

1 Adopted: 10/29/14  
2 Effective: 11/13/14

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4  
5 SNOHOMISH COUNTY COUNCIL  
6 Snohomish County, Washington

7  
8 ORDINANCE NO. 14-081  
9

10 RELATING TO THE CONSTRUCTION CODES; CORRECTING INADVERTENT ERRORS  
11 AND INCONSISTENCIES IN TITLE 30 SCC; AMENDING SECTIONS 30.22.130, 30.41F.050,  
12 30.53B.060, 30.63A.870, 30.83.010, 30.85.090 AND 30.85.130 OF THE SNOHOMISH  
13 COUNTY CODE  
14

15 WHEREAS, on December 9, 2002, the county adopted title 30 of the Snohomish County  
16 Code ("SCC") to consolidate and streamline county land use and development codes to  
17 eliminate duplication, inconsistency, and ambiguity; and  
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19 WHEREAS, the county has identified certain inadvertent errors and inconsistencies in  
20 title 30 SCC that cannot be addressed by the county code reviser through the authority  
21 established in SCC 1.02.020(2); and  
22

23 WHEREAS, the inadvertent errors and inconsistencies identified for correction in this  
24 ordinance include inaccurate citations and cross-references left in the code during previous  
25 amendments and as part of the adoption of the 2012 State Building Codes, which were adopted  
26 by the county council through Ordinances Nos. 14-055, 14-056, 14-057, 14-058, 14-059, and  
27 14-060 on August 27, 2014; and  
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29 WHEREAS, the county has conducted early and continuous public participation with  
30 respect to the code amendments contained in this ordinance; and  
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32 WHEREAS, on August 26, 2014, the Snohomish County Planning Commission  
33 ("planning commission") held a public hearing to receive public testimony concerning the code  
34 amendments contained in this ordinance; and  
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36 WHEREAS, at the conclusion of the planning commission's public hearing, the planning  
37 commission voted to recommend approval of the code corrections, as set forth in its  
38 recommendation letter dated August 27, 2014; and  
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40 WHEREAS, on October 29, 2014, the county council held a public hearing after proper  
41 notice, heard public testimony related to the code amendments contained in this ordinance, and  
42 considered the entire record, including the planning commission's recommendations on the  
43 code amendments contained in this ordinance; and  
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45 WHEREAS, the county council concludes that title 30 SCC should be amended as set  
46 forth herein.  
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2 NOW, THEREFORE, BE IT ORDAINED:  
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4 Section 1. The county council makes the following findings:  
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6 A. The foregoing recitals are adopted as findings as if set forth in full herein.  
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8 B. This proposal is to amend title 30 SCC.  
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10 C. Procedural requirements.  
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- 12 1. This ordinance is consistent with state law and chapter 30.73 SCC.
- 13 2. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance  
14 was transmitted to the Washington State Department of Commerce for  
15 distribution to state agencies on July 17, 2014.
- 16 3. Pursuant to Chapter 43.21C RCW, a State Environmental Policy Act  
17 ("SEPA") threshold Determination of Nonsignificance for the code  
18 amendments contained in this ordinance was issued on July 21, 2014.
- 19 4. The public participation process used in the adoption of this ordinance has  
20 complied with all applicable requirements of the GMA and the SCC.
- 21 5. As required by RCW 36.70A.370, the Washington State Attorney General last  
22 issued an advisory memorandum in December of 2006 entitled "Advisory  
23 Memorandum: Avoiding Unconstitutional Takings of Private Property" to help  
24 local governments avoid the unconstitutional taking of private property. The  
25 process outlined in the State Attorney General's 2006 advisory memorandum  
26 was used by the County in objectively evaluating the regulatory changes  
27 proposed by this ordinance.  
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32 D. This ordinance is consistent with the record.  
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- 34 1. On December 9, 2002, the county adopted title 30 SCC to consolidate and  
35 streamline county land use and development codes to eliminate duplication,  
36 inconsistency, and ambiguity.
- 37 2. This ordinance will amend several sections of title 30 SCC. The inadvertent  
38 errors and inconsistencies identified for correction in this ordinance include  
39 outdated or inaccurate citations and cross-references and missing language  
40 that was accidentally omitted or deleted during previous amendments.
- 41 3. A sub-set of the code amendments are intended to resolve inconsistencies  
42 that result from adoption of the 2012 International Codes, which were  
43 adopted on August 27, 2014 by the Snohomish County Council.
- 44 4. Amendments to SCC 30.22.130(87)(d) are necessary to correct a cross-  
45 reference from chapter 30.52A to chapter 30.50 SCC and delete language  
46 and an incorrect cross-reference to SCC 30.53A.060.  
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5. Amendments to SCC 30.41F.050 are necessary to correct a cross-reference from SCC 30.53A.150 to SCC 30.53A.512.
6. Amendments to SCC 30.53B.060 are necessary to correct a cross-reference from SCC 30.52A.130 to chapter 30.50 SCC.
7. Amendments to SCC 30.63A.870 are necessary to correct a cross-reference from SCC 30.52A.130 to chapter 30.50 SCC.
8. Amendments to SCC 30.83.010(1) are necessary to correct a typographical error, insert omitted language, delete an incorrect citation to the International Fire Code, and correct a cross-reference from chapter 30.52A to chapter 30.50 SCC.
9. Amendments to SCC 30.85.090(1) are necessary to correct cross-references from SCC 30.52A.148(1)(c) or SCC 30.23.100(3) to SCC 30.50.308 or SCC 30.23.100 and correct a citation to the International Fire Code.
10. Amendments to SCC 30.85.130, are necessary to correct cross-references from SCC 30.52A.148(1)(c) or SCC 30.23.100(3) to SCC 30.50.308 or SCC 30.23.100 and correct a citation to the International Fire Code.
11. This ordinance is consistent with county's Growth Management Act Comprehensive Plan ("GMACP"), in particular with the following goal, objective and policy:
  - i. Goal ED1, "Promote the maintenance and enhancement of a healthy economy."
  - ii. Objective ED 2.A "Develop and maintain a regulatory system that is fair, understandable, coordinated and timely."
  - iii. ED Policy 2.A.1 "Snohomish County shall ensure that revisions to the Snohomish County Code result in a more understandable, accessible, and user friendly document which eliminates unnecessary and clarifies confusing code provisions."

