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2 Effective: 01/23/14

3
4 SNOHOMISH COUNTY COUNCIL
5 Snohomish County, Washington

6
7 AMENDED ORDINANCE NO. 13-100

8
9 RELATING TO MANUFACTURING USES AND STRUCTURES IN THE URBAN
10 CENTER ZONE, AMENDING SCC 30.22.130 AND SCC 30.34A.010 OF THE
11 SNOHOMISH COUNTY CODE

12
13 WHEREAS, pursuant to the Growth Management Act ("GMA"), chapter 36.70A RCW,
14 the Snohomish County Council (the "County Council") has adopted the Snohomish County
15 GMA Comprehensive Plan ("GMACP") – General Policy Plan ("GPP") for the unincorporated
16 areas of Snohomish County; and

17
18 WHEREAS, on December 9, 2002, the County Council adopted title 30 of the
19 Snohomish County Code ("SCC"), entitled the Unified Development Code ("UDC"),
20 containing regulations that guide development within the unincorporated areas of Snohomish
21 County; and

22
23 WHEREAS, on September 11, 2013, the County adopted Amended Ordinance No.
24 13-007 relating to the Urban Center Zone and amending chapters 30.21, 30.22, 30.25,
25 30.26, 30.27, 30.28, 30.34A, 30.43B, 30.71, 30.72, 30.91B, 30.91F, 30.91H, 30.91M,
26 30.91N, 30.91P, 30.91S, and 30.91T of the Snohomish County Code and Repealing SCC
27 30.91M.135 and 30.91P.340; and

28
29 WHEREAS, following adoption of Amended Ordinance No. 13-007, the County
30 became aware of the potential for the regulations to limit opportunities for economic
31 development related to construction of new manufacturing facilities concerning aerospace on
32 land zoned Urban Center ("UC"); and

33
34 WHEREAS, an opportunity exists to amend the zoning code to provide more flexibility
35 for the manufacturing uses allowed in the UC zone; and

36
37 WHEREAS, Washington's aerospace industry is a cornerstone of our region's
38 economy, competition among aerospace companies is fierce, and the competition among
39 regions for the jobs that aerospace companies create is equally fierce; and

40
41 WHEREAS, Snohomish County is committed to economic revitalization benefitting
42 the State of Washington by securing aerospace jobs and enabling private aerospace
43 business development and growth by providing a streamlined regulatory environment; and

44
45 WHEREAS, the Snohomish County Department of Planning and Development
46 Services (PDS) conducted early and continuous public participation and the proposed
47 amendments have been broadly disseminated, and opportunities have been provided for
48 written comments after effective notice; and

49
50 WHEREAS, pursuant to RCW 36.70A.106, a notice of intent to adopt this code
51 amendment was transmitted to the Washington State Department of Commerce on October
52 16, 2013; and

1 WHEREAS, PDS briefed the Snohomish County Planning Commission (the "planning
2 commission") at a public meeting on October 29, 2013; and
3

4 WHEREAS, after proper notice, the planning commission held a public hearing on
5 October 29, 2013, to receive public testimony concerning the proposed code amendment;
6 and
7

8 WHEREAS, on October 29, 2013, the planning commission deliberated on the
9 proposed development regulations at a properly advertised public meeting; and
10

11 WHEREAS, at the conclusion of its deliberations the planning commission voted to
12 recommend that the County Council approve the proposed development regulations, as
13 enumerated in its recommendation letter dated November 5, 2013; and
14

15 WHEREAS, after proper notice, the County Council held a public hearing on January
16 8, 2014, to consider the entire record, including the planning commission's recommendations
17 on the full package of development regulations and PDS Staff Report dated October 16,
18 2013, which provides a detailed summary and analysis of the proposed development
19 regulations, and to receive public testimony on Ordinance No. 13-100; and
20

