

1 Adopted: September 11, 2013

2 Effective: Oct 3, 2013

3
4 SNOHOMISH COUNTY COUNCIL
5 Snohomish County, Washington

6
7 AMENDED ORDINANCE NO. 13-007

8
9 RELATING TO THE URBAN CENTER ZONE, AMENDING CHAPTERS 30.21,
10 30.22, 30.25, 30.26, 30.27, 30.28, 30.34A, 30.43B, 30.71, 30.72, 30.91B, 30.91F,
11 30.91H, 30.91M, 30.91N, 30.91P, 30.91S, AND 30.91T OF THE SNOHOMISH
12 COUNTY CODE AND REPEALING SCC 30.91M.135 AND 30.91P.340
13

14 WHEREAS, pursuant to the Growth Management Act (GMA), chapter 36.70A RCW,
15 the Snohomish County Council (the "County Council") has adopted the Snohomish County
16 GMA Comprehensive Plan (GMACP) – General Policy Plan (GPP) for the unincorporated
17 areas of Snohomish County; and
18

19 WHEREAS, on December 9, 2002, the County Council adopted title 30 of the SCC,
20 entitled the Unified Development Code (UDC), containing regulations that guide development
21 within the unincorporated areas of Snohomish County; and
22

23 WHEREAS, on May 12, 2010, the County adopted Ordinance No. 09-079 relating to
24 Urban Center design standards, establishing a new zone for Urban Centers, and establishing
25 bulk regulation for Urban Centers; and
26

27 WHEREAS, the Department of Planning and Development Services (PDS) has
28 identified several unintended consequences from adoption of Ordinance No. 09-079 ,
29 including nonconformity, signs, and ambiguous and unclear regulations, which require
30 amendments in order to be implementable; and
31

32 WHEREAS, PDS has received feedback from prospective applicants and property
33 owners within the Urban Center (UC) zone that the existing development regulations present
34 challenges to developing within the zone; and
35

36 WHEREAS, PDS conducted early and continuous public participation and the
37 proposed amendments have been broadly disseminated, and opportunities have been
38 provided for written comments after effective notice; and
39

40 WHEREAS, pursuant to RCW 36.70A.106, a notice of intent to adopt this code
41 amendment was transmitted to the Washington State Department of Commerce on August
42 31, 2012; and
43

44 WHEREAS, PDS briefed the Snohomish County Planning Commission (the "planning
45 commission") at public meetings on June 26 and July 24, 2012; and
46

47 WHEREAS, the planning commission held a public hearing on September 11, 2012,
48 to receive public testimony concerning the proposed code amendments; and
49

50 WHEREAS, on September 11, 2012, the planning commission deliberated on the
51 proposed development regulations at an advertised public meeting; and
52

AMENDED ORDINANCE NO. 13-007 - RELATING TO THE URBAN CENTER ZONE, AMENDING CHAPTERS 30.21, 30.22,
30.25, 30.26, 30.27, 30.28, 30.34A, 30.43B, 30.71, 30.72, 30.91B, 30.91F, 30.91H, 30.91M, 30.91N, 30.91P, 30.91S, AND
30.91T OF THE SNOHOMISH COUNTY CODE AND REPEALING SCC 30.91M.135 AND 30.91P.340

1 WHEREAS, at the conclusion of its deliberations the planning commission voted to
2 recommend that the County Council approve the proposed development regulations, with
3 amendments as enumerated in its recommendation letter dated October 4, 2012; and
4

5 WHEREAS, after proper notice, the County Council held a public hearing on August
6 21, 2013 continued to September 11, 2013, to consider the entire record, including the
7 planning commission's recommendations on the full package of development regulations and
8 PDS Staff report dated August 30, 2012, which provides a detailed summary of the proposed
9 development regulations, and to hear public testimony on Amended Ordinance No. 13-007;
10 and
11

12 WHEREAS, the county council deliberated on the planning commission
13 recommendations on August 21 and September 11, 2013.
14

15 NOW, THEREFORE, BE IT ORDAINED:
16

17 Section 1. The County Council adopts the following findings:
18

- 19 A. The foregoing recitals are incorporated herein as findings as if set forth in full.
20
21 B. The public participation process related to the adoption of this ordinance has been early
22 and continuous and complies with all applicable requirements including, but not limited to,
23 the GMA, chapter 30.73 SCC, and the Snohomish County Charter.
24
25 C. The regulations proposed by this ordinance are necessary to: 1) encourage higher
26 density and intensity development to more fully implement the Urban Center policies
27 contained in the comprehensive plan, 2) support existing and encourage expanded
28 transit service, to 3) resolve concerns about nonconforming structures, signs and
29 ambiguous and unclear code language, and 4) provide a more predictable review
30 process.
31
32 D. The change to require a pre-application meeting (and the accompanying fee) for urban
33 center development applications is necessary to ensure applicants understand the
34 development regulations and review process.
35
36 E. The regulations proposed by this ordinance are consistent with Objective LU 4.B, Policy
37 LU 4.B.1, Policy LU 4.B.2, and Policy LU 4.B.3.
38
39 F. The regulations proposed by this ordinance are consistent with GPP Goal ED 2,
40 Objective ED 2.A and Policy ED 2.A.1.
41
42 G. The grounds for these proposed amendments and new provisions are analyzed in the
43 PDS Staff Report dated August 30, 2012.
44
45 H. The Snohomish County Planning Commission makes the following findings:
46
47 1. The recommended amendments to SCC 30.34A.070(6) and (7) to reduce the
48 percent of land that may be counted towards open space requirements from 50
49 percent to 30 percent is necessary because urban centers are supposed to be nice
50 area, and that giving up 50% of the green space for minor things is too much.
51

2. The recommended amendment to SCC 30.34A.150(2) is necessary to add "public" to ensure the requirements only apply to sidewalks in the public right-of-way.

- I. The Washington State Attorney General is directed under RCW 36.70A.370 to advise state agencies and local governments on an orderly, consistent process that better enables government to evaluate proposed regulatory actions to assure that the actions do not result in the unconstitutional taking of private property or violate substantive due process guarantees.
- J. The Washington State Attorney General issued an advisory memorandum in December of 2006 entitled Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property (the "2006 advisory memorandum") to help local governments avoid the unconstitutional taking of private property.
- K. The 2006 advisory memorandum was used by the county in objectively evaluating the regulatory changes proposed in this ordinance.
- L. The County Council considered and assessed potential constitutional issues related to the regulations proposed in this ordinance. These include, but are not limited to the following questions: whether the proposed regulations would result in a permanent or temporary physical occupation of private property; whether the proposed regulations would deprive affected property owners of all economically viable uses of their properties; whether the proposed regulations would deny or substantially diminish a fundamental attribute of property ownership; whether the proposed regulations require a property owner to dedicate a portion of property or to grant an easement; and whether the proposed regulations would have a severe impact on the property owners' economic interests.
- M. The regulations proposed by this ordinance are reasonably related to and necessary for the advancement of the GMA's goals of discouraging sprawl and encouraging growth in urban areas served by a multimodal transportation system.
- N. The regulations proposed by this ordinance are reasonably related to and necessary for the advancement of the GMA's goal that applications for local government permits be processed in a timely and fair manner to ensure predictability.
- O. The regulations proposed by this ordinance are reasonably related to and necessary for the advancement of the GMA's goal of encouraging the availability of affordable housing to all economic segments of the County.
- P. The regulations proposed by this ordinance are reasonably related to and necessary for the advancement of the GMA's goal of promoting a variety of residential densities and housing types in the County.
- Q. The regulations proposed by this ordinance maintain the GMACP's consistency with the multi-county planning policies adopted by the Puget Sound Regional Council
- R. The regulations proposed by this ordinance are consistent with the Countywide Planning Policies for Snohomish County including: DP 9 through DP 16.

- 1 S. The amendments will better achieve the overall goals of the GMACP and facilitate
2 eventual annexation of unincorporated urban areas by the cities, as envisioned by the
3 GMA.
4
5 T. SEPA requirements with respect to this non-project action have been satisfied through
6 the completion of an environmental checklist and the issuance of a Determination of Non-
7 significance (DNS) on September 10, 2012.
8
9 U. This ordinance is adopted pursuant to the Snohomish County Charter and the
10 Washington State Constitution, Article XI, Section 11.
11
12 V. Snohomish County adopts by reference the ADDENDUM NO. 1 TO THE FINAL
13 SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT FOR "FINAL DOCKET XIII
14 AMENDMENTS TO THE GMA COMPREHENSIVE PLAN-PARAMOUNT OF
15 WASHINGTON, LLC, Adopting of Future Land Use Map and Policy Amendments to the
16 Snohomish County GMA Comprehensive Plan, Amending the Zoning Map to Implement
17 Changes to the Future Land Use Map, and Amending Title 30 SCC to Comply with a
18 Final Decision and Order in the Shoreline III-IV Growth Management Hearings Board
19 Cases.
20

21 Section 2. Based on the foregoing findings, the County Council makes the following
22 conclusions:
23

- 24 A. The regulations proposed by this ordinance do not result in an unconstitutional taking of
25 private property for a public purpose.
26
27 B. The amendments are consistent with the goals and requirements of the GMA.
28
29 C. The code amendments and revisions adopted by this ordinance are consistent with the
30 goals and requirements of the GMACP.
31
32 D. The provisions in this ordinance are consistent with the Countywide Planning Policies for
33 Snohomish County and with the multi-county policies adopted by the Puget Sound
34 Regional Council.
35

36 Section 3. The County Council bases its findings and conclusions on the entire
37 record of the planning commission and the County Council, including all testimony and
38 exhibits. Any finding which should be deemed a conclusion, and any conclusion which
39 should be deemed a finding, is adopted as such.
40

41 Section 4. Snohomish County Code Section 30.22.010, last amended by Amended
42 Ordinance No. 12-025 on June 6, 2012, is amended to read:
43

44 **30.22.010 Purpose and applicability.**
45

46 This chapter establishes which uses or types of uses are permitted, which require special
47 approvals, and which are prohibited in the various county zones. Zones are grouped into four
48 categories, as shown below, with each of the zones listed from left to right in increasing
49 intensity of use in a matrix. Some uses have additional or special requirements that are listed
50 by numbered reference notes in SCC 30.22.130. The categories and zones are as follows:

1 (1) Urban Zones - R-9,600, R-8,400, R-7,200, T, LDMR, MR, NB, PCB, CB, GC, FS, IP,
2 BP, LI, HI, MHP, UC;
3 (2) Rural Zones - RD, RRT-10, R-5, RB, CRC, RFS, RI;
4 (3) Resource Zones - F, F&R, A-10, MC; and (4) Other Zones - SA-1, RC, RU, R-20,000,
5 R-12,500, WFB.
6 For a description of each zone, see SCC 30.21.025.
7

1 Section 5. Snohomish County Code Section 30.22.100, last amended by Amended Ordinance No. 12-040 on July 11,
 2 2012, is amended to read:

3

4 **30.22.100 Urban Zone Categories: Use Matrix**

5

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB	GC	FS	IP ⁷⁶	BP	LI ^{55, 78}	HI ⁵⁵	MHP ¹¹⁴	UC((¹⁴⁷)) ¹²²
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	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		P
Antique Shop							P		P	P				P	P		P
Art Gallery ⁴¹	C	C	C		C	C	P	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		P((⁸⁶))
Auto Repair, Minor							P	P	P ⁸⁶	P	P	P	P	P	P		P((⁸⁶))
Auto Towing														P	P		
Auto Wrecking Yard														C ⁴⁴	P ⁴⁴		
Bakery							P ⁶⁹	P	P	P		P	P	P	P		P
Bed and Breakfast Guesthouse ⁵⁸	C	C	C	C	C	C										C	
Billboards ⁴⁶										P				P	P		
Boarding House	P ¹⁵	P ¹⁵	P ¹⁵		P	P	P		P	P						P	P
Boat Launch, Commercial ³¹									C	C				C	C		P((¹¹⁸))
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		
Cemetery, Columbarium, Crematorium, Mausoleum ⁴¹	C	C	C		C	C			P	P		P	P	P	P		P
Church ⁴¹	C	C	C		P	P	P	P	P	P		P	P	P	P		P
Cleaning Establishment							P	P	P	P		P	P	P	P		P

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB	GC	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC((¹¹⁷)) ¹²²
Clubhouse					C	C	C	P	P	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	P	P
Community Facilities for Juveniles ¹⁰³																	
1 to 8 Resident Facility	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P
9 to 24 Resident Facility	S	S	S	S	S	P	P	P	P	P		P	P	P	P	P	P
Construction Contracting										P		P	P	P	P		P ¹²³
Country Club	C	C	C									P	P	P	P		P
Craft Shop ²¹									P ⁸⁶	P		P	P	P	P		P((⁸⁶))
Day Care Center ²	C	C	C		C	C	P	P	P	P	P	P	P	P	P	A	P
Department Store								P	P ⁸⁶	P				P	P		P
Distillation of Alcohol												P	P	P	P		P((⁸⁶))
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	P ² ₂			P	P		P
Dwelling, Attached Single Family	P	P	P	P	P	P	P	P	P	P							
Dwelling, Cottage Housing ¹¹⁶	A	A	A	A	A												
Dwelling, Duplex	P ⁴²	P ⁴²	P ⁴²	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						P	
Dwelling, Multifamily					P	P	P	P	P	P			P ⁵¹				P
Dwelling, Single Family	P	P	P	P	P	P	P	P ⁴	P	P			P ⁵¹			P ⁴	
Dwelling, Townhouse ⁵			A	P	P	P	P	P	P	P							P

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB	GC	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC((¹¹⁷)) ¹²²
Electric Vehicle Infrastructure																	
Electric Vehicle Charging Station – Restricted, Level 1, and Level 2 ¹²¹	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P
Electric Vehicle Charging Station – Public, Level 1 and Level 2							P	P	P	P	P	P	P	P	P	P	P
Electric Vehicle Charging Station, Level 3	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	P	P	P	P	P	P	P	P	P		P
Battery Exchange Stations	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	P	P	P	P	P	P	P	P	P		P
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		P ¹²³
Fairgrounds										P		P	P	P	P		
Fallout Shelter, Individual	P	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		P
Family Day Care Home ⁸	P	P	P	P	P	P	P		P	P						P	
Farm Product Processing Up to 5000 sq ft Over 5000 sq ft ⁹⁴									P A	P P				P P	P P		
Farm Stand Up to 400 sq ft ⁹ 401 to 5,000 sq ft ⁹⁹	P	P	P						P	P				P	P		P
Farmers Market ⁹³										P			P	P	P		P
Financial Institutions							P	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		P((⁸⁶))
Forestry												P		P	P		

