties located near or adjacent to a  
4 public use airport adopt disclosure notice regulations within their development code.  
5 While an airpark is privately owned it has some of the same aviation related uses and  
6 potential conflicts as a public use airport; and  
7

8           WHEREAS, pursuant to RCW 36.70A.106, a notice of intent to adopt this code  
9 amendment was transmitted to the Washington State Department of Commerce on  
10 September 3, 2009; and  
11

12           WHEREAS, the proposed ordinance is categorically exempt from environmental  
13 review under the State Environmental Policy Act (SEPA) (Ch. 43.21C RCW) pursuant to  
14 WAC 197-11-800(19); and  
15

16           WHEREAS, the Snohomish County Planning Commission held a public hearing  
17 on December 15, 2009, to receive public testimony concerning the proposed code  
18 amendments; and  
19

20           WHEREAS, at the conclusion of the planning commission's public hearing the  
21 planning commission voted to recommend adoption of the proposed code amendments,  
22 as shown in its recommendation letter dated December 16, 2009; and  
23

24           WHEREAS, on March 24, 2010, the Snohomish County Council held public  
25 hearings after proper notice, heard public testimony related to the proposed code  
26 amendments, and considered the entire record, including the planning commission's  
27 recommendations on the proposed code revisions; and  
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29           WHEREAS, immediately following the public hearings, the county council  
30 deliberated on the proposed code amendments.  
31

32           NOW, THEREFORE, BE IT ORDAINED:  
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34           Section 1. The Snohomish County Council adopts and incorporates the  
35 foregoing recitals as findings of fact as if set forth fully herein.  
36

37           Section 2. The Snohomish County Council makes the following additional  
38 findings:  
39

- 40           A. Amendments to SCC 30.22.130 are necessary to help property owners and  
41 developers to be aware of, and locate a notice and disclosure of airparks.  
42
- 43           B. Amendments to chapter 30.28 SCC are necessary to add a new section (SCC  
44 30.28.005) for notice and disclosure of airparks located in unincorporated  
45 Snohomish County. The notice and disclosure shall apply to properties located  
46 within 2,500 feet of an airpark and to development and building permits on lands

1 within 2,500 feet of an airpark.

2  
3 C. Amendments to chapter 30.91A SCC are necessary to add a new definition for  
4 Airparks.

5  
6 Section 3. The Snohomish County Council makes the following conclusions:  
7

- 8 A. The code amendments and revisions adopted by this ordinance are consistent with  
9 and further the goals, objectives and requirements of the GMA Comprehensive Plan.  
10  
11 B. The public meetings and hearings before the planning commission and the county  
12 council, and related public notices, satisfy the public participation goals and  
13 requirements of the GMA, including RCW 36.70A.020(11), RCW 36.70A.035 and  
14 RCW 36.70A.140, as well as the requirements of chapter 30.73 SCC.  
15  
16 C. The amendments as set forth in this ordinance are in the best interest of the county  
17 and protect the public health, safety and welfare.  
18  
19 D. All requirements of SEPA and chapter 30.61 SCC with respect to this non-project  
20 action have been satisfied.  
21  
22 E. The amendments are consistent with the goals and requirements of the GMA.  
23  
24 F. This ordinance is adopted pursuant to the Snohomish County Charter and the  
25 Washington State Constitution, Article XI, Section 11.  
26

27 Section 4. The Snohomish County Council bases its findings and conclusions on  
28 the entire record of the planning commission and the county council, including all  
29 testimony and exhibits. Any finding which should be deemed a conclusion, and any  
30 conclusion which should be deemed a finding, is hereby adopted as such.  
31

32 Section 5. Snohomish County Code Section 30.22.130, last amended by  
33 Amended Ordinance No. 09-096 on October 14, 2009, is amended to read:  
34

35 **30.22.130 Reference notes for use matrix.**  
36

37 (1) Airport, Stage 1 Utility:

38 (a) Not for commercial use and for use of small private planes; ~~((and))~~

39 (b) In the RU zone, they shall be primarily for the use of the resident property  
40 owner~~((-))~~; and

41 (c) When the airport is included in an airpark, the disclosure requirements of  
42 SCC 30.28.005 shall apply.