21 WHEREAS, the County Council deliberated on the planning commission
22 recommendation on January 8, 2014.
23

24 NOW, THEREFORE, BE IT ORDAINED:
25

26 Section 1. The County Council adopts the following findings:
27

- 28 A. The foregoing recitals are incorporated herein as findings as if set forth in full.
29
30 B. The public participation process used in the adoption of this ordinance has complied with
31 all applicable requirements of the GMA and the SCC.
32
33 C. The regulations proposed by this ordinance will support the aerospace industry within
34 Snohomish County by providing greater flexibility to expand in the UC zone.
35
36 D. The proposed amendments will allow the construction of new manufacturing structures
37 within the UC zone on sites that contain 25 or more acres of contiguous land that are
38 under single ownership or unified control. The new provisions will only apply to sites with
39 legally established manufacturing uses and structures at the time the property was
40 rezoned to UC on May 29, 2010.
41
42 E. The applicability of the proposed amendments is limited to one site in the unincorporated
43 county (Crane Aerospace located within the 164th St. Urban Center) that contains 25 or
44 more contiguous acres under single ownership or unified control.
45
46 F. The PDS analysis in support of these proposed amendments and new provisions is
47 outlined in the PDS Staff Report dated October 16, 2013. Analysis of additional goals,
48 objectives, and policies is provided in the Council Staff Report dated December 3, 2013.
49
50 G. The Washington State Attorney General is directed under RCW 36.70A.370 to advise
51 state agencies and local governments on an orderly, consistent process that better
52 enables government to evaluate proposed regulatory actions to assure that the actions

1 do not result in the unconstitutional taking of private property or violate substantive due
2 process guarantees.
3

4 H. The Washington State Attorney General issued an advisory memorandum in December
5 of 2006 entitled Advisory Memorandum: Avoiding Unconstitutional Takings of Private
6 Property (the "2006 advisory memorandum") to help local governments avoid the
7 unconstitutional taking of private property.
8

9 I. The 2006 advisory memorandum was used by the county in objectively evaluating the
10 regulatory changes proposed in this ordinance.
11

12 J. The County Council considered and assessed potential constitutional issues related to
13 the regulations proposed in this ordinance. These include, but are not limited to the
14 following questions: whether the proposed regulations would result in a permanent or
15 temporary physical occupation of private property; whether the proposed regulations
16 would deprive affected property owners of all economically viable uses of their properties;
17 whether the proposed regulations would deny or substantially diminish a fundamental
18 attribute of property ownership; whether the proposed regulations require a property
19 owner to dedicate a portion of property or to grant an easement; and whether the
20 proposed regulations would have a severe impact on the property owners' economic
21 interests.
22

23 K. The regulations proposed by this ordinance are reasonably related to and necessary for
24 the advancement of the GMA's goal that applications for local government permits be
25 processed in a timely and fair manner to ensure predictability.
26

27 L. The amendments will better achieve the overall goals of the GMACP and facilitate
28 eventual annexation of unincorporated urban areas by the cities, as envisioned by the
29 GMA.
30

31 M. PDS completed an environmental checklist pursuant to the State Environmental Policy
32 Act ("SEPA") and issued a Determination of Non-significance (DNS) with respect to this
33 non-project action on October 18, 2013.
34

35 N. This ordinance is adopted pursuant to the Snohomish County Charter and the
36 Washington State Constitution, Article XI, Section 11.
37

38 Section 2. Based on the foregoing findings, the County Council makes the following
39 conclusions:
40

41 A. The regulations proposed by this ordinance do not result in an unconstitutional taking of
42 private property for a public purpose.
43

44 B. The regulations proposed by this ordinance are consistent with the goals and
45 requirements of the GMA.
46

47 C. The provisions in this ordinance are consistent with the Multi-county Planning Policies
48 adopted by the Puget Sound Regional Council and with the Countywide Planning
49 Policies for Snohomish County including: ED 1 and ED 13.
50

51 D. The regulations are consistent with the goals, objectives and policies of the GMACP
52 including: Goals ED 2 and 3, Objectives ED 2.A and 3.A and Policies ED 2.A.1 and
53 3.A.3. There are other goals and policies that are not significantly advanced by the

1 regulations, including Goal LU 3 and Policy LU 3.A.2 which promote mixed use,
2 pedestrian orientation, and public spaces in designated Urban Centers. On balance,
3 considering all of the goals, objectives, and policies of the GMACP and recognizing the
4 tension that exists between some of those goals and policies, the regulations are
5 consistent with the GMACP.

6
7 E. The code amendments and revisions adopted by this ordinance are consistent with the
8 goals and requirements of the GMACP.

9
10 F. The County has complied with all SEPA requirements in respect to this non-project
11 action.

12
13 Section 3. The County Council bases its findings and conclusions on the entire
14 record of the planning commission and the County Council, including all testimony and
15 exhibits. Any finding which should be deemed a conclusion, and any conclusion which
16 should be deemed a finding, is adopted as such.

17
18 Section 4. Snohomish County Code Section 30.22.130, last amended by Amended
19 Ordinance No. 13-064 on September 4, 2013, is amended to read:

20
21 **30.22.130 Reference notes for use matrix.**

22 (1) Airport, Stage 1 Utility:

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

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

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

26 30.28.005 shall apply.