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB	GC	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC((¹¹⁷)) ¹²²
Forge, Foundry, Blast Furnace for Melting of Ore															P		
Foster Home	P	P	P	P	P	P	P		P	P						P	
Fuel & Coal Yard										P		P	P	P	P		
Garage, Detached Private Accessory ⁶⁰																	
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P		P	P	P	P		
2,401 – 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		
2,401 – 4,000 sq ft 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}	C	C	C	C	C	C	C	C	C	C		C	C	C	C		
Garage, Detached Private Non-accessory ⁶⁰																	
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
2,401 sq ft and greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Golf Course and Driving Range	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		P
Greenhouse, Lath House, & Nurseries : ⁵² Retail							P	P	P	P				P	P		((P ⁸⁶))
Greenhouse, Lath House, & Nurseries: ⁵² Wholesale							P	P	P	P		P	P	P	P		
Grocery Store							P	P	P ⁸⁶	P	P ₂ ²			P	P		P
Grooming Parlor							P	P	P	P			P ⁵³	P	P		P
Guesthouse ⁸⁵	P	P	P		P	P	P	P	P	P						P	
Gymnasium								P	P	P		P	P	P	P		P
Hardware Store							P	P	P	P				P	P		P
Hazardous Waste Storage & Treatment Facilities, Offsite ⁶⁶												C	C	C	C		
Hazardous Waste Storage & Treatment Facilities, Onsite ⁶⁵							P	P	P	P	P	P	P	P	P		

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB	GC	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC((¹¹⁷)) ¹²²
Health and Social Service Facility ⁹⁰																	
Level I	P	P	P	P	P	P	P	P	P	P			P			P	P
Level II ⁴¹	C	C	C		C	C	C	P	P	P			P	P		C	P
Level III								P	P	P		P		P		C	P
Home Improvement Center							P	P	P ⁸⁶	P				P	P		P
Home Occupation ¹¹	P	P	P	P	P	P	P		P	P						P	P
Hotel/Motel					C	C		P	P	P	P			P ⁸⁹			P
Junkyard														C ⁴⁴	P ⁴⁴		
Kennel, ⁴¹ Commercial ¹²	C	C	C						P	P		P	P	P	P		
Kennel, ⁴¹ Private-Breeding ¹³	P	P	P		P	P	P		P	P		P	P	P	P		
Kennel, ⁴¹ Private-Non-Breeding ¹³	P	P	P		P	P	P		P	P		P					
Laboratory										P		P	P	P	P		P((⁸⁶))
Library ⁴¹	C	C	C		C	C	C	P	P	P		P	P	P	P		P
Licensed Practitioner ^{29, 41}					C	C	P	P	P	P		P	P	P	P		P
Livestock Auction Facility												P		P	P		
Locksmith							P	P	P ⁸⁶	P		P	P	P	P		P
Lumberyard										P		P	P	P	P		
Manufacturing, Heavy ⁸²												P			P		
Manufacturing-All Other Forms Not Specifically Listed ⁸³												P	P	P	P		P ¹²³
Massage Parlor									P	P		P	P	P	P		P
Medical Clinic ²⁹					C	C	P	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						P	
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							P
Mortuary					C	C			P	P		P	P	P	P		P
Motocross Racetrack										C ¹¹³		C ¹¹³	C ¹¹³	C ¹¹³	C ¹¹³		
Motor Vehicle & Equipment Sales									P ²³	P				P	P		((P ²³))

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB	GC	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC((¹¹⁷)) ¹²²
Museum ⁴¹	C	C	C		C	C	C	P	P	P		P	P	P	P		P
Office, General							P	P	P	P		P	P	P	P		P
Park, Public ¹⁴	P	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		P
Park-and-Ride Lot	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P		P
Personal Services Shop							P	P	P ⁸⁶	P		P ⁴⁹	P ⁴⁹	P	P		P
Personal Wireless Communications Facilities ^{27, 41, 104, 105, 106}	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	C	P ¹¹⁹
Pet Shop							P	P	P	P			P ⁵³	P	P		P
Petroleum Products & Gas Storage – Bulk ⁴³										P		P	P	P	P		
Petroleum Refining ⁴³												P					
Print Shop									P ⁸⁶	P		P	P	P	P		P((⁸⁶))
Printing Plant								P		P		P	P	P	P		P ¹²³
Race Track ^{24, 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		P
Recreational Facility Not Otherwise Listed	C	C	C		C	C	P	P	P	P		P	P	P	P		P
Recreational Vehicle Park									C	C	P					C	
Rendering of Fat, Tallow, or Lard												P			P		
Restaurant							P	P	P	P	P	P ⁴⁹	P ⁴⁹	P	P		P
Retail Store							P	P	P ⁸⁶	P			P ⁵³	P	P		P
Retirement Apartments				P	P	P	P	P	P	P						P	P
Retirement Housing				P	P	P	P	P	P	P						P	P
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, 68}	C	C	C		C	C			P	P		P	P	P	P		P
College ^{41, 68}	C	C	C		C	C			P	P		P	P	P	P		P
Other ^{41, 68}	C	C	C		C	C			P	P		P	P	P	P		P

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB	GC	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC((¹¹⁷)) ¹²²
Second Hand Store									P ⁸⁶	P				P	P		P
Service Station ⁴¹							P	P	P ⁸⁶	P	P			P	P		P
Shake & Shingle Mill										P		P	P	P	P		
Shooting Range ⁹²												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 C 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		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, Accessory ⁶⁰ Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
2,401 – 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	P	P	P
2,401 – 4,000 on Less than 3 acres ^{41, 59}	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
4,001 sq ft and Greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Storage Structure, Non-accessory ⁶⁰ Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
2,401 sq ft and greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Studio ⁴¹	C ⁷⁷	C ⁷⁷	C ⁷⁷		C ⁷⁷	C ⁷⁷	P	P	P ⁸⁶	P		P	P	P	P		P
Swimming/Wading Pool ^{17, 41}	P	P	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		P
Television/Radio Stations														P	P		
Temporary Dwelling During Construction	A	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						

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸	R7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB	GC	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC((¹¹⁷)) ¹²²
Temporary Residential Sales Coach ⁷³	A	A	A														A
Temporary Woodwaste Recycling ⁶³														A	A		
Temporary Woodwaste Storage ⁶³														A	A		
Tire Store							P	P	P ⁸⁶	P				P	P		P((⁸⁶))
Tool Sales & Rental									P ⁸⁶	P				P	P		P((⁸⁶))
Transit Center	C	C	C	C	C	P	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	P	P
Utility Facilities-All Other Structures ^{27, 41}	C	C	C	C	C	C	C	P	P ⁸⁶	P	C	P	P	P	P	C	P
Veterinary Clinic					C	C	P	P	P ⁸⁶	P		P	P	P	P		P
Warehousing										P		P	P	P	P		P ¹²³
Wholesale Establishment								P	P ⁸⁶	P		P	P	P	P		P ¹²³
Woodwaste Recycling ⁵⁷														C	C		
Woodwaste Storage ⁵⁷														C	C		
Yacht/Boat Club												P	P	P	P		P
All other uses not otherwise mentioned												P	P	P	P		

1

P - Permitted Use	<p>A blank box indicates a use is not allowed in a specific zone.</p> <p>Note: Reference numbers within matrix indicate special conditions apply; see SCC30.22.130.</p> <p>Check other matrices in this chapter if your use is not listed above.</p>
A - Administrative Conditional Use	
C - Conditional Use	
S - Special Use	

1 Section 6. Snohomish County Code Section 30.22.130, last amended by Amended
2 Ordinance No. 12-140 on July 11, 2012, is amended to read:

3
4 **30.22.130 Reference notes for use matrix.**

5
6 (1) Airport, Stage 1 Utility:

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

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

9 (c) When the airport is included in an airport, the disclosure requirements of SCC

10 30.28.005 shall apply.

11 (2) Day Care Center:

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

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

16 (3) Dock and Boathouse, Private, Non-commercial: The following standards apply
17 outside of shoreline jurisdiction only. If located within shoreline jurisdiction, the standards in
18 SCC 30.67.515 apply instead.

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

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

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

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

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

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

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

37 (5) See chapter 30.31E SCC for rezoning to Townhouse zone, and chapter 30.23A SCC
38 for design standards applicable to townhouse and attached single-family dwelling
39 development.

40 (6) Dwelling, Mobile Home:

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

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

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

- 1
2 (i) skirting material which is compatible with the siding of the mobile home; or
3 (ii) a perimeter masonry foundation;
4 (d) Shall have the wheels and tongue removed; and
5 (e) In the RU zone the above only applies if the permitted lot size is less than 20,000
6 square feet.
7 (7) Fallout Shelter, Joint, by two or more property owners:
8 Side and rear yard requirements may be waived by the department along the boundaries
9 lying between the properties involved with the proposal, and zone; provided that its function
10 as a shelter is not impaired.
11 (8) Family Day Care Home:
12 (a) No play yards or equipment shall be located in any required setback from a street;
13 and
14 (b) Outdoor play areas shall be fenced or otherwise controlled.
15 (9) Farm Stand:
16 (a) There shall be only one stand on each lot; and
17 (b) At least 50% by farm product unit of the products sold shall be grown, raised or
18 harvested in Snohomish County, and 75% by farm product unit of the products sold shall be
19 grown, raised or harvested in the State of Washington.
20 (10) Farm Worker Dwelling:
21 (a) At least one person residing in each farm worker dwelling unit shall be employed full
22 time in the farm operation;
23 (b) An agricultural farm worker dwelling unit affidavit must be signed and recorded with
24 the county attesting to the need for such dwellings to continue the farm operation;
25 (c) The number of farm worker dwellings shall be limited to one per each 40 acres under
26 single contiguous ownership to a maximum of six total dwellings, with 40 acres being
27 required to construct the first accessory dwelling unit. Construction of the maximum number
28 of dwelling units permitted shall be interpreted as exhausting all residential potential of the
29 land until such time as the property is legally subdivided; and
30 (d) All farm worker dwellings must be clustered on the farm within a 10-acre farmstead
31 which includes the main dwelling. The farmstead's boundaries shall be designated with a
32 legal description by the property owner with the intent of allowing maximum flexibility while
33 minimizing interference with productive farm operation. Farm worker dwellings may be
34 located other than as provided for in this subsection only if environmental or physical
35 constraints preclude meeting these conditions.
36 (11) Home Occupation: See SCC 30.28.050.
37 (12) Kennel, Commercial: There shall be a five-acre minimum lot area; except in the R-
38 5 and RD zones, where 200,000 square feet shall be the minimum lot area.
39 (13) Kennel, Private-breeding, and Kennel, Private Non-breeding: Where the animals
40 comprising the kennel are housed within the dwelling, the yard or some portion thereof shall
41 be fenced and maintained in good repair or to contain or to confine the animals upon the
42 property and restrict the entrance of other animals.
43 (14) Parks, Publicly-owned and Operated:
44 (a) No bleachers are permitted if the site is less than five acres in size;
45 (b) All lighting shall be shielded to protect adjacent properties; and

- 1 (c) No amusement devices for hire are permitted.
- 2 (15) Boarding House: There shall be accommodations for no more than two persons.
- 3 (16) RESERVED for future use (Social Service Center - DELETED by Amended Ord. 04-
- 4 010 effective March 15, 2004)
- 5 (17) Swimming/Wading Pool (not to include hot tubs and spas): For the sole use of
- 6 occupants and guests:
- 7 (a) No part of the pool shall project more than one foot above the adjoining ground level
- 8 in a required setback; and
- 9 (b) The pool shall be enclosed with a fence not less than four feet high, of sufficient
- 10 design and strength to keep out children.
- 11 (18) Temporary Dwelling for a relative:
- 12 (a) The dwelling shall be occupied only by a relative, by blood or marriage, of the
- 13 occupant(s) of the permanent dwelling;
- 14 (b) The relative must receive from, or administer to, the occupant of the other dwelling
- 15 continuous care and assistance necessitated by advanced age or infirmity;
- 16 (c) The need for such continuous care and assistance shall be attested to in writing by a
- 17 licensed physician;
- 18 (d) The temporary dwelling shall be occupied by not more than two persons;
- 19 (e) Use as a commercial rental unit shall be prohibited;
- 20 (f) The temporary dwelling shall be situated not less than 20 feet from the permanent
- 21 dwelling on the same lot and shall not be located in any required yard of the principal
- 22 dwelling;
- 23 (g) A land use permit binder shall be executed by the landowner, recorded with the
- 24 Snohomish County Auditor and a copy of the recorded document submitted to the
- 25 department for inclusion in the permit file;
- 26 (h) Adequate screening, landscaping, or other measures shall be provided pursuant to
- 27 SCC 30.25.028 to protect surrounding property values and ensure compatibility with the
- 28 immediate neighborhood;
- 29 (i) An annual renewal of the temporary dwelling permit, together with recertification of
- 30 need, shall be accomplished by the applicant through the department in the same month of
- 31 each year in which the initial mobile home/building permit was issued;
- 32 (j) An agreement to terminate such temporary use at such time as the need no longer
- 33 exists shall be executed by the applicant and recorded with the Snohomish County Auditor;
- 34 and
- 35 (k) Only one temporary dwelling may be established on a lot. The temporary dwelling
- 36 shall not be located on a lot on which a detached accessory apartment is located.
- 37 (19) Recreational Vehicle:
- 38 (a) There shall be no more than one per lot;
- 39 (b) Shall not be placed on a single site for more than 180 days in any 12-month period;
- 40 and
- 41 (c) Shall be limited in the floodways to day use only (dawn to dusk) during the flood
- 42 season (October 1 through March 30) with the following exceptions:
- 43 (i) Recreational vehicle use associated with a legally occupied dwelling to accommodate
- 44 overnight guests for no more than a 21-day period;
- 45

1 (ii) Temporary overnight use by farm workers on the farm where they are employed
2 subject to SCC 30.22.130(19)(a) and (b) above; and
3 (iii) Subject to SCC 30.22.130(19)(a) and (b) above and SCC 30.22.120(7)(b),
4 temporary overnight use in a mobile home park, which has been in existence continuously
5 since 1970 or before, that provides septic or sewer service, water and other utilities, and that
6 has an RV flood evacuation plan that has been approved and is on file with the Department
7 of Emergency Management and Department of Planning and Development Services.