Section 2. The county council makes the following conclusions:

- A. The county council concludes that this ordinance is necessary to correct certain inadvertent errors and inconsistencies in title 30 SCC which cannot be addressed by the county code reviser through the authority in SCC 1.02.020(2).
- B. The county council concludes that this ordinance is consistent with state law and SCC.
- C. The county council concludes that this ordinance is consistent with the goals, objectives and policies of the county's GMACP.
- D. The county council concludes that this ordinance has complied with all SEPA requirements in respect to this non-project action.

1 Section 3. Snohomish County Code Section 30.22.130, last amended by Amended  
2 Ordinance No. 13-100 on January 8, 2014, 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 airpark, 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  
17 apply outside of shoreline jurisdiction only. If located within shoreline  
18 jurisdiction, the standards in 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. No  
33 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  
35 within the same structure as a commercial establishment. In the MHP zone,  
36 single family detached dwellings are limited to one per existing single legal lot  
37 of record.

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

41 (6) Dwelling, Mobile Home:

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

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

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

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

48 (ii) a perimeter masonry foundation;

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

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

- 1 (7) Fallout Shelter, Joint, by two or more property owners:  
2 Side and rear yard requirements may be waived by the department along the boundaries  
3 lying between the properties involved with the proposal, and zone; provided that its function as a  
4 shelter is not impaired.
- 5 (8) Family Day Care Home:  
6 (a) No play yards or equipment shall be located in any required setback from a street;  
7 and  
8 (b) Outdoor play areas shall be fenced or otherwise controlled.
- 9 (9) Farm Stand:  
10 (a) There shall be only one stand on each lot; and  
11 (b) At least 50 percent by farm product unit of the products sold shall be grown, raised or  
12 harvested in Snohomish County, and 75 percent by farm product unit of the products sold shall  
13 be grown, raised or harvested in the State of Washington.
- 14 (10) Farm Worker Dwelling:  
15 (a) At least one person residing in each farm worker dwelling unit shall be employed full  
16 time in the farm operation;  
17 (b) An agricultural farm worker dwelling unit affidavit must be signed and recorded with  
18 the county attesting to the need for such dwellings to continue the farm operation;  
19 (c) The number of farm worker dwellings shall be limited to one per each 40 acres under  
20 single contiguous ownership to a maximum of six total dwellings, with 40 acres being required to  
21 construct the first accessory dwelling unit. Construction of the maximum number of dwelling  
22 units permitted shall be interpreted as exhausting all residential potential of the land until such  
23 time as the property is legally subdivided; and  
24 (d) All farm worker dwellings must be clustered on the farm within a 10-acre farmstead  
25 which includes the main dwelling. The farmstead's boundaries shall be designated with a legal  
26 description by the property owner with the intent of allowing maximum flexibility while minimizing  
27 interference with productive farm operation. Farm worker dwellings may be located other than  
28 as provided for in this subsection only if environmental or physical constraints preclude meeting  
29 these conditions.
- 30 (11) Home Occupation: See SCC 30.28.050.
- 31 (12) Kennel, Commercial: There shall be a five-acre minimum lot area; except  
32 in the R-5 and RD zones, where 200,000 square feet shall be the minimum  
33 lot area.
- 34 (13) Kennel, Private-breeding, and Kennel, Private Non-breeding: Where the  
35 animals comprising the kennel are housed within the dwelling, the yard or  
36 some portion thereof shall be fenced and maintained in good repair or to  
37 contain or to confine the animals upon the property and restrict the entrance  
38 of other animals.
- 39 (14) Parks, Publicly-owned and Operated:  