27 (2) Day Care Center:

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

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

32 (3) Dock and Boathouse, Private, Non-commercial: The following standards apply outside
33 of shoreline jurisdiction only. If located within shoreline jurisdiction, the standards in SCC
34 30.67.515 apply instead.

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

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

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

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

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

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

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

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

4 (6) Dwelling, Mobile Home:

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

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

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

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

11 (ii) a perimeter masonry foundation;

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

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

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

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

19 (8) Family Day Care Home:

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

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

22 (9) Farm Stand:

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

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

27 (10) Farm Worker Dwelling:

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

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

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

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

43 (11) Home Occupation: See SCC 30.28.050.

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

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

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

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

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

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

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

2 (16) RESERVED for future use (Social Service Center - DELETED by Amended Ord. 04-
3 010 effective March 15, 2004)

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

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

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

10 (18) Temporary Dwelling for a relative:

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

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

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

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

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

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

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

25 (h) Adequate screening, landscaping, or other measures shall be provided pursuant to
26 SCC 30.25.028 to protect surrounding property values and ensure compatibility with the
27 immediate neighborhood;

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

31 (j) An agreement to terminate such temporary use at such time as the need no longer
32 exists shall be executed by the applicant and recorded with the Snohomish County auditor;
33 and

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

36 (19) Recreational Vehicle:

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

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

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

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

44 (ii) Temporary overnight use by farm workers on the farm where they are employed
45 subject to subsections (19)(a) and (b) of this section; and

46 (iii) Subject to subsections (19)(a) and (b) of this section and SCC 30.22.120(7)(b),
47 temporary overnight use in a mobile home park, which has been in existence continuously
48 since 1970 or before, that provides septic or sewer service, water and other utilities, and that
49 has an RV flood evacuation plan that has been approved and is on file with the department
50 of emergency management and department of planning and development services.
51

1 (20) Ultralight Airpark:

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

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

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

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

14 (ii) occur between sunset and sunrise;

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

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

19 (21) Craft Shop:

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

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

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

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

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

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

31 (25) Rural Industry:

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

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

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

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

41 (26) Sawmill, Shake and Shingle Mill:

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

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

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

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

51 (27) Governmental and Utility Structures and Facilities:

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

53

1 (28) Excavation and Processing of Minerals:

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

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

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

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

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

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

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

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

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

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

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

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

30 (32) Campground:

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

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

33 (33) Commercial Vehicle Home Basing:

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

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

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

38 (34) Distillation of Alcohol:

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

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

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

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

46 (36) Mobile Home and Travel Trailer Sales:

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

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

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

6 (d) Such use shall not be deemed to be outside storage for the purpose of SCC
7 30.25.024; and

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

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

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

13 (39) Sludge Utilization: See SCC 30.28.085.

14 (40) Homestead Parcel: See SCC 30.28.055.

15 (41) Special Setback Requirements for this use are contained in SCC 30.23.110 or SCC
16 30.67.515 if within shoreline jurisdiction.

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

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

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

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

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

27 (45) Antique Shops when established as a home occupation as regulated by SCC
28 30.28.050(1); provided further that all merchandise sold or offered for sale shall be
29 predominantly "antique" and antique-related objects.

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

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

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

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

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

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

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

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

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

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

50 (b) The incidental sale of garden tools and associated gardening accessories shall be
51 permitted; however, the sale of motorized landscaping equipment such as lawn mowers,
52 weed eaters, edgers, and rototillers shall be prohibited;

53 (c) There shall be no on-site signs advertising uses other than the principal use; and

1 (d) Incidental sales of garden tools and associated gardening accessories shall be less
2 than 25 percent of the sales of products produced in the greenhouse, lath house, or nursery.

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

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

7 (55) Noise of Machines and Operations in the LI and HI zones shall comply with chapter
8 10.01 SCC and machines and operations shall be muffled so as not to become objectionable
9 due to intermittence, beat frequency, or shrillness.

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

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

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

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

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

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

19 (c) The following compatibility standards shall apply:

20 (i) proposals for development in existing neighborhoods with a well-defined character
21 should be compatible with or complement the highest quality features, architectural character
22 and siting pattern of neighboring buildings. Where there is no discernible pattern, the
23 buildings shall complement the neighborhood. Development of detached private garages and
24 storage structures shall not interrupt the streetscape or dwarf the scale of existing buildings
25 of existing neighborhoods. Applicants may refer to the Residential Development Handbook
26 for Snohomish County Communities to review techniques recommended to achieve
27 neighborhood compatibility;

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

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

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

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

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

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

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

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

7 (62) Accessory Apartments: See SCC 30.28.010.