8 (20) Ultralight Airpark:

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

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

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

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

21 (ii) occur between sunset and sunrise;

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

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

26 (21) Craft Shop:

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

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

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

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

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

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

38 (25) Rural Industry:

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

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

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

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

3 (26) Sawmill, Shake and Shingle Mill:

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

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

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

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

13 (27) Governmental and Utility Structures and Facilities:

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

15 (28) Excavation and Processing of Minerals:

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

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

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

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

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

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

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

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

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

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

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

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

- 1 (32) Campground:
2 (a) The maximum overall density shall be seven camp or tent sites per acre; and
3 (b) The minimum site size shall be 10 acres.
- 4 (33) Commercial Vehicle Home Basing:
5 (a) The vehicles may be parked and maintained only on the property wherein resides a
6 person who uses them in their business;
7 (b) Two or more vehicles may be so based; and
8 (c) The vehicles shall be in operable conditions.
- 9 (34) Distillation of Alcohol:
10 (a) The distillation shall be from plant products, for the purpose of sale as fuel, and for the
11 production of methane from animal waste produced on the premises;
12 (b) Such distillation shall be only one of several products of normal agricultural activities
13 occurring on the premises; and
14 (c) By-products created in this process shall be used for fuel or fertilizer on the premises.
- 15 (35) RESERVED for future use (Group Care Facility - DELETED by Amended Ord. 04-010
16 effective March 15, 2004)
- 17 (36) Mobile Home and Travel Trailer Sales:
18 (a) Property shall directly front upon a principal or minor arterial in order to reduce
19 encroachment into the interior of IP designated areas;
20 (b) The hearing examiner shall consider the visual and aesthetic characteristics of the
21 use proposal and determine whether nearby business and industrial uses, existing or
22 proposed, would be potentially harmed thereby. A finding of potential incompatibility shall be
23 grounds for denial;
24 (c) The conditional use permit shall include a condition requiring mandatory review by the
25 hearing examiner at intervals not to exceed five years for the express purpose of evaluating
26 the continued compatibility of the use with other IP uses. The review required herein is in
27 addition to any review which may be held pursuant to SCC 30.42B.100, SCC 30.42C.100
28 and SCC 30.43A.100;
29 (d) Such use shall not be deemed to be outside storage for the purpose of SCC
30 30.25.024; and
31 (e) Such use shall be temporary until business or industrial development is timely on the
32 site or on nearby IP designated property.
- 33 (37) Small Animal Husbandry: There shall be a five-acre minimum site size.
- 34 (38) Mobile Home Park: Such development must fulfill the requirements of chapter 30.42E
35 SCC.
- 36 (39) Sludge Utilization: See SCC 30.28.085.
- 37 (40) Homestead Parcel: See SCC 30.28.055.
- 38 (41) Special Setback Requirements for this use are contained in SCC 30.23.110 or SCC
39 30.67.515 if within shoreline jurisdiction.
- 40 (42) Minimum Lot Size for duplexes shall be one and one-half times the minimum lot size
41 for single family dwellings. In the RU zone, this provision only applies when the minimum lot
42 size for single family dwellings is 12,500 square feet or less.
- 43 (43) Petroleum Products and Gas, Bulk Storage:
44 (a) All above ground storage tanks shall be located 150 feet from all property lines; and
45 (b) Storage tanks below ground shall be located no closer to the property line than a
46 distance equal to the greatest dimensions (diameter, length or height) of the buried tank.

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

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

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

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

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

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

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

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

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

23 (b) New single family and multifamily dwellings in the BP zone authorized pursuant to the
24 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 prohibited;
29 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 the BP
32 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 chapter
36 10.01 SCC and machines and operations shall be muffled so as not to become objectionable
37 due to intermittence, beat frequency, or shrillness.

38 (56) Sludge Utilization only at a completed sanitary landfill or on a completed cell within a
39 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 30.28.020.

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

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

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

AMENDED ORDINANCE NO. 13-007 RELATING TO THE URBAN CENTER ZONE, AMENDING CHAPTERS 30.21, 30.22,
30.25, 30.26, 30.27, 30.28, 30.34A, 30.43B, 30.71, 30.72, 30.91B, 30.91F, 30.91H, 30.91M, 30.91N, 30.91P, 30.91S, AND
30.91T OF THE SNOHOMISH COUNTY CODE AND REPEALING SCC 30.91M.135 AND 30.91P.340

1 (c) The following compatibility standards shall apply:

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

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

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

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

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

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

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

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

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

42 (62) Accessory Apartments: See SCC 30.28.010.

43 (63) Temporary Woodwaste Recycling and Temporary Woodwaste Storage Facilities:
44 See SCC 30.28.090.

45 (64) RESERVED for future use.

1
2 (65) On-site Hazardous Waste Treatment and Storage Facilities are allowed only as
3 an incidental use to any use generating hazardous waste which is otherwise allowed;
4 provided that such facilities demonstrate compliance with the state siting criteria for
5 dangerous waste management facilities pursuant to RCW 70.105.210 and WAC 173-303-
6 282 as now written or hereafter amended.
7 (66) An application for a conditional use permit to allow an off-site hazardous waste
8 treatment and storage facility shall demonstrate compliance with the state siting criteria for
9 dangerous waste management facilities pursuant to RCW 70.105.210 and WAC 173-303-
10 282 as now written or hereafter amended.
11 (67) Adult Entertainment Uses: See SCC 30.28.015.
12 (68) Special Building Height provisions for this use are contained in SCC 30.23.050(2)(d).
13 (69) Bakery: In the NB zone, the gross floor area of the use shall not exceed 1,000 square
14 feet and the bakery business shall be primarily retail in nature.
15 (70) Equestrian Centers are allowed with a conditional use permit on all lands zoned A-10
16 except in that portion of the special flood hazard area of the lower Snohomish and
17 Stillaguamish rivers designated density fringe as described in chapter 30.65 SCC.
18 (71) Mini-equestrian Centers are allowed as a permitted use on all lands zoned A-10
19 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 (72) Equestrian Centers and Mini-equestrian Centers require the following:
22 (a) Five-acre minimum site size for a mini-equestrian center;
23 (b) Covered riding arenas shall not exceed 15,000 square feet for a mini-equestrian
24 center; provided that stabling areas, whether attached or detached, shall not be included in
25 this calculation;
26 (c) Any lighting of an outdoor or covered arena shall be shielded so as not to glare on
27 surrounding properties or rights-of-way;
28 (d) On sites located in RC and R-5 zones, Type A landscaping as defined in SCC
29 30.25.017 is required to screen any outside storage, including animal waste storage, and
30 parking areas from adjacent properties;
31 (e) Riding lessons, rentals, or shows shall only occur between 8 a.m. and 9 p.m.;
32 (f) Outside storage, including animal waste storage, and parking areas shall be set back
33 at least 30 feet from any adjacent property line. All structures shall be set back as required
34 in SCC 30.23.110(8); and
35 (g) The facility shall comply with all applicable county building, health, and fire code
36 requirements.
37 (73) Temporary Residential Sales Coach (TRSC):
38 (a) The commercial coach shall be installed in accordance with all applicable provisions
39 within chapter 30.54A SCC;
40 (b) The TRSC shall be set back a minimum of 20 feet from all existing and proposed road
41 rights-of-way and five feet from proposed and existing property lines;
42 (c) Vehicular access to the temporary residential sales coach shall be approved by the
43 county or state; and
44 (d) Temporary residential sales coaches may be permitted in approved preliminary plats,
45 prior to final plat approval, when the following additional conditions have been met:

1
2 (i) plat construction plans have been approved;
3 (ii) the fire marshal has approved the TRSC proposal;
4 (iii) proposed lot lines for the subject lot are marked on site; and
5 (iv) the site has been inspected for TRSC installation to verify compliance with all
6 applicable regulations and plat conditions, and to assure that land disturbing activity,
7 drainage, utilities infrastructure, and native growth protection areas are not adversely
8 affected.

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

13 (75) Model Hobby Park: SCC 30.28.060.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1
2 (82) Manufacturing, Heavy includes the following uses: Distillation of wood, coal, bones,
3 or the manufacture of their by-products; explosives manufacturing; manufacture of fertilizer;
4 extraction of animal or fish fat or oil; forge, foundry, blast furnace or melting of ore;
5 manufacturing of acid, animal black/black bone, cement or lime, chlorine, creosote, fertilizer,
6 glue or gelatin, potash, pulp; rendering of fat, tallow and lard, rolling or booming mills;
7 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, published
10 by the US Department of Labor, to produce, assemble or create products and which the
11 director finds consistent with generally accepted practices and performance standards for the
12 industrial zone where the use is proposed. See SCC 30.91M.024 and 30.91M.026.

13 (84) RESERVED for future use.

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

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

16 (87) Wedding Facility:

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

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

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

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

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

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

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

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

33 (f) In the A-10 zone, any land disturbing activity required to support the use shall be
34 limited to preserve prime farmland. At least 90 percent of prime farmland on site shall
35 remain undisturbed.

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

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

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

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

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

5 (90) Health and social service facilities regulated under this title do not include secure
6 community transition facilities (SCTFs) proposed pursuant to chapter 71.09 RCW. See SCC
7 30.91H.095.

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

15 (b) Nothing herein shall be interpreted as to prohibit or otherwise limit the county from
16 evaluating, commenting on, or proposing public safety measures to the state of Washington
17 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 beds or
19 facilities in Snohomish County than the county is otherwise required to site for its SCTFs
20 pursuant to the requirements of state law.

21 (91) Level II health and social service uses are allowed outside the UGA only when the
22 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 and
25 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 duration.

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

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

34 (99) Farm Stand: See SCC 30.28.039.

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

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

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

AMENDED ORDINANCE NO. 13-007 RELATING TO THE URBAN CENTER ZONE, AMENDING CHAPTERS 30.21, 30.22,
30.25, 30.26, 30.27, 30.28, 30.34A, 30.43B, 30.71, 30.72, 30.91B, 30.91F, 30.91H, 30.91M, 30.91N, 30.91P, 30.91S, AND
30.91T OF THE SNOHOMISH COUNTY CODE AND REPEALING SCC 30.91M.135 AND 30.91P.340

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

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

5 (105) Personal wireless telecommunications service facilities are subject to a building
6 permit pursuant to SCC 30.28A.020 and the development standards set forth in chapter
7 30.28A SCC and landscaping standards in SCC 30.25.025.

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

10 (107) RESERVED for future use (R-5 w/MRO - DELETED by Ord. 07-090 effective
11 September 21, 2007) (108) RESERVED for future use. (Urban Center Demonstration
12 Program projects – DELETED by Ord. 09-079)

13 (109) Privately operated off-road vehicle (ORV) use areas shall be allowed by conditional
14 use permit on Forestry and Recreation (F&R) zoned property designated Forest on the
15 comprehensive plan future land use map. These areas shall be identified by an F&R ORV
16 suffix on the zoning map. Privately operated ORV use areas are regulated pursuant to SCC
17 30.28.080, SCC 30.28.085 and other applicable county codes.

18 (110) Recreational Facility Not Otherwise Listed: Playing fields permitted in accordance
19 with chapter 30.33B SCC are allowed as a Permitted Use (P) when sited on designated
20 recreational land as identified on the future land use map in the county's comprehensive
21 plan.

22 (111) Recreational Facility Not Otherwise Listed: Playing fields not permitted in
23 accordance with chapter 30.33B SCC are allowed as an Administrative Conditional Use (A)
24 when sited on designated recreational land as identified on the future land use map in the
25 county's comprehensive plan.

26 (112) Land zoned R-5 and having an RA overlay, depicted as R-5-RA on the official
27 zoning map, is a Transfer of Development Rights (TDR) receiving area and, consistent with
28 the comprehensive plan, will be retained in the R-5-RA zone until regulatory controls are in
29 place which ensure that TDR certificates issued pursuant to SCC 30.35A.050 will be required
30 for development approvals within the receiving area.

31 (113) Privately operated motocross racetracks are allowed by conditional use permit, and
32 are regulated pursuant to SCC 30.28.100, SCC 30.28.105, and other applicable county
33 codes. Motocross racetracks are allowed in the Forestry and Recreation (F&R) zone only on
34 commercial forest lands.

35 (114) RESERVED for future use (Mobile Home Park Zone – DELETED by Amended Ord.
36 09-096)

37 (115) This use is prohibited in the R-5 zone with the Mineral Resource Overlay (MRO).
38 Public park is a permitted use on reclaimed portions of mineral excavation sites with the
39 MRO.

40 (116) See cottage housing design standard requirements in chapter 30.41G SCC

41 (117) ~~((A drive-through either freestanding or associated with any permitted use shall not
42 be permitted.))~~ RESERVED for future use

43 ~~((This use is only permitted when associated with a public or private marina.))~~
44 RESERVED for future use

45 (119) Only building mounted personal wireless communications facilities shall be
46 permitted.

AMENDED ORDINANCE NO. 13-007 RELATING TO THE URBAN CENTER ZONE, AMENDING CHAPTERS 30.21, 30.22,
30.25, 30.26, 30.27, 30.28, 30.34A, 30.43B, 30.71, 30.72, 30.91B, 30.91F, 30.91H, 30.91M, 30.91N, 30.91P, 30.91S, AND
30.91T OF THE SNOHOMISH COUNTY CODE AND REPEALING SCC 30.91M.135 AND 30.91P.340

1 (120) Allowed as a conditional use only with a Park-and-Pool Lot or a Park-and-Ride
2 Lot.

3 (121) Permitted as an incidental use with a permitted use, conditional use or
4 administrative conditional use.

5 (122) Products or merchandise offered for sale or storage by a business may be located
6 outdoors provided that:

7 (a) The area occupied by the display shall not exceed 500 square feet; and

8 (b) Public sidewalks shall not be enclosed as space for sales or storage by fencing or
9 other means that effectively limits public use of the sidewalk.

10 (123) Such uses are permitted only in structures which are legally existing on May 29,
11 2010. Such uses shall also comply with SCC 30.22.130(122).

12
13 Section 7. A new section is added to chapter 30.25 of the Snohomish County Code
14 to read:

15
16 **30.25.031 Additional landscaping requirements for the UC zone.**

17
18 In addition to the landscaping requirements contained in this chapter, development in the UC
19 zone shall also comply with the following:

20 (1) When development is proposed on a parcel that abuts an R-9600, R-8400, R-7200, T
21 or LDMR zone, a Type A landscaping buffer pursuant to SCC 30.25.017 is required. The
22 buffer width shall average 25 feet, but shall not be less than 15 feet at any given point. To
23 the extent possible, existing vegetation and significant trees shall be retained within the
24 required landscape buffer.

25 (2) Outside of a required landscape buffer, areas of a site not occupied by buildings,
26 parking lots, other improvements or textured paving shall be planted with trees, shrubs,
27 hedges, ground covers, and/or grasses, unless such areas consist of existing vegetation and
28 significant trees to be retained.

29 (3) Landscaping and open space design shall be integrated with other functional and
30 ornamental site design elements. This includes, but is not limited to, recreational facilities,
31 plazas, playgrounds, ground paving materials, paths and walkways, fountains or other water
32 features, trellises, pergolas, gazebos, fences, walls, street furniture, art, and sculpture.

33 (4) The landscape design shall complement and support the open space design,
34 pedestrian circulation and building architecture.

35 (5) Street trees shall be planted along road network elements according to the road cross
36 section and general landscaping standards of the EDDS. Street trees are not required at the
37 end of road network elements that are less than 150 feet in length. Maintenance of street
38 trees shall be the responsibility of the adjoining property owner.

39 (6) No landscape buffer is required abutting a developed railroad right-of-way.
40

Section 8. A new section is added to chapter 30.26 of the Snohomish County Code to read:

30.26.032 Additional parking requirements for the UC zone.

In addition to the parking requirements contained in this chapter, developments in the UC zone shall also comply with the following:

(1) Development in the UC zone shall comply with the parking ratios established in SCC Table 30.26.032(1).