40 (a) No bleachers are permitted if the site is less than five acres in size;  
41 (b) All lighting shall be shielded to protect adjacent properties; and  
42 (c) No amusement devices for hire are permitted.
- 43 (15) Boarding House: There shall be accommodations for no more than two  
44 persons.
- 45 (16) RESERVED for future use (Social Service Center - DELETED by  
46 Amended Ord. 04-010 effective March 15, 2004)
- 47 (17) Swimming/Wading Pool (not to include hot tubs and spas): For the sole  
48 use of occupants and guests:  
49 (a) No part of the pool shall project more than one foot above the adjoining ground level  
50 in a required setback; and

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

3 (18) Temporary Dwelling for a relative:

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

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

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

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

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

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

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

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

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

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

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

27 (19) Recreational Vehicle:

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

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

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

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

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

37 (iii) Subject to subsections (19)(a) and (b) of this section and SCC 30.22.120(7)(b),  
38 temporary overnight use in a mobile home park, which has been in existence continuously since  
39 1970 or before, that provides septic or sewer service, water and other utilities, and that has an  
40 RV flood evacuation plan that has been approved and is on file with the department of  
41 emergency management and department of planning and development services.

42 (20) Ultralight Airpark:

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

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

48 (c) Approval shall be dependent upon a determination by the county decision maker that  
49 all potential impacts such as noise, safety hazards, sanitation, traffic, and parking are  
50 compatible with the site and neighboring land uses, particularly those involving residential uses  
51 or livestock or small animal husbandry; and further that the proposed use can comply with

1 Federal Aviation Administration regulations (FAR Part 103), which state that ultralight vehicle  
2 operations will not:

- 3 (i) create a hazard for other persons or property;
- 4 (ii) occur between sunset and sunrise;
- 5 (iii) occur over any substantially developed area of a city, town, or settlement,  
6 particularly over residential areas or over any open air assembly of people; or
- 7 (iv) occur in an airport traffic area, control zone, terminal control area, or positive  
8 control area without prior authorization of the airport manager with jurisdiction.

9 (21) Craft Shop:

- 10 (a) Articles shall not be manufactured by chemical processes;
- 11 (b) No more than three persons shall be employed at any one time in the fabricating,  
12 repair, or processing of materials; and
- 13 (c) The aggregate nameplate horsepower rating of all mechanical equipment on the  
14 premises shall not exceed two.

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

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

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

22 (25) Rural Industry:

- 23 (a) The number of employees shall not exceed 10;
- 24 (b) All operations shall be carried out in a manner so as to avoid the emission or creation  
25 of smoke, dust, fumes, odors, heat, glare, vibration, noise, traffic, surface water drainage,  
26 sewage, water pollution, or other emissions which are unduly or unreasonably offensive or  
27 injurious to properties, residents, or improvements in the vicinity;
- 28 (c) The owner of the rural industry must reside on the same premises as the rural  
29 industry and, in the RD zone, the residence shall be considered as a caretaker's quarters; and
- 30 (d) Outside storage, loading or employee parking in the RD zone shall provide 15-foot  
31 wide Type A landscaping as defined in SCC 30.25.017.