8 (63) Temporary Woodwaste Recycling and Temporary Woodwaste Storage Facilities: See
9 SCC 30.28.090.

10 (64) RESERVED for future use.

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

16 (66) An application for a conditional use permit to allow an off-site hazardous waste
17 treatment and storage facility shall demonstrate compliance with the state siting criteria for
18 dangerous waste management facilities pursuant to RCW 70.105.210 and WAC 173-303-
19 282 as now written or hereafter amended.

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

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

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

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

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

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

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

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

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

37 (d) On sites located in RC and R-5 zones, Type A landscaping as defined in SCC
38 30.25.017 is required to screen any outside storage, including animal waste storage, and
39 parking areas from adjacent properties;

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

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

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

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

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

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

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

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

3 (i) plat construction plans have been approved;

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

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

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

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

14 (75) Model Hobby Park: SCC 30.28.060.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6 (84) RESERVED for future use.

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

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

9 (87) Wedding Facility:

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

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

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

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

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

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

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

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

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

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

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

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

38 (b) The municipal airport boundary includes no less than 1,000 acres of land zoned light
39 industrial; and

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

41 (90) Health and social service facilities regulated under this title do not include secure
42 community transition facilities (SCTFs) proposed pursuant to chapter 71.09 RCW. See SCC
43 30.91H.095.

44 (a) Snohomish County is preempted from regulation of SCTFs. In accordance with the
45 requirements of state law the county shall take all reasonable steps permitted by chapter
46 71.09 RCW to ensure that SCTFs comply with applicable siting criteria of state law. Every
47 effort shall be made by the county through the available state procedures to ensure strict
48 compliance with all relevant public safety concerns, such as emergency response time,
49 minimum distances to be maintained by the SCTF from "risk potential" locations, electronic
50 monitoring of individual residents, household security measures and program staffing.

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

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

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

6 (92) The area of the shooting range devoted to retail sales of guns, bows, and related
7 equipment shall not exceed one-third of the gross floor area of the shooting range and shall
8 be located within a building or structure.

9 (93) Farmers Market: See SCC 30.28.036.

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

11 (95) Farmland Enterprise: See SCC 30.28.037.

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

13 (a) Comply with the requirements of SCC 30.53A.800; and

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

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

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

17 (99) Farm Stand: See SCC 30.28.039.

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

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

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

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

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

34 (105) Personal wireless telecommunications service facilities are subject to a building
35 permit pursuant to SCC 30.28A.020 and the development standards set forth in chapter
36 30.28A SCC and landscaping standards in SCC 30.25.025.

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

39 (107) Agricultural composting requirements:

40 (a) On-farm site agricultural composting operations that comply with the requirements
41 established in this section are allowed in the A-10 zone. These composting facilities and
42 operations shall be constructed and operated in compliance with all applicable federal, state
43 and local laws, statutes, rules and regulations. The Nutrient Management Plan portion of the
44 farm's Snohomish Conservation District Farm Plan or any other established nutrient
45 management plan must be on file with the department when any application for a land use
46 permit or approval is submitted to the department for the development of an agricultural
47 composting facility. Farm site agricultural composting operations shall also comply with the
48 following criteria:

49 (i) The composting operation shall be limited to 10 percent of the total farm site area;

50 (ii) At least 50 percent of the composted materials shall be agricultural waste;

51 (iii) At least 10 percent of the agricultural wastes must be generated on the farm site;

52 (iv) A maximum of 500 cubic yards of unsuitable incidental materials accumulated in the
53 agricultural waste such as rock, asphalt, or concrete over 3 inches in size may be stored at

1 the farm composting facility until its proper removal. All incidental materials must be removed
2 from the site yearly; and

3 (v) A minimum of 10 percent of the total volume of the finished compost produced
4 annually shall be spread on the farm site annually.

5 (b) In all other zones except A-10 where agriculture is a permitted use, incidental
6 agricultural composting of agricultural waste generated on a farm site is permitted. The
7 agricultural composting facility shall be constructed and operated in compliance with all
8 applicable federal, state and local laws, statutes, rules and regulations. The Nutrient
9 Management Plan portion of the farm's Snohomish Conservation District Farm Plan or any
10 other established nutrient management plan must be on file with the department when any
11 permit application is submitted to the department for the development of an agricultural
12 composting facility.

13 (108) RESERVED for future use. (Urban Center Demonstration Program projects -
14 DELETED by Ord. 09-079)

15 (109) Privately operated off-road vehicle (ORV) use areas shall be allowed by conditional
16 use permit on Forestry and Recreation (F&R) zoned property designated Forest on the
17 comprehensive plan future land use map. These areas shall be identified by an F&R ORV
18 suffix on the zoning map. Privately operated ORV use areas are regulated pursuant to SCC
19 30.28.080, SCC 30.28.085 and other applicable county codes.