43 (2) Day Care Center:

44 (a) In WFB, R-7,200, R-8,400, R-9,600, R-12,500, R-20,000, and SA-1 zones,  
45 shall only be permitted in connection with and secondary to a school facility or place of  
46 worship; and

1 (b) Outdoor play areas shall be fenced or otherwise controlled, and noise  
2 buffering provided to protect adjoining residences.

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

4 (a) The height of any covered over-water structure shall not exceed 12 feet as  
5 measured from the line of ordinary high water;

6 (b) The total roof area of covered, over-water structures shall not exceed 1,000  
7 square feet;

8 (c) The entirety of such structures shall have a width no greater than 50 percent  
9 of the width of the lot at the natural shoreline upon which it is located;

10 (d) No over-water structure shall extend beyond the mean low water mark a  
11 distance greater than the average length of all preexisting over-water structures along  
12 the same shoreline and within 300 feet of the parcel on which proposed. Where no  
13 such preexisting structures exist within 300 feet, the pier length shall not exceed 50 feet;

14 (e) Structures permitted hereunder shall not be used as a dwelling, nor shall any  
15 boat moored at any wharf be used as a dwelling while so moored; and

16 (f) Covered structures are subject to a minimum setback of three feet from any  
17 side lot line or extension thereof. No side yard setback shall be required for uncovered  
18 structures. No rear yard setback shall be required for any structure permitted  
19 hereunder.

20 (4) Dwelling, Single family: In PCB zones, shall be allowed only if included within the  
21 same structure as a commercial establishment. In the MHP zone, single family  
22 detached dwellings are limited to one per existing single legal lot of record.

23 (5) See chapter 30.31 SCC for rezoning to Townhouse zone, and chapter 30.23A  
24 SCC for design standards applicable to townhouse and attached single-family dwelling  
25 development.

26 (6) Dwelling, Mobile Home:

27 (a) Shall be multi-sectioned by original design, with a width of 20 feet or greater  
28 along its entire body length;

29 (b) Shall be constructed with a non-metallic type, pitched roof;

30 (c) Except where the base of the mobile home is flush to ground level, shall be  
31 installed either with:

32 (i) skirting material which is compatible with the siding of the mobile home; or

33 (ii) a perimeter masonry foundation;

34 (d) Shall have the wheels and tongue removed; and

35 (e) In the RU zone the above only applies if the permitted lot size is less than  
36 20,000 square feet.

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

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

41 (8) Family Day Care Home:

42 (a) No play yards or equipment shall be located in any required setback from a  
43 street; and

44 (b) Outdoor play areas shall be fenced or otherwise controlled.

45 (9) Farm Stand:

46 (a) There shall be only one stand on each lot; and

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

4 (10) Farm Worker Dwelling:

5 (a) At least one person residing in each farm worker dwelling unit shall be  
6 employed full time in the farm operation;

7 (b) An agricultural farm worker dwelling unit affidavit must be signed and  
8 recorded with the county attesting to the need for such dwellings to continue the farm  
9 operation;

10 (c) The number of farm worker dwellings shall be limited to one per each 40  
11 acres under single contiguous ownership to a maximum of six total dwellings, with 40  
12 acres being required to construct the first accessory dwelling unit. Construction of the  
13 maximum number of dwelling units permitted shall be interpreted as exhausting all  
14 residential potential of the land until such time as the property is legally subdivided; and

15 (d) All farm worker dwellings must be clustered on the farm within a 10-acre  
16 farmstead which includes the main dwelling. The farmstead's boundaries shall be  
17 designated with a legal description by the property owner with the intent of allowing  
18 maximum flexibility while minimizing interference with productive farm operation. Farm  
19 worker dwellings may be located other than as provided for in this subsection only if  
20 environmental or physical constraints preclude meeting these conditions.