**Table 30.26.032(1)
Parking Ratios**

Use	Minimum	Maximum	Bicycle Parking
Restaurants	2 stalls/1000 net square feet	8 stalls/1000 net square feet	5 spaces minimum
Retail	2 stalls/1000 net square feet	4 stalls/1000 net square feet	5 spaces minimum
Office	2 stalls/1000 net square feet	4 stalls/1000 net square feet	5 spaces minimum
Residential (units >1000 sq ft each)	1.5 stalls per unit	2.5 stalls per unit	5 spaces minimum
Residential (units <1000 sq ft each)	1 stall per unit	1.5 stalls per unit	5 spaces minimum
Retirement Apartments or Retirement Housing	.5 stalls per unit	1 stall per unit	5 spaces minimum
All other uses	See SCC 30.26.032(5)		5 spaces minimum

- 1 (2) Parking shall be located within, under, behind, or to the side of buildings.
2 (3) Parking lots shall be landscaped pursuant to SCC 30.25.022.
3 (4) The number of parking garage entrances shall be minimized. Where feasible,
4 entrances shall be located to the side or rear of buildings. Lighting fixtures within garages
5 shall be screened from view from the street. Exterior architectural treatments for parking
6 garages and structures and free-standing garage buildings shall satisfy the requirements of
7 SCC 30.34A.095.
8 (5) A parking demand analysis by an independent consultant with expertise in parking
9 demand analysis shall be required for uses not listed in SCC Table 30.26.032(1).
10 (6) An increase of up to 10 percent above the parking ratios in SCC Table 30.26.032(1)
11 may be approved under SCC 30.34A.180 when historical data of a particular use indicates
12 additional parking is necessary to properly serve a use or uses at a site.
13 (7) A reduction from the parking space requirements in SCC Table 30.26.032(1) may be
14 approved under SCC 30.34A.180 if a shared parking study based on either the Urban
15 Land Institute Shared Parking Report, ITE Shared Parking Guidelines, or other study or
16 report approved by the director is prepared by an independent consultant with expertise in
17 performing shared parking studies. In order to approve a reduction, the study shall
18 demonstrate that the development will result in a more efficient use of parking provided the
19 combined peak parking demand is less than that required in SCC Table 30.26.032(1). The
20 number of spaces required for an approved shared parking plan shall be based on the
21 number of spaces estimated to meet the combined use peak parking demand.
22

23 Section 9. A new section is added to chapter 30.27 of the Snohomish County Code
24 to read:
25

26 **30.27.047 Additional sign requirements for the UC zone.**
27

28 In addition to the requirements contained in this chapter and chapter 30.52A SCC,
29 developments in the UC zone shall also comply with the requirements of this section and
30 SCC Table 30.27.047(1). The purpose of this section is to permit businesses to inform,
31 identify, and communicate effectively while requiring appropriate design, scale, and
32 placement of signs.

33 (1) Signs shall be designed and placed to minimize their light and glare impacts on
34 surrounding uses.

35 (2) Reader boards and signs whose display can be electronically or mechanically changed
36 by remote or automatic means are prohibited. Changeable copy or advertising by non-
37 electronic means may be utilized on any permitted sign.

38 (3) Any sign that does not conform to this section is a non-conforming sign. The following
39 requirements shall apply instead of the requirements of SCC 30.28.070, SCC 30.28.072 and
40 SCC 30.28.075:

41 (a) Temporary signage shall not be considered non-conforming signage under this
42 section.

43 (b) A non-conforming sign shall not be altered, modified or reconstructed except:

44 (i) When such alteration, modification or reconstruction would bring such sign into
45 conformity with these regulations;

1 (ii) When such alteration, modification or reconstruction is necessary because the
2 existing use has new ownership which results in a change in the name or logo of the use or
3 business on the property, and such change complies with SCC 30.27.047(3)(c);
4 (iii) When the space is re-occupied by a similar use and the new occupant requires no
5 external building or site renovation, and such change complies with SCC 30.27.047(3)(c); or
6 (iv) When a sign is accidentally or intentionally destroyed and the sign is reconstructed
7 exactly as it was and in the same location prior to being destroyed.
8 (c) Any alteration, modification or reconstruction permitted under SCC 30.27.047(3)(b)(ii)
9 or (iii) shall be limited to the replacement of a sign panel, and individual letters and logos
10 within the same area or repainting a sign face. No changes to the structure, framing,
11 erection or relocation of the sign are permitted.
12 (4) Whenever any sign, either conforming or non-conforming to these regulations, is
13 required to be removed for the purpose of repair, re-lettering or repainting, the work may be
14 done without a permit provided that all of the following conditions are met:
15 (a) There is no alteration or remodeling to the structure or the sign mount itself;
16 (b) There is no enlargement or increase in any of the dimensions of the sign or its
17 structure;
18 (c) The sign is accessory to a permitted, conditional or nonconforming use; and
19 (d) The requirements of chapter 30.52A SCC are met.
20 (5) If a sign design scheme was approved for the property, any future new or replacement
21 signs shall be consistent with the approved sign design scheme.

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Table 30.27.047(1)
Urban Center Zone Sign Regulations

Sign Type	Sign Description	Number of Signs Permitted	Maximum Height (feet)	Maximum Area Per Sign Face (square feet)	Other Requirements
Freestanding, Pole, or Pylon	Not attached to a building, has its own support structure such as poles and is typically secured to a foundation	One per urban center development	15	60	<ul style="list-style-type: none"> Utilize materials and architectural design elements that are consistent with the architecture of the buildings and have a substantial base that is at least half as wide and thick (measured horizontally) as the sign itself If the whole sign face is illuminated, then the background color shall be darker than the lettering and logo to avoid glare The base shall be planted with shrubs or seasonal flowers in accordance with SCC 30.25.015(5) and (6)
Monument or Ground	Supported by and integrated with a solid base, as opposed to poles, posts, or other such supports	One per public road fronting the urban center development	8	40	<ul style="list-style-type: none"> Utilize materials and architectural design elements that are consistent with the architecture of the buildings and have a substantial base that is at least half as wide and thick (measured horizontally) as the sign itself If the whole sign face is illuminated, then the background color shall be darker than the lettering and logo to avoid glare The base shall be planted with shrubs or seasonal flowers in accordance with SCC 30.25.015(5) and (6)
Building-Mounted, Wall or Fascia	Attached flush with a building and is only visible from one side	One per façade that is visible from a road, drive aisle or customer parking lot	Not applicable	20	<ul style="list-style-type: none"> Utilize materials and architectural design elements that are consistent with the architecture of the buildings Shall be centered, proportional and shaped to the architectural features of the buildings Shall not cover windows, building trim, or ornamentation including areas between vertical piers or columns, blank areas on a gabled roof, or upper reaches of a false-fronted building Shall be mounted plumb with the building with a maximum protrusion of one foot unless the sign incorporates sculptural elements or architectural devices The sign frame shall be concealed or integrated into the building's architectural character in terms of form, color, and materials The sign and sign supports shall not extend more than 10 feet higher than the highest point of the principal building. No sign and sign supports shall exceed the maximum building height of the UC zone

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Table 30.27.047(1)
UC Zone Sign Regulations- Con't

Sign Type	Sign Description	Number of Signs Permitted	Maximum Height (feet)	Maximum Area Per Sign Face (square feet)	Other Requirements
Accessory, directional, directory or regulatory	Attached flush with a building, only visible from one side and is secondary to a wall sign. Examples include menu boards, hours of operation, directory, directional and signs concerning rules, ordinances, or laws	The number shall be determined by the property owner	Not applicable	4	<ul style="list-style-type: none"> • Shall be designed consistent with the architecture of the buildings • Shall be proportional and shaped to the architectural features of the buildings • Shall not cover windows, building trim, or ornamentation including blank areas above canopies, areas between vertical piers or columns, blank areas on a gabled roof, or upper reaches of a false-fronted building • Shall be mounted plumb with the building, with a maximum protrusion of 6 inches
Awning, Canopy or Marquee	Mounted on or underneath a canopy, awning, or marquee	One per business	Not applicable	8	<ul style="list-style-type: none"> • Shall be designed consistent with the architecture of the buildings • Shall maintain a minimum clearance of 8 feet between the walkway and the bottom of the sign
Window	Painted on or attached to a window and is visible to pedestrian or vehicular traffic	See maximum area per sign face	Not applicable	25% of the area of a window and the total area of all window signs, including both permanent and temporary, shall not exceed 50% of the window area	No additional requirements
Portable	Not affixed to a structure or the ground (e.g., A-frame or sandwich-board signs)	One per business	4	8	<ul style="list-style-type: none"> • Signs shall be located within 20 feet of the applicable building entrance • Signs shall be located to maintain at least 8 feet of horizontal clearance on the sidewalk for pedestrian movement • Signs shall be removed during non-business hours • Portable signs shall not be illuminated

Section 10. Snohomish County Code Section 30.28.072, last amended by Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

30.28.072 Nonconforming uses.

(1) Continuance: Any legally established nonconforming use may be continued subject to the provisions of this section.

(2) Changes: Nonconforming uses may only be changed to other uses that are allowed by this title in the zone within which the nonconforming use is located.

(3) Abandonment: If a nonconforming use is abandoned or discontinued for a period of 12 consecutive months or more, the nonconforming status of the use is terminated, and any future use of the land or structures shall be in conformity with the provisions of this title. The mere presence of a structure, equipment, or material shall not be deemed to constitute the continuance of a nonconforming use unless the structure, equipment, or material is actually being occupied or employed in maintaining such use.

(4) Expansion: A nonconforming use may be expanded upon approval of an administrative conditional use permit. The department may impose conditions upon the expansion of the use to minimize impacts and ensure compatibility with nearby existing and potential uses. A nonconforming use may be expanded if the department determines that the following criteria are met:

(a) The area proposed for expansion is contiguous to the nonconforming use;

(b) The area is held under the same ownership as the land with the nonconforming use and has been so owned since immediately prior to the time the use has become nonconforming;

(c) The area for expansion is an area where the use would have been allowed immediately prior to the time the use became nonconforming;

(d) The expansion shall not increase the ~~((land))~~ ground area devoted to the nonconforming use by more than 100 percent of that in use at the effective date of the nonconformance~~((:))~~, except that within the UC zone the expansion shall not increase the ground area devoted to the nonconforming use by more than 10 percent of that existing at the effective date of the nonconformance;

(e) The expansion shall not increase the ground area covered by the structural portion of the nonconforming use by more than 100 percent of that existing at the effective date of the nonconformance~~((:))~~, except that within the UC zone the expansion shall not increase the ground area covered by the structural portion of the nonconforming use by more than 10 percent of that existing at the effective date of the nonconformance;

(f) The expansion shall not be approved if it is found to be detrimental to surrounding properties, or to the implementation of the adopted comprehensive land use plan for the area; ~~((and))~~

(g) The expansion shall not be granted if it would result in a significant increase in the intensity of the use of the nonconformity ~~((:))~~;

(h) Within the UC zone reconstruction of a destroyed non-conforming use is not permitted unless it complies with the requirements of chapter 30.34A SCC; and

(i) For purposes of this section "ground area" includes, but is not limited to, building footprint, paved surface parking, enclosed outdoor storage area, and enclosed outdoor service areas.

1 Section 11. Snohomish County Code Section 30.34A.010, adopted by Amended
2 Ordinance No. 09-079 on May 12, 2010, is amended to read:

3
4 **30.34A.010 Purpose and applicability.**

5
6 ~~((This chapter regulates development in the Urban Center (UC) zone. This chapter sets forth
7 procedures and standards to be followed in applying for any required permits and for building
8 in this zone. The standards outlined in this chapter are meant to encourage higher density
9 transit and pedestrian-oriented development that provides a mix of uses and encourages
10 high quality design. The standards outlined in this chapter shall not apply to the following:~~

11 ~~—(1) Interior alterations that do not alter the exterior appearance of a structure or modify an
12 existing site condition;~~

13 ~~—(2) Site and exterior alterations that do not exceed 75 percent of the assessed valuation
14 (building or land) according to the most recent county assessor records;~~

15 ~~—(3) Building additions that are less than 10 percent of the existing floor area of the
16 existing building(s). Any cumulative floor area increase (after the adoption date of this
17 chapter) that totals more than 10 percent shall not be exempt unless approved pursuant to
18 SCC 30.34A.180;~~

19 ~~—(4) Normal or routine building and site maintenance or repair that is exempt from permit
20 requirements;~~

21 ~~—(5) Any remodeling or expansion of existing single-family residences with no change in
22 use or addition of dwelling units involved;~~

23 ~~—(6) Reconstruction of a single-family residence if it is destroyed due to fire or natural
24 disaster.))~~

25 (1) This chapter establishes regulations, design standards and review procedures for
26 development in the UC zone.

27 (2) The regulations and design standards established in this chapter promote higher
28 density transit- and pedestrian-oriented development consistent with SCC 30.21.025(1)(e).

29 (3) The provisions of this chapter apply to any property that is zoned UC on the
30 Snohomish County Official Zoning Map, unless specifically exempted in SCC 30.34A.010(4).

31 (4) This chapter does not apply to:

32 (a) Personal wireless communications facilities which are regulated under chapter
33 30.28A SCC.

34 (b) Nonconforming uses which are regulated under SCC 30.28.072.

35 (c) Service stations which are legally existing on May 29, 2010. Any alterations or
36 reconstruction shall meet the requirements of the Planned Community Business zone.

37 (5) If there is a conflict between the regulations in this chapter and other sections of title 30
38 SCC, the regulations in this chapter shall control.

Section 12. A new section is added to chapter 30.34A of the Snohomish County Code to read:

30.34A.025 Minor development activities.

- (1) Minor development activities include:
 - (a) Interior alterations to an existing structure including, but not limited to, alterations needed to repair damage.
 - (b) Exterior alterations to an existing structure including, but not limited to, alterations needed to repair damage.
 - (c) Normal or routine structure and site maintenance or repair, including re-paving and striping parking lots.
 - (d) Reconstruction of a structure within the same building footprint if the structure is accidentally destroyed.
 - (e) Replacement, modification, extension, installation and construction of utility facilities, transmission wires, pipes and supports permitted in the UC zone.
 - (f) Construction of the following temporary or seasonal uses or structures:
 - (i) Temporary dwelling during construction;
 - (ii) Temporary residential sales coach;
 - (iii) Temporary dwelling for a relative;
 - (iv) Farm stands, when in operation for less than 9 months annually;
 - (v) Christmas tree sales lots; and
 - (vi) Firework stands.
 - (g) Construction of public parks or regional trails.
 - (h) Home occupations that comply with SCC 30.28.050.
 - (i) Felling or topping of hazardous trees based on review by a qualified arborist.
 - (j) Minor replacement, modification or installation of drainage, water quality or habitat enhancement projects.
 - (k) Sign permits.
- (2) Minor development activities shall meet the following requirements:
 - (a) The UC zone bulk regulations in chapter 30.23 SCC; and
 - (b) Any other applicable regulation in title 30 SCC.
- (3) Minor development activities shall not be subject to the floor area ratios in SCC 30.34A.030.
- (4) Minor development activities identified in SCC 30.34A.025(1) that require a permit or land use approval application shall be processed pursuant to SCC 30.34A.180(1).