32 (26) Sawmill, Shake and Shingle Mill:

- 33 (a) Such uses shall not include the manufacture of finished wood products such as  
34 furniture and plywood, but shall include lumber manufacturing;
- 35 (b) The number of employees shall not exceed 25 during any eight-hour work shift;
- 36 (c) All operations shall be carried out in a manner so as to avoid the emission or creation  
37 of smoke, dust, fumes, odors, heat, glare, vibration, noise, traffic, surface water drainage,  
38 sewage, water pollution, or other emissions which are unduly or unreasonably offensive or  
39 injurious to properties, residents or improvements in the vicinity; and
- 40 (d) Sawmills and shakemills adjacent to a state highway in the RU zone shall provide 25  
41 feet of Type A landscaping as defined in SCC 30.25.017.

42 (27) Governmental and Utility Structures and Facilities:

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

44 (28) Excavation and Processing of Minerals:

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

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

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

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

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

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

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

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

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

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

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

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

24 (32) Campground:

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

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

27 (33) Commercial Vehicle Home Basing:

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

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

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

32 (34) Distillation of Alcohol:

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

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

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

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

40 (36) Mobile Home and Travel Trailer Sales:

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

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

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



- 1 (d) Such use shall not be deemed to be outside storage for the purpose of SCC  
2 30.25.024; and
- 3 (e) Such use shall be temporary until business or industrial development is timely on the  
4 site or on nearby IP designated property.
- 5 (37) Small Animal Husbandry: There shall be a five-acre minimum site size.  
6 (38) Mobile Home Park: Such development must fulfill the requirements of  
7 chapter 30.42E SCC.  
8 (39) Sludge Utilization: See SCC 30.28.085.  
9 (40) Homestead Parcel: See SCC 30.28.055.  
10 (41) Special Setback Requirements for this use are contained in SCC  
11 30.23.110 or SCC 30.67.515 if within shoreline jurisdiction.  
12 (42) Minimum Lot Size for duplexes shall be one and one-half times the  
13 minimum lot size for single family dwellings. In the RU zone, this provision  
14 only applies when the minimum lot size for single family dwellings is 12,500  
15 square feet or less.  
16 (43) Petroleum Products and Gas, Bulk Storage:  
17 (a) All above ground storage tanks shall be located 150 feet from all property lines; and  
18 (b) Storage tanks below ground shall be located no closer to the property line than a  
19 distance equal to the greatest dimensions (diameter, length or height) of the buried tank.  
20 (44) Auto Wrecking Yards and Junkyards: A sight-obscuring fence a  
21 minimum of seven feet high shall be established and maintained in the LI  
22 zone. For requirements for this use, SCC 30.25.020 and 30.25.050 apply.  
23 (45) Antique Shops when established as a home occupation as regulated by  
24 SCC 30.28.050(1); provided further that all merchandise sold or offered for  
25 sale shall be predominantly "antique" and antique-related objects.  
26 (46) Billboards: See SCC 30.27.080 for specific requirements.  
27 (47) Nursery, Wholesale: In R-20,000 zone, a wholesale nursery is permitted  
28 on three acres or more; a conditional use permit is required on less than  
29 three acres.  
30 (48) Stockyard and Livestock Auction Facility: The minimum lot size is 10  
31 acres.  
32 (49) Restaurants and Personal Service Shops: Located to service principally  
33 the constructed industrial park uses.  
34 (50) Sludge Utilization: A conditional use permit is required for manufacture of  
35 materials by a non-governmental agency containing stabilized or digested  
36 sludge for a public utilization.  
37 (51) Single Family and Multifamily Dwellings are a prohibited use, except for  
38 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 the  
41 bulk regulations contained in chapter 30.23 SCC; provided further that such improvements do  
42 not increase the ground area covered by the structural portion of the nonconforming use by  
43 more than 100 percent of that existing at the existing date of the nonconformance; and  
44 (b) New single family and multifamily dwellings in the BP zone authorized pursuant to  
45 the provisions of SCC 30.31A.140.  
46 (52) Greenhouses, Lath Houses, and Nurseries:  
47 (a) Incidental sale of soil, bark, fertilizers, plant nutrients, rocks, and similar plant  
48 husbandry materials is permitted;  
49 (b) The incidental sale of garden tools and associated gardening accessories shall be  
50 permitted; however, the sale of motorized landscaping equipment such as lawn mowers, weed  
51 eaters, edgers, and rototillers shall be prohibited;