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

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

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

28 (14) Parks, Publicly-owned and Operated:

29 (a) No bleachers are permitted if the site is less than five acres in size;

30 (b) All lighting shall be shielded to protect adjacent properties; and

31 (c) No amusement devices for hire are permitted.

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

34 (16) RESERVED for future use (Social Service Center - DELETED by Amended Ord.  
35 04-010 effective March 15, 2004)

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

38 (a) No part of the pool shall project more than one foot above the adjoining  
39 ground level in a required setback; and

40 (b) The pool shall be enclosed with a fence not less than four feet high, of  
41 sufficient design and strength to keep out children.

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2 (18) Temporary Dwelling for a relative:

3 (a) The dwelling shall be occupied only by a relative, by blood or marriage, of the  
4 occupant(s) of the permanent dwelling;

5 (b) The relative must receive from, or administer to, the occupant of the other  
6 dwelling continuous care and assistance necessitated by advanced age or infirmity;

7 (c) The need for such continuous care and assistance shall be attested to in  
8 writing by a licensed physician;

9 (d) The temporary dwelling shall be occupied by not more than two persons;

10 (e) Use as a commercial rental unit shall be prohibited;

11 (f) The temporary dwelling shall be situated not less than 20 feet from the  
12 permanent dwelling on the same lot and shall not be located in any required yard of the  
13 principal dwelling;

14 (g) A land use permit binder shall be executed by the landowner, recorded with  
15 the Snohomish County Auditor and a copy of the recorded document submitted to the  
16 department for inclusion in the permit file;

17 (h) Adequate screening, landscaping, or other measures shall be provided  
18 pursuant to SCC 30.25.015 to protect surrounding property values and ensure  
19 compatibility with the immediate neighborhood;

20 (i) An annual renewal of the temporary dwelling permit, together with  
21 recertification of need, shall be accomplished by the applicant through the department in  
22 the same month of each year in which the initial mobile home/building permit was  
23 issued;

24 (j) An agreement to terminate such temporary use at such time as the need no  
25 longer exists shall be executed by the applicant and recorded with the Snohomish  
26 County Auditor; and

27 (k) Only one temporary dwelling may be established on a lot. The temporary  
28 dwelling shall not be located on a lot on which a detached accessory apartment is  
29 located.

30 (19) Recreational Vehicle:

31 (a) There shall be no more than one per lot;

32 (b) Shall not be placed on a single site for more than 180 days in any 12-month  
33 period; and

34 (c) Shall be limited in the floodways to day use only (dawn to dusk) during the  
35 flood season (October 1 through March 30) with the following exceptions:

36 (i) Recreational vehicle use associated with a legally occupied dwelling to  
37 accommodate overnight guests for no more than a 21-day period;

38 (ii) Temporary overnight use by farm workers on the farm where they are  
39 employed subject to SCC 30.22.130(19)(a) and (b) above; and

40 (iii) Subject to SCC 30.22.130(19)(a) and (b) above and SCC  
41 30.22.120(7)(b), temporary overnight use in a mobile home park, which has been in  
42 existence continuously since 1970 or before, that provides septic or sewer service,  
43 water and other utilities, and that has an RV flood evacuation plan that has been  
44 approved and is on file with the Department of Emergency Management and  
45 Department of Planning and Development Services.

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2 (20) Ultralight Airpark:

3 (a) Applicant shall submit a plan for the ultralight airpark showing the location of  
4 all buildings, ground circulation, and parking areas, common flight patterns, and arrival  
5 and departure routes;

6 (b) Applicant shall describe in writing the types of activities, events, and flight  
7 operations which are expected to occur at the airpark; and

8 (c) Approval shall be dependent upon a determination by the county decision  
9 maker that all potential impacts such as noise, safety hazards, sanitation, traffic, and  
10 parking are compatible with the site and neighboring land uses, particularly those  
11 involving residential uses or livestock or small animal husbandry; and further that the  
12 proposed use can comply with Federal Aviation Administration regulations (FAR Part  
13 103), which state that ultralight vehicle operations will not:

14 (i) create a hazard for other persons or property;

15 (ii) occur between sunset and sunrise;

16 (iii) occur over any substantially developed area of a city, town, or settlement,  
17 particularly over residential areas or over any open air assembly of people; or

18 (iv) occur in an airport traffic area, control zone, terminal control area, or  
19 positive control area without prior authorization of the airport manager with jurisdiction.