Section 13. A new section is added to chapter 30.34A of the Snohomish County Code to read:

30.34A.026 Expansion of existing structures containing a permitted use.

Permit or land use approval applications for the expansion of existing structures containing a permitted use shall be processed pursuant to SCC 30.34A.180(1) if the expansion satisfies the following requirements.

- (1) The total square feet of the expansion or expansions of a building or buildings on a development site existing as of (insert effective date of ordinance) permitted under this section shall not exceed the greater of either:
 - (a) 100% of the total gross floor area existing as of (insert effective date of ordinance) up to a maximum of 12,000 square feet of total additional gross floor area; or

- (b) 10 percent of the total gross floor area existing as of (insert effective date of ordinance).
- (2) Any future increase in gross floor area beyond that permitted under this section shall be subject to all of the provisions in this chapter.
- (3) The expansion shall not create non-conformity with the existing regulations.
- (4) The existing structure and the expansion shall meet the following requirements:
- (a) The minimum setbacks and height in SCC 30.22.030 and SCC 30.22.041.
 - (b) The parking standards in SCC 30.26.032. If there are existing parking spaces in excess of the maximum permitted, the parking spaces may remain. The creation of new parking spaces in excess of the maximum shall not be permitted.
 - (c) The design standards in SCC 30.34A.100 through SCC 30.34A.160.
 - (d) The access and circulation requirements of chapter 30.24 SCC.
 - (e) The sign requirements of chapter 30.27 SCC.
 - (f) The requirements of chapter 30.66B.
- (5) Expansion of an existing structure containing a permitted use shall not be subject to the minimum floor area ratio in SCC 30.34A.030.

Section 14. Snohomish County Code Section 30.34A.030, adopted by Amended Ordinance No. 09-079 on May 12, 2010, is amended to read:

30.34A.030 Floor area ratios.

- (1) ~~((Floor to))~~ The floor area ratios (FAR) required in the UC zone are established in ~~((accordance with))~~ SCC Table 30.34A.030(1). ~~((Additional FAR is allowed in accordance with the bonuses as set forth in SCC Table 30.34A.030(2) and SCC Table 30.34A.030(3);))~~

**Table 30.34A.030(1)
Floor to Area Ratios**

	Minimum	Maximum	Maximum allowable with bonus (Table 30.34A.030(2)) 30.34A.035(1))	((Maximum allowable with super bonus (Table 30.34A.030(3))))
((Non-Residential))	((.5))	((1.0))	((1.5))	((2.5))
((Residential))	((.5))	((1.0))	((1.5))	((2.5))
Mixed Use	((1.0)) 0.5	((2.0)) 1.0	((3.0)) 3.75	((5.0))
((Ground Floor Retail))	((.25))	((2.0))	((2.25))	((5.0))
All other development	0.5	0.75	2.50	

((Notes:

1. Allowable FAR for non-residential and residential uses may be added together within a development for a combined total.
2. Hotels are considered residential for the purpose of this chart.
3. "Mixed-use" means residential and non-residential uses located within the same building unless, for purposes of this section, the development proposal includes more than three buildings. To be eligible for the FAR for "mixed use" in development proposals that consist of three buildings or less the entire first floor of a proposed building must be devoted to retail use; or at least one-half of the first floor must be devoted to retail use and double the non-

retail area of the first floor must be assigned to retail use on other floors within the building. In order to be eligible for the FAR for "mixed use" development proposals that consist of more than three buildings, the proposed development may include buildings that are devoted to a single use as long as there is a mixture of uses in the development as a whole (e.g. two residential use buildings and two non-residential buildings).

4. It is the intention of the Council that an applicant may utilize the FAR super bonus for a feature listed in Table 30.34A.030(3) only after using one of the features listed in Table 30.34A.030(2).))

(2) Additional FAR is allowed in accordance with the bonuses established in SCC 30.34A.035;

(3) For purposes of SCC Table 30.34A.030(1), an Urban Center development shall be considered "Mixed-use" when the development contains:

(a) Four or more buildings where at least two of the buildings contain residential uses only and two of the buildings contain non-residential uses only; or

(b) Three or less buildings in which the entire first floor of at least one of the proposed buildings is devoted to non-residential uses.

**((Table 30.34A.030(2)
Floor Area Ratio Bonuses**

Feature	Additional Floor Area for Each Feature
<ul style="list-style-type: none"> Street Level Commercial Green roof (not to be combined with district energy bonus) Daycare Rooftop Solar Panels (not to be combined with district energy bonus) Community gardens for use by residents Structured Parking that is set back from the street by 100 feet or more or is appropriately screened from the streetscape Affordable housing pursuant to subsection 3 of this section. One Transfer of Development Rights (TDR) credit. In the alternative, this bonus would be available upon payment in lieu of TDR credit. The bonus shall be determined pursuant to subsection 2 of this section. 	<ul style="list-style-type: none"> 250 sf of floor area for each linear foot of retail frontage 5 sf of floor area for each sf of green roof 5 sf of floor area for each sf of daycare 10 sf of floor area for each sf of solar panel 10 sf of floor area for each sf of community garden .5 FAR for 80% or greater of required parking contained in a structure Affordable housing area up to 15% of the entire project area shall not be included in the calculation of FAR and shall be used to calculate a bonus of 5 sf for each square foot of affordable housing 2,000 square feet

Table 30.34A.030(3)
Floor Area Ratio Super Bonuses

Feature	Additional Floor Area for Each Feature
<ul style="list-style-type: none"> One percent of total construction cost for public art One Transfer of Development Rights (TDR) credit. In the alternative, this bonus would be available upon payment in lieu of TDR credit. The bonus shall be determined pursuant to subsection 2 of this section. District Energy System 	<ul style="list-style-type: none"> .2 FAR 2,000 square feet 1 FAR

Notes:

1. Public art is a fountain, sculpture, painting, mural, or similar object that is sited within a planned development as a focal point and is intended for the enjoyment of the general public. It does not contain characteristics of an advertising sign or identify or draw attention to a business.

2. A district energy system is a central facility that produces energy for the district or urban center and supplies it to a group of buildings or facilities, typically in the form of hot water, steam or chilled water. Forms of renewable energy that could be used include biomass (such as wood waste), geothermal power, and waste heat from industrial facilities.

—(2)

(a) Credits used for the TDR density bonus offered in urban centers must be certified through the Snohomish County Transfer of Development Rights program as authorized in Chapters 30.35A and 30.35B of the SCC.

—(b) To receive the additional floor area bonus with the use of TDR credit, the applicant must submit proof of the TDR credit purchase or the appropriate payment in lieu of TDR credit with the application.

—(c) If the applicant chooses to pay in lieu of using a TDR credit, the amount of the payment shall be \$21 per square foot of bonus floor area. This payment shall be reviewed at least once every two years and may be adjusted by ordinance.

—(3)

(a) For purposes of this section, affordable housing is leased, rental or owner-occupied housing that has gross housing costs which do not exceed 30 percent of the gross income of individuals or families with household income not to exceed 80 percent of the county median income.

(b) Gross housing costs for owner-occupied housing include mortgages, amortization, taxes, insurance and condominium or association fees, if any. Gross housing costs for leased and rental units include rent and utilities.

(c) To be eligible for the affordable housing FAR bonus, the applicant shall record with the Snohomish County Auditor an agreement in a form approved by the county requiring affordable housing square footage that is provided under this section to remain affordable housing for the life of the project. This agreement shall be a covenant running with the land, binding on the assigns, heirs, and successors of the applicant.))

Section 15. A new section is added to chapter 30.34A of the Snohomish County Code to read:

30.34A.035 Floor area ratio bonuses.

(1) The FAR bonuses are established in SCC Table 30.34A.035(1). The bonuses established in SCC Table 30.34A.035(1) may be used in combination with each other, but may not exceed the maximum allowable bonus established in SCC Table 30.34A.030(1).

**Table 30.34A.035(1)
Floor Area Ratio Bonuses**

Feature	Additional Bonus Floor Area for Each Feature
Above or Below Grade Structured Parking	0.5 FAR for over 75% of required parking contained in a structure
	0.25 FAR for 50% to 75% of required parking contained in a structure
Affordable Housing pursuant to SCC 30.34A.035(2)	5 sf of floor area for each sf of affordable housing
Community Gardens for use by residents	10 sf of floor area for each sf of community garden
Covered Civic Space pursuant to SCC 30.34A.035(5)	5 sf of floor area for each sf of covered civic space
Daycare	5 sf of floor area for each sf of daycare
Green Roof pursuant to SCC 30.34A.035(6)	5 sf of floor area for each sf of green roof
One Percent of Total Construction Cost for Public Art	0.2 FAR for each one percent of the total construction cost for public art
Public Plaza pursuant to SCC 30.34A.035(4)	5 sf of floor area for each sf of public plaza
Rooftop Solar Panels	10 sf of floor area for each sf of solar panel
Transfer of Development Right (TDR) credit pursuant to SCC 30.34A.035(3)	10,000 square feet for each TDR credit from farmland or 5,000 square feet for each TDR credit from land use designations other than farmland

(2) Affordable housing FAR bonus is allowed when:

(a) Affordable housing is leased, rental, or owner-occupied housing that has gross housing costs which do not exceed 30 percent of the gross income of individuals or families with household income not to exceed 80 percent of the county median income.

(b) Gross housing costs for owner-occupied housing include mortgage principal, interest, property tax, hazard insurance and condominium or association fees. Gross housing costs for leased and rental units include rent and utilities.

(c) The applicant records a covenant approved by the department. The covenant shall require the square footage designated for affordable housing to remain affordable housing until such time as the property is redeveloped.

- (3) Transfer of development rights FAR bonus shall meet the following requirements:
- (a) Credits used shall be certified through the Snohomish County Transfer of Development Rights program authorized in chapter 30.35A SCC.
 - (b) The applicant must apply TDR certificates to the receiving site consistent with SCC 30.35A.115 or make the appropriate payment in lieu of TDR credit with the Urban Center development application.
 - (c) If the applicant chooses to pay in lieu of using a TDR credit, the amount of the payment shall be \$21 per square foot of bonus floor area.
 - (4) The public plaza shall be located at a building entry, on a street corner, or other location that is visible and accessible from either a public sidewalk or pedestrian connection. No dimension shall be less than 20 feet, and total usable space is to be no less than 500 square feet, not including adjacent public right-of-way. This space shall be available to the public at least for the period between 7:00 a.m. and dusk.
 - (5) The covered civic space shall be available for public gatherings, meetings, and recreational events. The total useable space shall be a minimum of 1,000 square feet.
 - (6) Green roofs shall be designed to increase on-site water retention, reduce urban runoff and heat island effect.

Section 16. Snohomish County Code Section 30.34A.040, adopted by Amended Ordinance No. 09-079 on May 12, 2010, is amended to read:

30.34A.040 Building height ~~((and setbacks))~~.

(1) The maximum building height in the UC zone shall be 90 feet. A building height increase up to an additional ~~((90))~~ 35 feet may be approved under SCC 30.34A.180 when the ~~((additional height is documented to be necessary or desirable when))~~ project is located ~~((near))~~ within one-eighth mile of a high capacity transit ~~((route or))~~ station, major transit corridor or transit center. ~~((and the applicant prepares an environmental impact statement pursuant to chapter 30.61 SCC that includes an analysis of the environmental impacts of the additional height on, at a minimum:~~

- ~~—(a) aesthetics;~~
- ~~—(b) light and glare;~~
- ~~—(c) noise;~~
- ~~—(d) air quality; and~~
- ~~—(e) transportation)).~~

(2) ~~((a) Buildings))~~ New buildings or portions of new buildings that are located within ~~((180))~~ 90 feet of ~~((adjacent))~~ R-9600, R-8400, R-7200, T or LDMR zoning ~~((must))~~ shall be scaled down and limited in building height to a height that represents half the distance the building or that portion of the building is located from the ~~((adjacent))~~ R-9600, R-8400, R-7200, T or LDMR zoning line ~~((e.g. a building or portion of a building that is 90 feet from R-9600, R-8400, R-7200, T or LDMR zoning may not exceed 45 feet in height)))~~.

~~((b))~~ (3) Where the UC zoning line abuts a critical area protection area and buffer ~~((or))~~ , utility easement at least 20 feet wide, railroad, ~~((public or private road))~~ right-of-way or private road, building heights shall not be subject to the limitation in ~~((section (2)(a)))~~ SCC 30.34A.040(2) if the critical area protection area and buffer or utility easement, railroad, ~~((public or private road))~~ right-of-way or private road provides an equal or greater distance between the building(s) and the zoning line than would be provided in ~~((this subsection (2)(a)))~~ SCC 30.34A.040(2).

(4) All ground floor residential units (~~in a building placed on a site where the building front is five feet or less from a public road shall~~) maintain a minimum structural ceiling height of 13 feet to provide the opportunity for future conversion to nonresidential use.

~~((3) Excluding weather protection required in SCC 30.34A.150, buildings must be setback pursuant to SCC Table 30.34A.040(4).))~~

**((Table 30.34A.040(4)
Setbacks))**

((Front	None
Side	None
Rear	None))

Section 17. Snohomish County Code Section 30.34A.050, adopted by Amended Ordinance No. 09-079 on May 12, 2010, is amended to read:

30.34A.050 Parking ((ratios, parking locations and parking lot and structure design)).

~~((1) Development in the UC zone must comply with the parking ratios established in SCC Table 30.34A.050(1).)~~

**Table 30.34A.050(1)
Parking Ratios**

Use	Minimum	Maximum	Bicycle Parking
Restaurants	2 stalls/1000 nsf	8 stalls/1000 nsf	2 spaces minimum
Retail	2 stalls/1000 nsf	4 stalls/1000 nsf	2 spaces minimum
Office	2 stalls/1000 nsf	4 stalls/1000 nsf	2 spaces minimum
Residential (units >1000 sq ft each)	1.5 stalls per unit	2.5 stalls per unit	2 spaces minimum
Residential (units <1000 sq ft each)	1 stall per unit	1.5 stalls per unit	2 spaces minimum
Senior Housing	.5 stalls per unit	1 stall per unit	2 spaces minimum
All other uses	See SCC 30.34A.050(5)		2 spaces minimum

- (2) Parking must be located under, behind or to the side of buildings.
- (3) Parking lots must be landscaped pursuant to SCC 30.25.022.
- (4) Parking garage entrances must be minimized, and where feasible, located to the side or rear of buildings. Lighting fixtures within garages must be screened from view from the street. Exterior architectural treatments must complement or integrate with the architecture of the building through the provision of architectural details such as:
- (a) window openings;
 - (b) plantings designed to grow on the façade;
 - (c) louvers;
 - (d) expanded metal panels;
 - (e) decorative metal grills;
 - (f) spandrel (opaque) glass; and
 - (g) any other architectural detail approved under SCC 30.34A.180 that reduces and softens the presence of above ground parking structures.
- (5) Uses not listed in Table 30.34A.050(1) must undergo a parking demand analysis by an independent consultant with expertise in parking demand analysis to ensure no more than the necessary amount of parking is provided. An increase of up to 20 percent above the estimated parking demand may be approved under SCC 30.34A.180 when historical data of a particular use indicate additional parking is necessary to properly serve a use or uses at a site.
- (6) A reduction from the parking space requirements as specified in SCC Table 30.34A.050(1) may be approved under SCC 30.34A.180 if a shared parking study based on either the Urban Land Institute Shared Parking Report, ITE Shared Parking Guidelines, or other approved procedures is prepared by an independent consultant with expertise in performing shared parking studies. The study must demonstrate that the development will result in a more efficient use of parking provided the combined peak parking demand is less than that required in SCC Table 30.34A.050(1). The number of spaces required for an approved shared parking demand. Parking shall comply with the requirements of chapter 30.26 SCC.