- 1 (c) There shall be no on-site signs advertising uses other than the principal use; and  
2 (d) Incidental sales of garden tools and associated gardening accessories shall be less  
3 than 25 percent of the sales of products produced in the greenhouse, lath house, or nursery.
- 4 (53) Retail Store: See SCC 30.31A.120 for specific requirements for retail  
5 stores in the BP zone.
- 6 (54) Retail Sales of Hay, Grain, and Other Livestock Feed are permitted on  
7 site in conjunction with a livestock auction facility.
- 8 (55) Noise of Machines and Operations in the LI and HI zones shall comply  
9 with chapter 10.01 SCC and machines and operations shall be muffled so as  
10 not to become objectionable due to intermittence, beat frequency, or  
11 shrillness.
- 12 (56) Sludge Utilization only at a completed sanitary landfill or on a completed  
13 cell within a sanitary landfill, subject to the provision of SCC 30.28.085.
- 14 (57) Woodwaste Recycling and Woodwaste Storage Facility: See SCC  
15 30.28.095.
- 16 (58) Bed and Breakfast Guesthouses and Bed and Breakfast Inns: See SCC  
17 30.28.020.
- 18 (59) Detached accessory or non-accessory private garages and storage  
19 structures are subject to the following requirements:
- 20 (a) Special setback requirements for these uses are contained in SCC 30.23.110(20);  
21 (b) Artificial lighting shall be hooded or shaded so that direct outside lighting, if any, will  
22 not result in glare when viewed from the surrounding property or rights-of-way;  
23 (c) The following compatibility standards shall apply:
- 24 (i) proposals for development in existing neighborhoods with a well-defined character  
25 should be compatible with or complement the highest quality features, architectural character  
26 and siting pattern of neighboring buildings. Where there is no discernable pattern, the buildings  
27 shall complement the neighborhood. Development of detached private garages and storage  
28 structures shall not interrupt the streetscape or dwarf the scale of existing buildings of existing  
29 neighborhoods. Applicants may refer to the Residential Development Handbook for Snohomish  
30 County Communities to review techniques recommended to achieve neighborhood  
31 compatibility;
- 32 (ii) building plans for all proposals larger than 2,400 square feet in the Waterfront  
33 Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and rural cluster subdivisions shall  
34 document the use of building materials compatible and consistent with existing on-site  
35 residential development exterior finishes;
- 36 (iii) in the Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and  
37 rural cluster subdivisions, no portion of a detached accessory private garage or storage  
38 structure shall extend beyond the building front of the existing single family dwelling, unless  
39 screening, landscaping, or other measures are provided to ensure compatibility with adjacent  
40 properties; and
- 41 (iv) in the Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and  
42 rural cluster subdivisions, no portion of a detached non-accessory private garage or storage  
43 structure shall extend beyond the building front of existing single family dwellings on adjacent  
44 lots where the adjacent dwellings are located within 10 feet of the subject property line. When a  
45 detached non-accessory private garage or storage structure is proposed, the location of existing  
46 dwellings on adjacent properties located within 10 feet of the subject site property lines shall be  
47 shown on the site plan;
- 48 (d) All detached accessory or non-accessory private garages and storage structures  
49 proposed with building footprints larger than 2,400 square feet shall provide screening or  
50 landscaping from adjacent properties pursuant to chapter 30.25 SCC;

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

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

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

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

15 (62) Accessory Apartments: See SCC 30.28.010.

16 (63) Temporary Woodwaste Recycling and Temporary Woodwaste Storage  
17 Facilities: See SCC 30.28.090.

18 (64) RESERVED for future use.

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

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

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

31 (68) Special Building Height provisions for this use are contained in SCC  
32 30.23.050(2)(d).

33 (69) Bakery: In the NB zone, the gross floor area of the use shall not exceed  
34 1,000 square feet and the bakery business shall be primarily retail in nature.