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

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

28 (112) RESERVED for future use. (Transfer of Development Rights receiving area overlay -
29 DELETED by Amended Ord. 13-064).

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

34 (114) New AM radio towers are prohibited. AM radio towers either constructed before
35 October 13, 2010, or with complete applications for all permits and approvals required for
36 construction before October 13, 2010, shall not be considered nonconforming uses and they
37 may be repaired, replaced, and reconfigured as to the number and dimensions of towers so
38 long as the repair, replacement, or reconfiguration occurs on the parcel where the tower was
39 originally constructed or permitted and it does not increase the number of AM radio towers
40 constructed on the parcel.

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

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

45 (117) RESERVED for future use.

46 (118) RESERVED for future use.

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

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

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

51 (122) Products or merchandise offered for sale or storage by a business may be located
52 outdoors; provided, that:

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

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

3 (123) Such uses, except those as provided for in SCC 30.34A.010(4)(d), are permitted
4 only in structures which are legally existing on May 29, 2010. Such uses, except those as
5 provided for in SCC 30.34A.010(4)(d), shall also comply with subsection (122) of this section.

6 (124) The minimum lot size for marijuana related facilities is 100,000 square feet.
7 Marijuana production is allowed indoors and outdoors. Marijuana processing is only allowed
8 when there is a marijuana production facility on site. Marijuana facilities are subject to special
9 setbacks pursuant to SCC 30.23.110(28).

10 (125) Marijuana production and processing is permitted indoors only no outdoor production
11 or processing is allowed.

12 (126) Notwithstanding all other provisions of chapter 30.22 SCC, marijuana collective
13 gardens, collective garden dispensaries, or access points in operation as of November 1,
14 2013, shall be permitted uses in their current locations through December 31, 2015, provided
15 that the use complies with all state laws related to medical marijuana and maintains a current
16 certificate of occupancy. Such uses must close or relocate to a zone where they are a
17 permitted use on or before January 1, 2016. New marijuana collective gardens, collective
18 garden dispensaries, or access points after November 1, 2013 shall only be permitted in the
19 zones specified in Chapter SCC 30.22 SCC.

20
21 Section 5. Snohomish County Code Section 30.34A.010, last amended by Amended
22 Ordinance No. 13-007 on September 11, 2013, is amended to read:

23
24 **30.34A.010 Purpose and applicability.**

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

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

30 (3) The provisions of this chapter apply to any property that is zoned UC on the
31 Snohomish County Official Zoning Map, unless specifically exempted in subsection (4) of this
32 section.

33 (4) This chapter does not apply to:

34 (a) Personal wireless communications facilities which are regulated under chapter
35 30.28A SCC.

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

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

39 (d) Manufacturing uses and structures on sites that are a minimum of 25 contiguous
40 acres which are under single ownership or unified development control and which legally
41 existed on May 29, 2010. The existing 100 foot wide on-site buffer adjacent to any
42 residential zone shall be retained. Any alterations, reconstruction or construction of new
43 structures thereon shall meet the requirements of the Business Park zone.

44 (5) If there is a conflict between the regulations in this chapter and other sections of this
45 title, the regulations in this chapter shall control.

46
47 Section 6. Severability and Savings. If any section, sentence, clause or phrase of
48 this ordinance is held invalid by the Growth Management Hearings Board (Board), or
49 unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall
50 not affect the validity or constitutionality of any other section, sentence, clause or phrase of
51 this ordinance. Provided, however, that if any section, sentence, clause or phrase of this
52 ordinance is held to be invalid by the Board or unconstitutional by a court of competent
53 jurisdiction, then the section, sentence, clause or phrase in effect prior to the effective date of

1 this ordinance shall be in full force and effect for that individual section, sentence, clause or
2 phrase as if this ordinance had never been adopted.

3
4 PASSED this 8th day of January, 2014.

5
6 SNOHOMISH COUNTY COUNCIL
7 Snohomish, Washington

8
9
10 
11 Council Chair

12 ATTEST:

13
14 
15
16 Asst. Clerk of the Council

17
18 APPROVED
19 EMERGENCY
20 VETOED

21 DATE: 1/13, 2014

22
23
24 
25 County Executive

26
27 ATTEST:

28
29 
30
31

32
33 Approved as to form only:

34
35
36
37 _____
38 Deputy Prosecuting Attorney