Section 18. Snohomish County Code Section 30.34A.060, adopted by Amended Ordinance No. 09-079 on May 12, 2010, is amended to read:

30.34A.060 Landscaping.

((In addition to the landscaping requirements contained in SCC 30.25.015, 30.25.017, 30.25.023, 30.25.043 and 30.25.045, requirements for developments in the UC zone are as follows:

- (1) Where a development abuts an R-9600, R-8400, R-7200, T or LDMR zone, a Type A landscaping buffer pursuant to SCC 30.25.017 averaging 25 feet, but not less than 15 feet must be provided. Where appropriate, existing vegetation and significant trees must be retained within the landscaping buffer.
- (2) Areas of a site not occupied by buildings, parking lots, other improvements or textured paving must be intensively planted with trees, shrubs, hedges, ground covers, and/or grasses, unless such area consists of attractive existing vegetation and significant trees to be retained. Perennials and annuals are encouraged.
- (3) Landscaping must be integrated with other functional and ornamental site design elements, where appropriate, such as recreational facilities, ground paving materials, paths and walkways, fountains or other water features, trellises, pergolas, gazebos, fences, walls, street furniture, art, and sculpture.

1 ~~—(4) The landscape design must reinforce and support the open space design, pedestrian~~
2 ~~circulation and building architecture.~~
3 ~~—(5) Street trees must be planted along public and private roads and drive aisles according~~
4 ~~to the road cross section and general landscaping standards of the EDDS. Street trees are~~
5 ~~not required around turnarounds at the end of roads less than 150 feet in length.~~
6 ~~Maintenance of street trees must be provided pursuant to SCC 30.25.015(9).~~
7 ~~—(6) No landscape buffer is required along or from a developed railroad right-of-way.))~~
8 Landscaping shall comply with the requirements of chapter 30.25 SCC.
9

10 Section 19. Snohomish County Code Section 30.34A.070, adopted by Amended
11 Ordinance No. 09-079 on May 12, 2010, is amended to read:
12

13 **30.34A.070 Open space.**
14

15 (1) All developments in the UC zone ~~((must))~~ shall have a coherent, clearly defined
16 integrated open space network that links together the various open spaces within the project.

17 (2) All developments ~~((must))~~ shall provide a minimum amount of open space at a rate of
18 150 square feet per residential unit and 2 percent of the floor area of non-residential
19 development (excluding parking) ~~((,at))~~ .

20 (3) At least 50 percent of ((which must)) the open space required under SCC
21 30.34A.070(2) shall be accessible to the public ((as-an)) for active recreation ((area)). ((At
22 least 25 percent of the required active recreation area must be located on a single tract.
23 Those portions of required sidewalks that abut an active recreation area may be counted
24 toward the 50 percent active recreation open space requirement.))

25 (4) A minimum of 25 percent of area required for active recreation shall be consolidated in
26 one location within the development.

27 ~~((3))~~ (5) ~~((On-site recreational open space for residential and non-residential~~
28 ~~developments must be designed and improved to allow one or more active uses.))~~ Active
29 ~~((uses))~~ recreation includes:

- 30 (a) Playgrounds developed with children's play equipment;
31 (b) Outdoor or indoor sports courts (such as volleyball, basketball or tennis courts),
32 swimming pools, and similar facilities;
33 (c) Picnic areas with permanent tables, benches or gazebos;
34 (d) Community gardens for use by residents;
35 (e) Improved trails or paths not otherwise required to provide pedestrian connections
36 including those within critical area buffers provided they meet the requirements of chapter
37 30.62A SCC;

- 38 (f) Plaza;
39 (g) Courtyard;
40 (h) Forecourt; ~~((or))~~
41 (i) Rooftop garden; ~~((and))~~ or
42 (j) Other active recreational uses approved by the director.

43 (6) The requirements in SCC 30.34A.070(2) may be reduced by up to 30 percent for
44 residential development that is located within one-quarter mile walking distance of a public
45 park or public school containing a playground or outdoor recreational facilities. The director
46 shall determine the amount of reduction based on the following:

47 (a) The availability of safe pedestrian facilities connecting the development to the park
48 and/or school;

49 (b) The availability and ability of the park and/or school facilities to accommodate
50 additional usage by residents of the development; and

- 1 (c) The number of parks and/or school facilities located within one-quarter mile distance.
2 (7) Up to 30 percent of the required open space that is not dedicated to active recreation
3 may be:
4 (a) Located within on-site critical areas and their buffers;
5 (b) Unfenced detention, retention and wet ponds;
6 (c) Stormwater treatment wetlands;
7 (d) Stormwater infiltration trenches and bioswales; or
8 (e) Vegetated areas located above underground detention facilities.
9

10 Section 20. Snohomish County Code Section 30.34A.090, adopted by Amended
11 Ordinance No. 09-079 on May 12, 2010, is amended to read:
12

13 **30.34A.090 Design standard-signs.**
14

15 ((In addition to the sign requirements contained in chapter 30.27 SCC, requirements for
16 development in the UC zone are as follows:

- 17 (1) Signs must fit with the overall architectural character, proportions, and details of the
18 development;
19 (2) The base of any freestanding, pole, ground or monument sign must be planted with
20 shrubs or seasonal flowers;
21 (3) Electronic reader boards and signs which include flashing, chasing, moving or animation
22 are prohibited.
23 (4) Freestanding or pole signs located along non-arterials may be permitted if they are
24 approved under SCC 30.34A.180 and if they meet the following criteria:
25 (a) No more than 15 feet in height;
26 (b) Designed with two poles placed at the outermost sides of the sign face;
27 (c) No more than 45 square feet in sign area per face; and
28 (d) Constructed of materials matching one or more buildings located on the site.
29 (5) Freestanding or pole signs located along freeways or principal arterials may be permitted
30 if they are approved by the director and if they meet the following criteria:
31 (a) No more than 35 feet in height;
32 (b) Designed with two poles places at the outermost sides of the sign face; and
33 (c) No more than 150 square feet in sign area per face.
34 (6) Signs for business identification or advertising of products must conform to the following:
35 (a) Each business establishment may have no more than one business identification sign per
36 building face and in no event more than two identification signs per establishment; (b) No
37 business identification sign may have a surface area greater than 90 square feet per face; (c)
38 Business identification signs must be attached to the principal building unless otherwise
39 approved by the county in the sign design scheme. The uppermost portion of the sign may
40 not extend more than five feet higher than the principal building at its highest point, subject
41 further to the overall height regulations of this zone. (d) Signs which are an integral part of a
42 window may occupy no more than 25 percent of the total window area.
43 (e) Projecting signs or graphics, and their supportive members, may not project more than
44 four feet outward from a building and may not be lower than eight feet above ground level.))
45 Signs shall comply with the requirements of chapter 30.27 SCC.
46
47

1 Section 21. A new section is added to chapter 30.34A of the Snohomish County
2 Code to read:

3
4 **30.34A.095 Design standard-Above grade parking structures.**

5
6 Exterior architectural treatments for above grade parking structures and garage buildings,
7 including individual and detached garages for townhouses, shall complement or be
8 integrated with the architecture of the building including, but not limited to:

- 9 (a) Window openings;
10 (b) Plantings designed to grow on the façade;
11 (c) Louvers;
12 (d) Expanded metal panels;
13 (e) Decorative metal grills;
14 (f) Spandrel (opaque) glass; or
15 (g) Any other architectural detail that mitigates the presence of above ground parking
16 structures, garage buildings or garage entrances.
17
18

19 Section 22. A new section is added to chapter 30.34A of the Snohomish County
20 Code to read:

21
22 **SCC 30.34A.105 Design standard—Drive-through facilities**

23
24 The standards of this section are intended to allow for drive-through facilities by reducing the
25 negative impacts they may create. Of special concern are noise from idling cars and voice
26 amplification equipment, lighting and queued traffic interfering with on-site and off-site traffic
27 and pedestrian flow.

28 (1) Drive-through facilities shall be attached to a primary structure.

29 (2) Drive-through facilities and stacking lanes shall not be located along the street frontage
30 of a building that faces a public road network element.

31 (3) For each stacking lane of a drive-through restaurant, a minimum of ten stacking spaces
32 shall be provided. For all other drive-through uses not listed, a minimum of four stacking
33 spaces shall be provided.

34 (4) Drive-through facilities windows and stacking lanes shall be visually screened from
35 public road network elements with an evergreen screen and/or architectural element or
36 combination thereof with a minimum height of 4 feet.

37 (5) Stacking lanes shall be physically separated from parking lots, sidewalks, and
38 pedestrian areas by an evergreen screen and/or architectural element, or combination
39 thereof with a minimum height of 4 feet.

40 (6) Screening elements shall reflect the design of the primary building and shall provide a
41 physical separation that cannot be traversed in a method other than the circulation route
42 intended for the drive-through traffic.

43 (7) Drive-through facilities speakers shall not be audible off site.

44 (8) Pedestrian paths that cross a drive-through aisle shall use a raised platform and be
45 marked with symbols, signage and/or special painting.
46
47

Section 23. Snohomish County Code Section 30.34A.140, adopted by Amended Ordinance No. 09-079 on May 12, 2010, is amended to read:

30.34A.140 Design standard-ground level detail and transparency.

(1) ~~Façades of ((commercial and mixed-use)) buildings that ((face the streets)) are oriented towards and within 15 feet from a public or private road must be designed to be pedestrian-friendly through the inclusion of at least three of the following elements:~~

(a) kickplates for storefront windows;

(b) projecting window sills;

(c) pedestrian scale signs;

~~((d) canopies or awnings;))~~

~~((e))~~ (d) plinth;

~~((f))~~ (e) containers for seasonal plantings;

~~((g))~~ (f) ornamental tilework;

~~((h))~~ (g) pilasters;

~~((i))~~ (h) cornice;

~~((j))~~ (i) medallions; ~~((or))~~

(j) porches or stoops with a minimum of 6 feet in depth;

(k) decorative or textual building materials, including decorative masonry, shingle, brick, or stone;

(m) lighting or hanging baskets supported by ornamental brackets; or

~~((k))~~ (n) an element not listed above that is approved by the director, if it reinforces the character of the streetscape and encourages active and engaging design of the pedestrian edge of the streetscape.

(2) Street-facing, ground-floor façades of commercial and mixed-use buildings must incorporate glass in storefront-like windows in sufficient type and quantity to produce the following quality and dimensions: clear, transparent glass must be incorporated in at least 40 percent of the ground level façade length and the bottom of such glass must be located no higher than 2 feet above grade and top of such glass must be located up to at least 10 feet above grade.

Section 24. Snohomish County Code Section 30.34A.150, adopted by Amended Ordinance No. 09-079 on May 12, 2010, is amended to read:

30.34A.150 Design standard-weather protection.

(1) Overhead weather protection elements such as canopies must be installed on the full length of street-facing façades ((along)) adjacent to public sidewalks on county arterials and ((streets)) road network elements intended for pedestrian activity and connectivity within the urban center. Canopies or awnings must be a minimum of 5 feet in width.

(2) Canopies or awnings must be at least 10 feet, but not more than 13 feet, above the public sidewalk.

1 Section 25. A new section is added to chapter 30.34A of the Snohomish County Code to
2 read:

3
4 **30.34A.163 Pre-application meeting.**

5
6 (1) A pre-application meeting is required for all Urban Center development applications,
7 except:

8 (a) For minor development activities pursuant to SCC 30.34A.025; and

9 (b) To expand an existing structure containing a permitted use pursuant to SCC
10 30.34A.026.

11 (2) The pre-application meeting shall be held prior to the pre-application design review
12 board public meeting pursuant to 30.34A.165.

13 (3) The pre-application meeting shall be conducted pursuant to the provisions of SCC
14 30.70.020(2) through (5).

15 (4) An applicant shall pay the fees established in SCC 30.86.400(4).

16 (5) The department shall invite a staff representative from any city or town in whose urban
17 growth area, municipal urban growth area (MUGA) or potential annexation area the proposed
18 development will be located to attend the pre-application meeting.

19
20 Section 26. Snohomish County Code Section 30.34A.165, adopted by Amended
21 Ordinance No. 09-079 on May 12, 2010, is amended to read:

22
23 **30.34A.165 Pre-application ((neighborhood)) design review board public meeting.**

24
25 (1) ~~((The applicant shall conduct a neighborhood meeting to discuss the proposed urban~~
26 ~~center development. The meeting must be held at least 30 days before submitting an urban~~
27 ~~center development application. A pre-application design review board public meeting is~~
28 ~~required for development applications in the UC zone prior to submittal except:~~

29 (a) For minor development activities pursuant to SCC 30.34A.025.

30 (b) To expand an existing structure containing a permitted use pursuant to SCC
31 30.34A.026.

32 (c) For development applications less than 12,000 square feet of gross floor area or 60
33 dwelling units.

34 (2) The design review board established by SCC 30.34A.175 shall hold a public meeting to
35 discuss the proposed development application.

36 ~~((2))~~ (3) The purpose of the ((neighborhood)) design review board public meeting is to:

37 ~~((a) Ensure that an applicant pursues early and effective public participation in~~
38 ~~conjunction with the application, giving the applicant an opportunity to understand and~~
39 ~~mitigate any real or perceived impacts that the proposed development might have to~~
40 ~~residents in the neighborhood or neighboring cities;))~~

41 ~~((b))~~ (a) Ensure that neighborhood residents, cities, towns, transit agencies, utilities,
42 school and fire districts, federal or state agencies, and tribes and business owners have an
43 opportunity at an early stage to ((learn about)) determine how the proposed development
44 might ((affect)) impact them and to work with the applicant to resolve concerns prior to
45 application submittal.

46 (b) Ensure effective public participation in conjunction with the proposed development.
47 The meeting shall provide an early opportunity for the applicant to understand and respond
48 to comments, concerns and issues expressed at the meeting and mitigate impacts that the
49 proposed development might have on residents in the neighborhood or neighboring cities.