20 (21) Craft Shop:

21 (a) Articles shall not be manufactured by chemical processes;

22 (b) No more than three persons shall be employed at any one time in the  
23 fabricating, repair, or processing of materials; and

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

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

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

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

32 (25) Rural Industry:

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

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

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

41 (d) Outside storage, loading or employee parking in the RD zone shall provide  
42 15-foot wide Type A landscaping as defined in SCC 30.25.017.

43 (26) Sawmill, Shake and Shingle Mill:

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

1  
2 (b) The number of employees shall not exceed 25 during any eight-hour work  
3 shift;

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

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

10 (27) Governmental and Utility Structures and Facilities:

11 Special lot area requirements for this use are contained in SCC 30.23.200.

12 (28) Excavation and Processing of Minerals:

13 (a) This use, as described in SCC 30.31D.010(2), is allowed in the identified  
14 zones only where these zones coincide with the mineral lands designation in the  
15 comprehensive plan (mineral resource overlay or MRO), except for the MC zone where  
16 mineral lands designation is not required.

17 (b) An Administrative Conditional Use Permit or a Conditional Use Permit is  
18 required pursuant to SCC 30.31D.030.

19 (c) Excavation and processing of minerals exclusively in conjunction with forest  
20 practices regulated pursuant to chapter 76.09 RCW is permitted outright in the Forestry  
21 zone.

22 (29) Medical Clinic, Licensed Practitioner: A prescription pharmacy may be permitted  
23 when located within the main building containing licensed practitioner(s).

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

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

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

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

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

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

38 (e) Safety buoys shall be installed and maintained separating boating activities  
39 from other water-oriented recreation and uses where this is reasonably required for  
40 public safety, welfare, and health; and

41 (f) All site improvements for boat launch facilities shall comply with all other  
42 requirements of the zone in which it is located.

43 (32) Campground:

44 (a) The maximum overall density shall be seven camp or tent sites per acre; and

45 (b) The minimum site size shall be 10 acres.



1 (33) Commercial Vehicle Home Basing:

2 (a) The vehicles may be parked and maintained only on the property wherein  
3 resides a person who uses them in their business;

4 (b) Two or more vehicles may be so based; and

5 (c) The vehicles shall be in operable conditions.

6 (34) Distillation of Alcohol:

7 (a) The distillation shall be from plant products, for the purpose of sale as fuel,  
8 and for the production of methane from animal waste produced on the premises;

9 (b) Such distillation shall be only one of several products of normal agricultural  
10 activities occurring on the premises; and

11 (c) By-products created in this process shall be used for fuel or fertilizer on the  
12 premises.

13 (35) RESERVED for future use (Group Care Facility - DELETED by Amended Ord.  
14 04-010 effective March 15, 2004)

15 (36) Mobile Home and Travel Trailer Sales:

16 (a) Property shall directly front upon a principal or minor arterial in order to  
17 reduce encroachment into the interior of IP designated areas;

18 (b) The hearing examiner shall consider the visual and aesthetic characteristics  
19 of the use proposal and determine whether nearby business and industrial uses,  
20 existing or proposed, would be potentially harmed thereby. A finding of potential  
21 incompatibility shall be grounds for denial;

22 (c) The conditional use permit shall include a condition requiring mandatory  
23 review by the hearing examiner at intervals not to exceed five years for the express  
24 purpose of evaluating the continued compatibility of the use with other IP uses. The  
25 review required herein is in addition to any review which may be held pursuant to SCC  
26 30.42B.100, SCC 30.42C.100 and SCC 30.43A.100;

27 (d) Such use shall not be deemed to be outside storage for the purpose of SCC  
28 30.25.024; and

29 (e) Such use shall be temporary until business or industrial development is timely  
30 on the site or on nearby IP designated property.