50 ~~((c) Ensure that any nearby cities have an opportunity at an early stage to learn about~~

1 how the proposed development might affect them and to work with the applicant to resolve
2 concerns prior to submittal.))
3 ~~((3))~~ (4) The applicant is responsible for ~~((notifying, facilitating and summarizing))~~
4 providing notice for the ((neighborhood)) design review board public meeting pursuant to the
5 following requirements:
6 (a) Public notice for the ~~((neighborhood))~~ design review board public meeting ~~((must))~~
7 shall include:
8 (i) Date, start time, and location of the meeting;
9 (ii) Proposed development name;
10 (iii) Map showing the location of the proposed development and the location of the
11 ~~((neighborhood))~~ design review board public meeting;
12 (iv) Description of proposed development; and
13 (v) Name, address and phone number of the applicant or representative of the applicant
14 to contact for additional information.
15 (vi) The department shall establish administrative procedures for the design review
16 board public meeting.
17 (b) Public notice ~~((must))~~ shall be mailed to the department at least 10 days prior to the
18 ~~((neighborhood))~~ design review board public meeting and ~~((must))~~ shall, at a minimum, be
19 mailed to:
20 (i) Each taxpayer of record and each known site address within 500 feet of any portion
21 of the boundary of the subject property and contiguous property owned by the applicant~~((;~~
22 ~~and))~~.
23 (ii) Any city or town whose municipal boundaries are within one mile of the subject
24 property and contiguous property owned by the applicant.
25 (iii) Any transit agency, utility, school and fire district, federal or state agencies, and
26 tribes that provide service or have jurisdiction within one mile of the subject property and
27 contiguous property owned by the applicant.
28 (c) The department, upon request, shall provide the applicant with necessary names and
29 addresses or mailing labels. The applicant shall reimburse the department for any costs
30 associated with this request consistent with department procedures.
31 (d) The ~~((neighborhood))~~ design review board public meeting shall be held at a location
32 accessible to the public and within a reasonable distance from the boundary of the proposed
33 development.
34 (e) At a minimum the applicant shall provide at the ~~((neighborhood))~~ design review board
35 public meeting:
36 (i) Conceptual ~~((graphic presentation))~~ site plan depicting the size, layout and design of
37 the proposed development;
38 (ii) ~~((Size of the proposed development))~~ Photographs or illustrations depicting the style
39 of architecture for the proposed buildings;
40 (iii) Proposed mix of land uses including the number of dwelling units and the amount of
41 non-residential square footage;
42 (iv) Proposed building heights and FAR;
43 (v) Number of parking spaces; and
44 (vi) Location and amount of open space.
45 ~~((f) The applicant shall prepare a written summary of meeting to be included with the~~
46 ~~urban center development application, including:~~
47 ~~—(i) A copy of the notice of the neighborhood meeting along with a list of persons to~~
48 ~~whom it was mailed;~~
49 ~~—(ii) A signed affidavit listing the persons who attended the meeting and their addresses;~~
50 ~~and~~

1 ~~— (iii) A signed affidavit listing the summary of concerns, issues, and problems expressed~~
2 ~~during the meeting.))~~
3 ~~((4)) (5) ((County staff is not required to attend the meeting.))~~ The design review board
4 shall provide recommendations to the applicant regarding potential modifications to the
5 project, such as:
6 (a) Scale;
7 (b) Density;
8 (c) Design;
9 (d) Building mass;
10 (e) Circulation within the development;
11 (f) Access to adjacent properties and neighborhoods;
12 (g) Access to transit from the development; and
13 (h) Proposed uses.
14 (6) The department shall establish administrative procedures for the design review board
15 public meeting.
16 (7) The recommendation of the design review board shall be included in the staff report to
17 the hearing examiner for a Type 2 application.
18 ~~((5) If no one attends the meeting within 30 minutes of the start time indicated on the notice~~
19 ~~provided per this section, the applicant shall have satisfied the requirements of this section.))~~

21
22 Section 27. Snohomish County Code Section 30.34A.170, adopted by Amended
23 Ordinance No. 09-079 on May 12, 2010, is amended to read:

24
25 **30.34A.170 ((-)) Submittal requirements.**

26
27 ~~((1) An urban center development plan must contain, at a minimum, the following:~~
28 ~~— (a) A graphic presentation depicting:~~
29 ~~— (i) Conceptual graphic presentation depicting the layout and design of the proposed~~
30 ~~development;~~
31 ~~— (ii) Size of the proposed development;~~
32 ~~— (iii) Proposed mix of land uses including the number of dwelling units and the amount of~~
33 ~~non-residential square footage;~~
34 ~~— (iv) Proposed building heights and FAR;~~
35 ~~— (v) Number of parking spaces; and~~
36 ~~— (vi) Location and amount of open space;~~
37 ~~— (vii) The location of existing structures to be retained, proposed structures, parking,~~
38 ~~internal circulation required pursuant to chapter 30.24 SCC, landscape areas required~~
39 ~~pursuant to chapter 30.25 SCC, recreation open space, pedestrian facilities, and other~~
40 ~~applicable design components required by this chapter, including any design standards~~
41 ~~selected by the applicant for compliance with the provisions of chapter 30.34A SCC;~~
42 ~~— (b) A detailed description of the design intent, architectural character and spatial qualities~~
43 ~~and relationships of and between the major structures and physical amenities and attributes~~
44 ~~within the Urban Center;~~
45 ~~— (c) A preliminary LEED checklist or other similar means of demonstrating sustainable~~
46 ~~design goals;~~
47 ~~— (d) A narrative description, together with either architectural drawings or photographs that~~
48 ~~will adequately demonstrate compliance with any required architectural design standard of~~
49 ~~chapter 30.34A SCC, where applicable;~~
50 ~~— (e) The location of building envelopes of all structures, and points of egress;~~

- 1 —(f) Existing and proposed topography at contour intervals of five or less feet;
2 —(g) The names and addresses of the developer, land surveyor, engineer, architect,
3 planner, and other professionals involved;
4 —(h) Calculations showing acreage of the site and recreational open space, number of
5 dwelling units proposed, zoning, FAR, number of parking spaces and site density;
6 —(i) Scale and north arrow;
7 —(j) Vicinity sketch (drawn to approximately 1" = 2,000' scale) showing sufficient area and
8 detail to clearly locate the development in relation to arterial streets, natural features,
9 landmarks, and municipal boundaries;
10 —(k) Natural drainage courses and probable alterations which will be necessary to handle
11 the expected drainage from the proposal, and the general method proposed to comply with
12 chapter 30.63A SCC;
13 —(l) A description of intended type of uses including timing of development, if phased, and
14 management control;
15 —(m) A document satisfactorily assuring unified control through the final urban center
16 development plan approval;
17 —(n) A provision for removing existing structures or incorporating them into the overall
18 development scheme; and
19 —(o) A signed affidavit that includes a written summary of the pre-application neighborhood
20 meeting pursuant to SCC 30.34A.165(3)(f).
21 —(2) The applicant for a proposed development in a UC zone must certify that, in addition to
22 the direct involvement of an architect licensed in the state of Washington, one of the
23 following has been involved with the preparation of the urban center development plan:
24 —(a) A landscape architect licensed in the state of Washington;
25 —(b) A registered civil engineer licensed in the state of Washington; or
26 —(c) A registered land surveyor licensed in the state of Washington.
27 —(3) A circulation, landscape and open space plan must be submitted which includes the
28 following requirements:
29 —(a) A narrative containing:
30 —(i) A list of the types of plants to be incorporated in a final landscape plan;
31 —(ii) Assessment of whether temporary or permanent irrigation is required;
32 —(iii) How potential off-site pedestrian connections relate to the development and all
33 abutting properties; and
34 —(iv) How potential off-site public and private road right-of-way connections relate to the
35 development and all abutting properties;
36 —(v) How potential critical areas and/or designated open space tracts on abutting
37 properties will be integrated into the development.
38 —(b) A site plan containing:
39 —(i) Location of parking lot landscaping;
40 —(ii) Location of proposed and existing landscaping areas;
41 —(iii) Information indicating the size of required landscape buffers and whether such
42 buffers use Type A or B landscaping;
43 —(iv) Critical areas and their buffers including any extending into abutting properties;
44 —(v) Active recreation space including plazas and public realm elements;
45 —(vi) All internal roads and drive aisles;
46 —(vii) All internal pedestrian walkways, sidewalks and trails;
47 —(viii) Designation of all potential off-site pedestrian connections; and
48 —(ix) Designation of all potential off-site public and private road right-of-way connections.
49 —(4) Illustrations representing the design intent and architectural character for the urban
50 center, including:

- 1 —(a) Overall massing;
2 —(b) General architectural character of buildings indicating color and material range;
3 —(c) General character of open spaces, including exterior site lighting.
4 —(5) A shared parking allocation plan showing all the shared parking must be submitted
5 when shared parking is proposed.
6 —(6) A complete application for urban center approval meeting requirements of this section
7 is deemed to have vested to the zoning code, development standards and regulations as of
8 the date of submittal.
9 —(7) A plan for the phasing, if any, of the on-site recreation required in SCC 30.34A.070 and
10 pedestrian circulation required in SCC 30.34A.080. Such recreation and pedestrian
11 circulation facilities shall be installed with the completion of the first building or first phase of
12 the development if the overall development is to be phased unless the applicant
13 demonstrates that site characteristics or constraints make compliance impractical in which
14 case such improvements shall be installed in compliance with any timing requirements set
15 forth in the terms and conditions of the urban center approval.
16 (1) All applications in the UC zone shall comply with the Urban Center development
17 submittal checklist established by the department pursuant to SCC 30.70.030.
18 (2) The department shall invite a staff representative from any city or town in whose urban
19 growth area, municipal urban growth area or potential annexation area the proposed
20 development will be located to attend the application submittal meeting.
21 (3) A complete application meeting the requirements of this chapter is deemed to have
22 vested to the development regulations as of the date of submittal. A complete application
23 does not vest to chapters 30.52A-30.52G SCC and chapter 30.53A SCC.
24

25 Section 28. Snohomish County Code Section 30.34A.180, adopted by Amended
26 Ordinance No. 09-079 on May 12, 2010, is amended to read:
27

28 **30.34A.180 Review processes and decision criteria**.
29

30 ~~((1) Development Agreement Process: Approval under this subsection shall be as follows:~~

31 ~~—(a) Upon submittal of a complete application meeting the requirements of SCC~~
32 ~~30.34A.170, the applicant shall immediately initiate negotiations of one agreement with the~~
33 ~~city or town in whose urban growth area or MUGA the proposed development will be located~~
34 ~~and any city or town whose municipal boundaries border the proposed urban center~~
35 ~~development site.~~

36 ~~—(i) The parties shall have forty five (45) days to reach an agreement on elements of the~~
37 ~~urban center development such as design, location, density or other aspects of the proposed~~
38 ~~development. The agreement must be consistent with Snohomish County development~~
39 ~~regulations.~~

40 ~~—(ii) If the parties cannot reach agreement within forty five (45) days, the parties may~~
41 ~~mutually agree in writing to extend the deadline.~~

42 ~~—(iii) If the parties cannot reach agreement and do not agree to an extension, the~~
43 ~~applicant shall notify the department in writing and the application shall be reviewed as a~~
44 ~~Type 2 process under subsection (2) of this section.~~

45 ~~—(iv) Any party may withdraw from negotiations at any time and any party may decide that~~
46 ~~an agreement is not possible, the applicant shall notify the department in writing of the~~
47 ~~withdrawal and the application shall be reviewed as a Type 2 process under subsection (2) of~~
48 ~~this section.~~

1 ~~—(v) If the parties reach agreement, the agreement shall be memorialized in writing and~~
2 ~~submitted to the department. The department shall review the agreement for consistency~~
3 ~~with the Snohomish County Code.~~
4 ~~—(b) Following review of the agreement reached under subsection (1)(a) of this section,~~
5 ~~the department shall negotiate a development agreement with the applicant and process the~~
6 ~~application under chapter 30.75 SCC. If the department and the applicant cannot reach~~
7 ~~agreement on a development agreement, the applicant may choose to have the application~~
8 ~~reviewed under subsection (2) of this section.~~
9 ~~—(2) Type 2 Permit Decision Process: If any party withdraws from the negotiation of an~~
10 ~~agreement under subsection (1)(a) above, the forty-five (45) day period expires without the~~
11 ~~parties agreeing to an extension, or if the department and applicant cannot reach agreement~~
12 ~~for a development agreement, the application shall be reviewed as follows:~~
13 ~~—(a) The design review board established by SCC 30.34A.175 shall hold one open public~~
14 ~~meeting with urban center project applicants, county staff, neighbors to the project, members~~
15 ~~of the public, and any city or town whose municipal boundaries are within one mile of the~~
16 ~~proposed urban center development or whose urban growth area includes the subject site or~~
17 ~~whose public utilities or services would be used by the proposed urban center development~~
18 ~~to review and discuss proposed site plans and project design.~~
19 ~~—(b) Following the public meeting held pursuant to subsection (2)(a) of this section, the~~
20 ~~design review board shall provide written recommendations to the department and the~~
21 ~~applicant on potential modifications regarding the project, such as: scale, density, design,~~
22 ~~building mass and proposed uses of the project. The recommendations shall become part of~~
23 ~~the project application and they should:~~
24 ~~—(i) Synthesize community input on design concerns and provide early design guidance to~~
25 ~~the development team and community; and~~
26 ~~—(ii) Ensure fair and consistent application of the design standards of this chapter and~~
27 ~~any neighborhood-specific design guidelines.~~
28 ~~—(c) The urban center development application shall then be processed as a Type 2~~
29 ~~application as described in chapter 30.72 SCC and the hearing examiner may approve or~~
30 ~~approve with conditions the proposed development when all the following are met:~~
31 ~~—(i) The development complies with the requirements in this chapter, chapters 30.24 and~~
32 ~~30.25 SCC, and requirements of other applicable county code provisions;~~
33 ~~—(ii) The proposal is consistent with the comprehensive plan;~~
34 ~~—(iii) The proposal will not be materially detrimental to uses or property in the immediate~~
35 ~~vicinity; and~~
36 ~~—(iv) The development demonstrates high quality design by incorporating elements such~~
37 ~~as:~~
38 ~~—(A) Superior pedestrian and transit-oriented architecture;~~
39 ~~—(B) Building massing or orientation that responds to site conditions;~~
40 ~~—(C) Use of structural articulation to reduce bulk and scale impacts of the development;~~
41 ~~—(D) Use of complementary materials; and~~
42 ~~—(E) Use of lighting, landscaping, street furniture, public art, and open space to achieve~~
43 ~~an integrated design;~~
44 ~~—(v) The development features high density residential and/or non-residential uses;~~
45 ~~—(vi) Buildings and site features are arranged, designed, and oriented to facilitate~~
46 ~~pedestrian access, to limit conflict between pedestrians and vehicles, and to provide transit~~
47 ~~linkages; and~~
48 ~~—(vii) Any urban center development abutting a shoreline of the State as defined in RCW~~
49 ~~90.58.030(2)(c) and SCC 30.91S.250 shall provide for public access to the water and~~

1 shoreline consistent with the goals, policies and regulations of the Snohomish County
2 Shoreline Management Master Program.