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

32 (38) Mobile Home Park: Such development must fulfill the requirements of chapter  
33 30.42E SCC.

34 (39) Sludge Utilization: See SCC 30.28.085.

35 (40) Homestead Parcel: See SCC 30.28.055.

36 (41) Special Setback Requirements for this use are contained in SCC 30.23.110(20).

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

40 (43) Petroleum Products and Gas, Bulk Storage:

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

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

46 (44) Auto Wrecking Yards and Junkyards: A sight-obscuring fence a minimum of

1 seven feet high shall be established and maintained in the LI zone. For requirements  
2 for this use, SCC 30.25.020 and 30.25.050 applies.

3 (45) Antique Shops when established as a home occupation as regulated by SCC  
4 30.28.050(1); provided further that all merchandise sold or offered for sale shall be  
5 predominantly "antique" and antique-related objects.

6 (46) Billboards: See SCC 30.27.080 for specific requirements.

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

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

10 (49) Restaurants and Personal Service Shops: Located to service principally the  
11 constructed industrial park uses.

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

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

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

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

25 (52) Greenhouses, Lath Houses, and Nurseries:

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

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

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

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

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

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

38 (56) Sludge Utilization only at a completed sanitary landfill or on a completed cell  
39 within a sanitary landfill, subject to the provision of SCC 30.28.085.

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

41 (58) Bed and Breakfast Guesthouses and Bed and Breakfast Inns: See SCC  
42 30.28.020.

43 (59) Detached accessory or non-accessory private garages and storage structures  
44 are subject to the following requirements:

45 (a) Special setback requirements for these uses are contained in SCC  
46 30.23.110(20);

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

3 (c) The following compatibility standards shall apply:

4 (i) proposals for development in existing neighborhoods with a well-  
5 defined character should be compatible with or complement the highest quality  
6 features, architectural character and siting pattern of neighboring buildings.  
7 Where there is no discernable pattern, the buildings shall complement the  
8 neighborhood. Development of detached private garages and storage structures  
9 shall not interrupt the streetscape or dwarf the scale of existing buildings of  
10 existing neighborhoods. Applicants may refer to the Residential Development  
11 Handbook for Snohomish County Communities to review techniques  
12 recommended to achieve neighborhood compatibility;

13 (ii) building plans for all proposals larger than 2,400 square feet in the  
14 Waterfront Beach, R 7,200, R 8,400, R 9,600 and R 12,500 zones and rural  
15 cluster subdivisions shall document the use of building materials compatible and  
16 consistent with existing on-site residential development exterior finishes;

17 (iii) in the Waterfront Beach, R 7,200, R 8,400, R 9,600 and R 12,500  
18 zones and rural cluster subdivisions, no portion of a detached accessory private  
19 garage or storage structure shall extend beyond the building front of the existing  
20 single family dwelling, unless screening, landscaping, or other measures are  
21 provided to ensure compatibility with adjacent properties; and

22 (iv) in the Waterfront Beach, R 7,200, R 8,400, R 9,600 and R 12,500  
23 zones and rural cluster subdivisions, no portion of a detached non-accessory  
24 private garage or storage structure shall extend beyond the building front of  
25 existing single family dwellings on adjacent lots where the adjacent dwellings are  
26 located within 10 feet of the subject property line. When a detached non-  
27 accessory private garage or storage structure is proposed, the location of  
28 existing dwellings on adjacent properties located within 10 feet of the subject site  
29 property lines shall be shown on the site plan;

30 (d) All detached accessory or non-accessory private garages and storage  
31 structures proposed with building footprints larger than 2,400 square feet shall provide  
32 screening or landscaping from adjacent properties pursuant to chapter 30.25 SCC.

33 (e) On lots less than ten acres in size having no established residential use, only  
34 one non-accessory private garage and one storage structure shall be allowed. On lots  
35 10 acres or larger without a residence where the cumulative square footage of all  
36 existing and proposed non-accessory private garages and storage structures is 6,000  
37 square feet or larger, a conditional use permit shall be required.

38 (f) Where permitted, separation between multiple private garages or storage  
39 structures shall be regulated pursuant to subtitle 30.5 SCC.

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

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

46 (62) Accessory Apartments: See SCC 30.28.010.

1 (63) Temporary Woodwaste Recycling and Temporary Woodwaste Storage  
2 Facilities: See SCC 30.28.090.

3 (64) Home Occupation: See SCC 30.28.050(2).

4 (65) On-site Hazardous Waste Treatment and Storage Facilities are allowed only as  
5 an incidental use to any use generating hazardous waste which is otherwise allowed;  
6 provided that such facilities demonstrate compliance with the state siting criteria for  
7 dangerous waste management facilities pursuant to RCW 70.105.210 and WAC 173-  
8 303-282 as now written or hereafter amended.

9 (66) An application for a conditional use permit to allow an off-site hazardous waste  
10 treatment and storage facility shall demonstrate compliance with the state siting criteria  
11 for dangerous waste management facilities pursuant to RCW 70.105.210 and WAC  
12 173-303-282 as now written or hereafter amended.

13 (67) Adult Entertainment Uses: See SCC 30.28.015.

14 (68) Special Building Height provisions for this use are contained in SCC  
15 30.23.050(2)(d).

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

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

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

24 (72) Equestrian Centers and Mini-equestrian Centers require the following:

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

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

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

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

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

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

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

40 (73) Temporary Residential Sales Coach (TRSC):

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

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

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

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

- 4 (i) plat construction plans have been approved;
- 5 (ii) the fire marshal has approved the TRSC proposal;
- 6 (iii) proposed lot lines for the subject lot are marked on site; and
- 7 (iv) the site has been inspected for TRSC installation to verify compliance with  
8 all applicable regulations and plat conditions, and to assure that grading, drainage,  
9 utilities infrastructure, and native growth protection areas are not adversely affected.

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

14 (75) Model Hobby Park: SCC 30.28.060.

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

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

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

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

28 (c) Landscape buffers may be required to visually screen facility structures or  
29 outdoor storage areas when the structures or outdoor storage areas are proposed  
30 within 100 feet of adjacent residential, multiple family, and rural-zoned properties. The  
31 buffer shall be an effective site obscuring screen consistent with Type A landscaping as  
32 defined in SCC 30.25.017.

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

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

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

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

38 (a) The use complies with all of the performance standards required by SCC  
39 30.31F.100 and 30.31F.110;

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

42 (c) In addition to the provisions of SCC 30.22.130(81)(b), not more than five  
43 commercial vehicles or construction machines shall be stored outdoors and shall be  
44 screened in accordance with SCC 30.25.020 and 30.25.032;

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

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

1 prohibited.

2 (82) Manufacturing, Heavy includes the following uses: Distillation of wood, coal,  
3 bones, or the manufacture of their by-products; explosives manufacturing; manufacture  
4 of fertilizer; extraction of animal or fish fat or oil; forge, foundry, blast furnace or melting  
5 of ore; manufacturing of acid, animal black/black bone, cement or lime, chlorine,  
6 creosote, fertilizer, glue or gelatin, potash, pulp; rendering of fat, tallow and lard, rolling  
7 or booming mills; tannery; or tar distillation and manufacturing. See SCC 30.91M.028.

8 (83) "All other forms of manufacture not specifically listed" is a category which uses  
9 manufacturing workers, as described under the Dictionary of Occupational Titles,  
10 published by the US Department of Labor, to produce, assemble or create products and  
11 which the director finds consistent with generally accepted practices and performance  
12 standards for the industrial zone where the use is proposed. See SCC 30.91M.024 and  
13 30.91M.026.

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

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

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

17 (87) Wedding Facility:

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

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

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

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

25 (iii) adequate sanitation facilities are provided on site pursuant to chapter  
26 30.52A SCC and applicable Snohomish Health District provisions;

27 (c) Adequate on-site parking shall be provided for the use pursuant to SCC  
28 30.26.035;

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

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

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

38 (88) Public/Institutional Use Designation (P/IU): When applied to land that is (a)  
39 included in an Urban Growth Area and (b) designated P/IU on the Snohomish County  
40 Future Land Use Map concurrent with or prior to its inclusion in a UGA, the R-7,200, R-  
41 8,400 and R-9,600 zones shall allow only the following permitted or conditional uses:  
42 churches, and school instructional facilities. All other uses are prohibited within areas  
43 that meet criteria (a) and (b), unless the P/IU designation is changed.