3 —(d) Whenever an urban center development application is reviewed as a Type 2 permit
4 decision process under subsection (2) of this section, the county shall involve the cities or
5 towns in the review of urban center development permit applications proposed within their
6 urban growth area or MUGA or whose municipal boundaries border the proposed urban
7 center development site using the following procedures:

8 —(i) The county shall notify any such city or town and provide contact information for the
9 applicant;

10 —(ii) Following notice the relevant city(ies) or town(s) shall contact the county on their
11 need for level of involvement and issues of particular concern;

12 —(iii) The county shall invite a staff representative from any city or town who contacts the
13 county pursuant to subsection (2)(d)(ii) of this section to attend pre-application, submittal and
14 re-submittal meetings;

15 —(iv) The city's or town's recommendation shall:

16 —(A) Contain the name, mailing address, and daytime telephone number of the city's or
17 town's representative;

18 —(B) Identify proposed changes to the application, specific requirements, actions, and/or
19 conditions that are recommended in response to impacts identified by the city or town;

20 —(C) State the specific grounds upon which the recommendation is made; and

21 —(D) Where applicable, identify and provide documentation of the newly-discovered
22 information material to the decision.

23 —(v) The county shall respond to a city's or town's comments and recommendations in its
24 final decision reached pursuant to this section.

25 —(e) An applicant may sign a concomitant agreement in a form approved by the county.
26 The concomitant agreement shall reference the required conditions of approval, including the
27 site plan, design elements and all other conditions of project approval. The concomitant
28 agreement shall be recorded, run with the land, and shall be binding on the owners, heirs,
29 assigns, or successors of the property.

30 —(f) The hearing examiner may deny an urban center development application without
31 prejudice pursuant to SCC 30.72.060. If denied without prejudice, the application may be
32 reactivated under the original project number and without additional filing fees or loss of
33 project vesting if a revised application is submitted within six months of the date of the
34 hearing examiner's decision. In all other cases a new application shall be required.

35 —(3) All urban center development applications shall be subject to the following
36 requirements:

37 —(a) In addition to the notice required by chapter 30.70 SCC and subsection (2)(d)(i) of this
38 section, the department shall distribute copies of the urban center development application to
39 each of the following agencies and shall allow 21 days from the date of published notice for
40 the agencies to submit comments on the proposal:

41 —(i) Snohomish Health District;

42 —(ii) Department of public works;

43 —(iii) Washington State Department of Transportation; and

44 —(iv) Any other federal, state, or local agencies as may be relevant.

45 —(b) Any revision which substantially alters the approved site plan is no longer vested and
46 re-submittal of a complete application is required pursuant to SCC 30.34A.170. Revisions
47 not requiring re-submittal are vested to the regulations in place as of the date the original
48 application was submitted. Revisions after approval of the development which cause an
49 increase in traffic generated by the proposed development shall be reviewed pursuant to
50 SCC 30.66B.075.

1 — (c) Urban center project approval expires after six years from the date of approval unless
2 a complete application for construction of a project or for installation of the main roads and
3 utilities has been submitted to the department.))

4 This section establishes the review processes to be utilized for any development application
5 subject to the requirements of this chapter. Applicants are encouraged to work cooperatively
6 with the city and/or town in whose urban growth area or MUGA the proposed development
7 will be located.

8 (1) The following applications shall be reviewed pursuant to chapter 30.71 SCC:

9 (a) Minor development activities pursuant to SCC 30.34A.025; and

10 (b) The expansion of an existing structure containing a permitted use pursuant to SCC
11 30.34A.026.

12 (2) Development applications not meeting SCC 30.34A.180(1) shall be reviewed pursuant
13 to chapter 30.72 SCC, except as follows:

14 (a) Following the public comment period pursuant to SCC 30.70.060, at least one
15 meeting shall be held to review comments on the development application. This meeting
16 shall include the:

17 (i) Department;

18 (ii) Applicant; and

19 (iii) City and/or town in whose urban growth area or MUGA the proposed development
20 will be located and any city or town whose municipal boundaries border the proposed urban
21 center development application.

22 (b) The city and/or town and applicant may mutually agree in writing to waive the one
23 meeting requirement in SCC 30.34A.180(2)(a).

24 (c) Any changes agreed to by the department, city and/or town and applicant shall be:

25 (i) Consistent with county code;

26 (i) Incorporated into the design of the development; and

27 (ii) Incorporated into the staff recommendation as conditions on the development.

28 (d) All comments from the city and/or town shall be included in the staff report to the
29 hearing examiner for a Type 2 application.

30 (e) Applications that include low-income housing shall be given priority for expedited plan
31 review as authorized in SCC 30.76.020 and SCC 30.76.030.

32
33 Section 29. A new section is added to chapter 30.34A of the Snohomish County
34 Code to read:

35
36 **30.34A.183 Approval expiration.**

37
38 Urban center development approval expires when construction has not commenced within
39 five years after the date an approved administrative site plan becomes final. An applicant
40 may request an extension of an approved administrative site plan pursuant to the procedures
41 established for extension of applications in SCC 30.70.140(2) and (3).

42
43 Section 30. A new section is added to chapter 30.34A of the Snohomish County
44 Code to read:

45
46 **30.34A.185 Revisions to an approved urban center development.**

47
48 Revisions to an approved urban center development application shall be processed pursuant
49 to SCC 30.70.210 or SCC 30.70.220. Where an urban center development application was
50 approved under a development agreement and the development agreement specified

1 procedures for approving revisions the procedures of the development agreement shall
2 govern.

3
4 Section 31. Snohomish County Code Section 30.43B.010, last amended by
5 Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

6
7 **30.43B.010 Purpose and applicability.**

8
9 The purpose of this chapter is to set forth the procedures and decision criteria for reviewing
10 variance applications. A variance is the mechanism by which an adjustment is made to
11 specific regulations being applied to a particular piece of property. This chapter applies to
12 applications for variances to any development standard contained in subtitle 30.2 SCC,
13 chapters 30.31A - 30.31F SCC, chapter 30.34A SCC, chapter 30.42B SCC and chapter
14 30.42E SCC. A variance shall not permit uses that are prohibited by this title.

15
16 Section 32. Snohomish County Code Section 30.71.020, last amended by Amended
17 Ordinance No. 12-025 on June 6, 2012, is amended to read:

18
19 **30.71.020 Type 1 permits and decisions.**

20
21 The following are processed as Type 1 administrative decisions:

- 22 (1) Administrative conditional use permit;
23 (2) Binding site plan approval;
24 (3) Boundary line adjustment, except as provided in 30.41E.020 SCC;
25 (4) Building and land disturbing activity permits subject to SEPA review pursuant to
26 chapter 30.61 SCC, or subject to conditions imposed pursuant to chapter 30.32D;
27 (5) Free standing signs in the FS and RFS zones;
28 (6) Code interpretations;
29 (7) Flood hazard permit, except as provided in SCC 30.43C.020;
30 (8) Flood hazard variance;
31 (9) Freeway service zone official site plan (existing FS zone);
32 (10) Shoreline substantial development permit, shoreline conditional use, and shoreline
33 variance, except when processed as a Type 2 decision pursuant to SCC 30.44.210;
34 (11) Short subdivision approval with no dedication of a new public road right-of-way;
35 (12) Variance;
36 (13) Single family detached units applications pursuant to chapter 30.41F SCC; ~~((and))~~
37 (14) Administrative site plan pursuant to SCC 30.23A.100 ~~((=))~~ ;and
38 (15) Minor development activities and the expansion of an existing structure containing a
39 permitted use in the UC zone as provided in SCC 30.34A.180(1) that require a permit or land
40 use approval application and are subject to SEPA review pursuant to chapter 30.61 SCC, or
41 subject to conditions imposed pursuant to chapter 30.32D SCC.
42

Section 33. Snohomish County Code Section 30.72.020, last amended by Amended Ordinance No. 12-025 on June 6, 2012, is amended to read:

30.72.020 Type 2 permits and decisions.

The following are processed as Type 2 permits and decisions:

- (1) Conditional use permit and major revisions;
- (2) Rezones (site-specific);
- (3) Official site plan or preliminary plan approval when combined with a rezone request in FS, IP, BP, PCB, T, RB, RFS, and RI zones;
- (4) Flood hazard area variance, if combined with a Type 2 application;
- (5) Preliminary subdivision approval and major revisions;
- (6) Planned residential developments;
- (7) Short subdivision with dedication of a new public road;
- (8) Shoreline substantial development, conditional use, or variance permit if forwarded pursuant to SCC 30.44.210 ((-)) ;
- (9) Shoreline substantial development permit rescission pursuant to SCC 30.44.320;
- (10) Boundary line adjustments as provided in SCC 30.41E.020; and ((-))
- (11) ~~((Urban center developments))~~ Development applications in the UC zone as provided in SCC 30.34A.180(2).

Section 34. A new section is added to chapter 30.91B of the Snohomish County Code to read:

30.91B.222 Building area, net.

"Building area, net" ("Net building area") means the total square feet of floor space in a building, excluding areas below finished grade, space dedicated to parking, mechanical spaces, elevator and stair shafts, lobbies and common spaces including atriums.

This definition applies only to urban center regulations in chapter 30.34A SCC.

Section 35. Snohomish County Code Section 30.91F.445, last amended by Amended Ordinance No. 09-079 on May 12, 2010, is amended to read:

30.91F.445 Floor area ratio.

"Floor Area Ratio" means the ~~((total building square footage (building area),))~~ net building area ~~((measured to the inside face of exterior walls, excluding))~~ divided by the net site area ~~((areas below finished grade, space dedicated to parking, mechanical spaces, elevator and stair shafts, lobbies and commons spaces including atriums and space used for any bonus features, divided by the site square footage (site area)).~~

Floor Area Ratio = ~~((Building area)))~~ Net building area / ~~((Site area)))~~ Net site area

1 Section 36. A new section is added to chapter 30.91H of the Snohomish County
2 Code to read:

3
4 **30.91H.108 High capacity transit.**

5
6 "High capacity transit" means any transit technology that functions to carry high volumes of
7 passengers quickly and efficiently, and preferably on exclusive or semi-exclusive rights-of-
8 way, such as bus rapid transit, light rail, commuter rail, and passenger-only ferries.
9

10 Section 37. Snohomish County Code Section 30.91M.020, last amended by
11 Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

12
13 **30.91M.020 Major transit corridor.**

14
15 "Major transit corridor" means an arterial street with existing bus stops and sidewalks served
16 by more than one bi-directional bus route with high frequency local service of at least 25 trips
17 per day ((and all-day regional bus service)).
18

19 Section 38. Snohomish County Code Section 30.91M.135, last amended by
20 Amended Ordinance No. 09-079 on May 12, 2010, is repealed.
21

22 Section 39. Snohomish County Code Section 30.91N.050, last amended by
23 Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

24
25 **30.91N.050 Nonconforming structure.**

26
27 "Nonconforming structure" means a structure which was lawful when established which does
28 not now conform to the setback, height, or lot coverage ((~~or open space~~)) requirements of
29 the zone in which it is located.
30

31 Section 40. A new section is added to chapter 30.91P of the Snohomish County
32 Code to read:

33
34 **30.91P.128 Pedestrian oriented.**

35
36 "Pedestrian oriented" means an emphasis primarily on the street sidewalk and on pedestrian
37 access to the site and building(s), rather than on auto access and parking lots.
38

39 Section 41. Snohomish County Code Section 30.91P.340, adopted by Amended
40 Ordinance No. 02-064 on December 9, 2002, is repealed.
41
42

Section 42. A new section is added to chapter 30.91S of the Snohomish County Code to read:

30.91S.312 Sign, Temporary.

An attached on-premises sign made of non-rigid material, designed and displayed for a seasonal or brief activity such as, but not limited to, sales, specials, promotions, holidays, auctions, business grand openings, and signs advertising the lease or vacancy or rental units in multiunit residential developments. Symbols, figures, balloons, and other similar items shall be considered temporary signs.

Section 43. A new section is added to chapter 30.91S of the Snohomish County Code to read:

30.91S.355 Site area, net.

"Site area, net" ("Net site area") means the gross area of a site in square feet excluding critical areas and required buffers.

This definition applies only to urban center regulations in chapter 30.34A SCC.

Section 44. Snohomish County Code Section 30.91T.070, last amended by Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

30.91T.070 Transit center.

"Transit center" means a dedicated transit facility located outside of the public right-of-way where several transit routes converge. A transit center is designed to accommodate several buses at once to permit users easy transfer between transit routes. ((A transit center may provide transit passenger shelters and waiting areas, but does not include spaces for transit passengers' automobile parking.))

Section 45. A new section is added to chapter 30.91T of the Snohomish County Code to read:

30.91T.072 Transit oriented.


"Transit oriented" means an emphasis primarily on access to transportation, and often incorporating features that encourage pedestrian activity and transit ridership.

Section 46. Severability and Savings. If any section, sentence, clause or phrase of this ordinance is held invalid by the Growth Management Hearings Board (Board), or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided, however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by the Board or unconstitutional by a court of competent jurisdiction, then the section, sentence, clause or phrase in effect prior to the effective date of this ordinance shall be in full force and effect for that individual section, sentence, clause or phrase as if this ordinance had never been adopted.

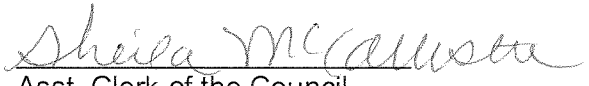
1 Section 47. Applicability. The provisions of this ordinance shall apply to all
2 development applications submitted on or after the effective date of this ordinance. The
3 provisions of this ordinance shall not apply to any development application determined to be
4 complete prior to the effective date of this ordinance, EXCEPT that an applicant for a
5 development application that is complete prior to the effective date of this ordinance may
6 voluntarily waive vested rights by submitting a written and signed waiver to the department
7 stating that the applicant agrees to comply with all development regulations in effect on the
8 date the waiver request is submitted. Development applications re-submitted under this
9 section shall require public notice and applicable fees.

10
11
12 PASSED this 11th day of September, 2013.

13
14 SNOHOMISH COUNCIL
15 Snohomish, Washington

16
17 
18 Council Chair, *VICE*
19
20

21 ATTEST:


22
23 
24 Asst. Clerk of the Council
25
26

27
28 ☒ APPROVED
29 ☐ EMERGENCY
30 ☐ VETOED

31 DATE:

32
33 
34 County Executive
35

36 ATTEST:

37 
38
39 Approved as to form only:
40
41

42 Deputy Prosecuting Attorney

D-7