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

46 (a) The Light Industrial zone is located within a municipal airport boundary;

1 (b) The municipal airport boundary includes no less than 1000 acres of land  
2 zoned light industrial; and

3 (c) The hotel/motel use is served by both public water and sewer.

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

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

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

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

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

23 (92) The area of the shooting range devoted to retail sales of guns, bows, and related  
24 equipment shall not exceed one-third (1/3) of the gross floor area of the shooting range  
25 and shall be located within a building or structure.

26 (93) Farmers Market: See SCC 30.28.036.

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

28 (95) Farmland Enterprise: See SCC 30.28.037.

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

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

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

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

35 (98) Recreational Facility Not Otherwise Listed in Ag-10 zone: See SCC 30.28.076.

36 (99) Farm Stand: See SCC 30.28.039.

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

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

- 1 (102) Community Facilities for Juveniles in R-5 zones must be located within one mile  
2 of an active public transportation route at the time of permitting.
- 3 (103) All community facilities for juveniles shall meet the performance standards set  
4 forth in SCC 30.28.025.
- 5 (104) Personal wireless telecommunications service facilities: See chapter 30.28A  
6 SCC and landscaping standards in SCC 30.25.025.
- 7 (105) Personal wireless telecommunications service facilities are subject to a building  
8 permit pursuant to SCC 30.28A.020 and the development standards set forth in chapter  
9 30.28A SCC and landscaping standards in SCC 30.25.025.
- 10 (106) A building permit only is required for facilities co-locating on existing utility  
11 poles, towers, and/or antennas unless otherwise specified in 30.28A SCC.
- 12 (107) RESERVED for future use (R-5 w/MRO - DELETED by Ord. 07-090 effective  
13 September 21, 2007)
- 14 (108) Projects submitted under the Urban Centers Demonstration Program (chapter  
15 30.34A SCC) and located within the NB or PCB zones may include the permitted uses  
16 in these zones. Uses listed in SCC 30.34A.100(5) and conditional uses in the NB and  
17 PCB zones are prohibited in these projects.
- 18 (109) Privately operated off-road vehicle (ORV) use areas shall be allowed by  
19 conditional use permit on Forestry and Recreation (F&R) zoned property designated  
20 Forest on the comprehensive plan future land use map. These areas shall be identified  
21 by an F&R ORV suffix on the zoning map. Privately operated ORV use areas are  
22 regulated pursuant to SCC 30.28.080, SCC 30.28.085 and other applicable county  
23 codes.
- 24 (110) Recreational Facility Not Otherwise Listed: Playing fields permitted in  
25 accordance with chapter 30.33B SCC are allowed as a Permitted Use (P) when sited on  
26 designated recreational land as identified on the future land use map in the county's  
27 comprehensive plan.
- 28 (111) Recreational Facility Not Otherwise Listed: Playing fields not permitted in  
29 accordance with chapter 30.33B SCC are allowed as an Administrative Conditional Use  
30 (A) when sited on designated recreational land as identified on the future land use map  
31 in the county's comprehensive plan.
- 32 (112) Land zoned R-5 and having an RA overlay, depicted as R-5-RA on the official  
33 zoning map, is a Transfer of Development Rights (TDR) receiving area and, consistent  
34 with the comprehensive plan, will be retained in the R-5-RA zone until regulatory  
35 controls are in place which ensure that TDR certificates issued pursuant to SCC  
36 30.35A.050 will be required for development approvals within the receiving area.
- 37 (113) Privately operated motocross racetracks are allowed by conditional use permit,  
38 and are regulated pursuant to SCC 30.28.100, SCC 30.28.105, and other applicable  
39 county codes. Motocross racetracks are allowed in the Forestry and Recreation (F&R)  
40 zone only on commercial forest lands.
- 41 (114) RESERVED for future use (Mobile Home Park Zone - DELETED by  
42 Amended Ord. 09-096)
- 43 (115) This use is prohibited in the R-5 zone with the Mineral Resource Overlay  
44 (MRO). Public park is a permitted use on reclaimed portions of mineral excavation sites  
45 with the MRO.
- 46 (116) See cottage housing design standard requirements in chapter 30.41G SCC.



1  
2 Section 6. A new section is added to chapter 30.28 of the Snohomish County  
3 Code to read:

4  
5 **30.28.005 Airpark Disclosure.**  
6

7 The disclosure text set forth in this section shall be used under the following  
8 circumstances and in the following manner:

9 (1) Development permits and building permits for land that is in, or within 2,500 feet  
10 of an airpark shall include the disclosure text in subsection (2) on the final development  
11 permit and building permit in a location to be determined by the director of the  
12 department. The disclosure requirement shall apply to the real property that is subject  
13 to the development permit and/or building permit only so long as the subject property is  
14 in, or within 2,500 feet of an airpark. The disclosure notice shall:

15 (a) be in a form provided by the Department of Planning and Development Services;

16 (b) contain the legal description of the subject property; and

17 (c) shall be recorded with the County Auditor concurrent with permit issuance.

18 (2) The following shall constitute the disclosure required by this section:

19 "This real property is in, or within 2,500 feet of an airpark; therefore, you may be subject  
20 to inconveniences or discomforts arising from aviation activities."

21 (3) Property that is in, or within 2,500 feet of an airpark shall be identified on the  
22 county's official zoning maps using a designation provided by the Department of  
23 Planning and Development Services.

24 (4) In no case shall liability attach to Snohomish County for any actions, error, or  
25 omissions of any person subject to the requirements of this section.  
26

27 Section 7. A new section is added to chapter 30.91A of the Snohomish County  
28 Code to read:

29  
30 **30.91A.015 Airpark.**  
31

32 "Airpark" means a private Stage 1 Utility Airport, including adjacent and extended  
33 taxiways, and all adjacent and surrounding properties that have the right to use the  
34 taxiways or use access roadways adjacent to the taxiways.  
35

36 Section 8. Severability and Savings. If any section, sentence, clause or phrase  
37 of this ordinance shall be held to be invalid or unconstitutional by the Growth  
38 Management Hearings Board (Board), or a court of competent jurisdiction, such  
39 invalidity or unconstitutionality shall not affect the validity or constitutionality of any other  
40 section; sentence, clause, or phrase of this ordinance. Provided, however, that if any  
41 section, sentence, clause, or phrase of this ordinance is held to be invalid by the Board  
42 or court of competent jurisdiction, then the section, sentence, clause or phrase in effect  
43 prior to the effective date of this ordinance shall be in full force and effect for that  
44 individual section, sentence, clause, or phrase as if this ordinance had never been  
45 adopted.  
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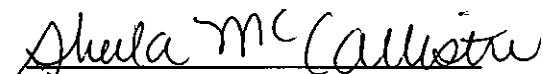
PASSED this 24<sup>th</sup> day of March, 2010.

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington



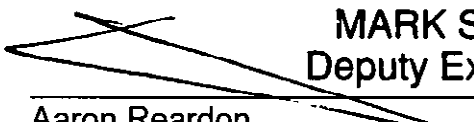
Chairman

ATTEST:

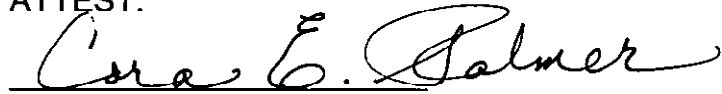
  
Asst. Clerk of the Council

APPROVED  
 EMERGENCY  
 VETOED

DATE: 4/1/10

~~~~ MARK SOINE  
Deputy Executive  
*for* Aaron Reardon  
Snohomish County Executive

ATTEST:



Approved as to form only:

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