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

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

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

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

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

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

- 1 (d) On sites located in RC and R-5 zones, Type A landscaping as defined in SCC
- 2 30.25.017 is required to screen any outside storage, including animal waste storage, and
- 3 parking areas from adjacent properties;
- 4 (e) Riding lessons, rentals, or shows shall only occur between 8 a.m. and 9 p.m.;
- 5 (f) Outside storage, including animal waste storage, and parking areas shall be set back
- 6 at least 30 feet from any adjacent property line. All structures shall be set back as required in
- 7 SCC 30.23.110(8); and
- 8 (g) The facility shall comply with all applicable county building, health, and fire code
- 9 requirements.
- 10 (73) Temporary Residential Sales Coach (TRSC):
- 11 (a) The commercial coach shall be installed in accordance with all applicable provisions
- 12 within chapter 30.54A SCC;
- 13 (b) The TRSC shall be set back a minimum of 20 feet from all existing and proposed
- 14 road rights-of-way and five feet from proposed and existing property lines;
- 15 (c) Vehicular access to the temporary residential sales coach shall be approved by the
- 16 county or state; and
- 17 (d) Temporary residential sales coaches may be permitted in approved preliminary plats,
- 18 prior to final plat approval, when the following additional conditions have been met:
- 19 (i) plat construction plans have been approved;
- 20 (ii) the fire marshal has approved the TRSC proposal;
- 21 (iii) proposed lot lines for the subject lot are marked on site; and
- 22 (iv) the site has been inspected for TRSC installation to verify compliance with all
- 23 applicable regulations and plat conditions, and to assure that land disturbing activity, drainage,
- 24 utilities infrastructure, and native growth protection areas are not adversely affected.
- 25 (74) Golf Course and Driving Range: In the A-10 zone, artificial lighting of the
- 26 golf course or driving range shall not be allowed. Land disturbing activity shall
- 27 be limited in order to preserve prime farmland. At least 75 percent of prime
- 28 farmland on site shall remain undisturbed.
- 29 (75) Model Hobby Park: SCC 30.28.060.
- 30 (76) Commercial Retail Uses are not allowed in the Light Industrial and
- 31 Industrial Park zones when said zones are located in the Maltby UGA of the
- 32 comprehensive plan, and where such properties are, or can be served by
- 33 railway spur lines.
- 34 (77) Studio: Studio uses may require the imposition of special conditions to
- 35 ensure compatibility with adjacent residential, multiple family, or rural-zoned
- 36 properties. The hearing examiner may impose such conditions when deemed
- 37 necessary pursuant to the provisions of chapter 30.42C SCC. The following
- 38 criteria are provided for hearing examiner consideration when specific
- 39 circumstances necessitate the imposition of conditions:
- 40 (a) The number of nonresident artists and professionals permitted to use a studio at the
- 41 same time may be limited to no more than 10 for any lot 200,000 square feet or larger in size,
- 42 and limited to five for any lot less than 200,000 square feet in size;
- 43 (b) The hours of facility operation may be limited; and
- 44 (c) Landscape buffers may be required to visually screen facility structures or outdoor
- 45 storage areas when the structures or outdoor storage areas are proposed within 100 feet of
- 46 adjacent residential, multiple family, and rural-zoned properties. The buffer shall be an effective
- 47 site obscuring screen consistent with Type A landscaping as defined in SCC 30.25.017.
- 48 (78) The gross floor area of the use shall not exceed 1,000 square feet.
- 49 (79) The gross floor area of the use shall not exceed 2,000 square feet.
- 50 (80) The gross floor area of the use shall not exceed 4,000 square feet.

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

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

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

7 (c) In addition to the provisions of subsection (81)(b) of this section, not more than five  
8 commercial vehicles or construction machines shall be stored outdoors and shall be screened in  
9 accordance with SCC 30.25.020 and 30.25.032;

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

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

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

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

26 (84) RESERVED for future use.

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

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

29 (87) Wedding Facility:

30 (a) Such use is permitted only:

31 (i) on vacant and undeveloped land;

32 (ii) on developed land, but entirely outside of any permanent structure;

33 (iii) partially outside of permanent structures and partially inside of one or more  
34 permanent structures which were legally existing on January 1, 2001; or

35 (iv) entirely inside of one or more permanent structures which were legally existing  
36 on January 1, 2001;

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

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

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

42 (iii) adequate sanitation facilities are provided on site pursuant to chapter ((30.52A))  
43 30.50 SCC and applicable Snohomish Health District provisions;

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

45 (d) A certificate of occupancy shall be obtained pursuant to chapter ((30.52A)) 30.50  
46 SCC for the use of any existing structure(~~-The certificate of occupancy shall be subject to an~~  
47 ~~annual inspection and renewal pursuant to SCC 30.53A.060 to ensure building and fire code~~  
48 ~~compliance~~);

49 (e) In the A-10 zone, the following additional requirements apply:

- 1 (i) the applicant must demonstrate that the use is accessory to the primary use of the  
2 site for agricultural purposes and supports, promotes or sustains agricultural operations and  
3 production;
- 4 (ii) the use must be located, designed, (ii) and operated so as to not interfere with, and  
5 to support the continuation of, the overall agricultural use of the property and neighboring  
6 properties;
- 7 (iii) the use and all activities and structures related to the use must be consistent with  
8 the size, scale, and intensity of the existing agricultural use of the property and the existing  
9 buildings on the site;
- 10 (iv) the use and all activities and structures related to the use must be located within  
11 the general area of the property that is already developed for buildings and residential uses;
- 12 (v) the use and all activities and structures related to the use shall not convert more  
13 than one acre of agricultural land to nonagricultural uses; and
- 14 (vi) any land disturbing activity required to support the use shall be limited to  
15 preserve prime farmland.
- 16 (88) Public/Institutional Use Designation (P/IU): When applied to land that is  
17 (a) included in an Urban Growth Area and (b) designated P/IU on the  
18 Snohomish County Future Land Use Map concurrent with or prior to its  
19 inclusion in a UGA, the R-7,200, R-8,400 and R-9,600 zones shall allow only  
20 the following permitted or conditional uses: churches, and school instructional  
21 facilities. All other uses are prohibited within areas that meet criteria (a) and  
22 (b), unless the P/IU designation is changed.
- 23 (89) Hotel/Motel uses are permitted in the Light Industrial zone when the  
24 following criteria are met:
- 25 (a) The Light Industrial zone is located within a municipal airport boundary;
- 26 (b) The municipal airport boundary includes no less than 1,000 acres of land zoned light  
27 industrial; and
- 28 (c) The hotel/motel use is served by both public water and sewer.
- 29 (90) Health and social service facilities regulated under this title do not  
30 include secure community transition facilities (SCTFs) proposed pursuant to  
31 chapter 71.09 RCW. See SCC 30.91H.095.
- 32 (a) Snohomish County is preempted from regulation of SCTFs. In accordance with the  
33 requirements of state law the county shall take all reasonable steps permitted by chapter 71.09  
34 RCW to ensure that SCTFs comply with applicable siting criteria of state law. Every effort shall  
35 be made by the county through the available state procedures to ensure strict compliance with  
36 all relevant public safety concerns, such as emergency response time, minimum distances to be  
37 maintained by the SCTF from "risk potential" locations, electronic monitoring of individual  
38 residents, household security measures and program staffing.
- 39 (b) Nothing herein shall be interpreted as to prohibit or otherwise limit the county from  
40 evaluating, commenting on, or proposing public safety measures to the state of Washington in  
41 response to a proposed siting of a SCTF in Snohomish County.
- 42 (c) Nothing herein shall be interpreted to require or authorize the siting of more beds or  
43 facilities in Snohomish County than the county is otherwise required to site for its SCTFs  
44 pursuant to the requirements of state law.
- 45 (91) Level II health and social service uses are allowed outside the UGA only  
46 when the use is not served by public sewer.
- 47 (92) The area of the shooting range devoted to retail sales of guns, bows,  
48 and related equipment shall not exceed one-third of the gross floor area of  
49 the shooting range and shall be located within a building or structure.
- 50 (93) Farmers Market: See SCC 30.28.036.

- 1 (94) Farm Product Processing and Farm Support Business: See SCC  
 2 30.28.038.
- 3 (95) Farmland Enterprise: See SCC 30.28.037.
- 4 (96) Public Events/Assemblies on Farmland: Such event or assembly shall:  
 5 (a) Comply with the requirements of SCC 30.53A.800; and  
 6 (b) Not exceed two events per year. No event shall exceed two weeks in duration.
- 7 (97) Bakery, Farm: The gross floor area of the use shall not exceed 1,000  
 8 square feet.
- 9 (98) Recreational Facility Not Otherwise Listed in Ag-10 zone: See SCC  
 10 30.28.076.
- 11 (99) Farm Stand: See SCC 30.28.039.
- 12 (100) Farm Stand: Allowed as a Permitted Use (P) when sited on land  
 13 designated riverway commercial farmland, upland commercial farmland or  
 14 local commercial farmland in the comprehensive plan. Allowed as an  
 15 Administrative Conditional Use (A) when sited on land not designated  
 16 riverway commercial farmland, upland commercial farmland or local  
 17 commercial farmland in the comprehensive plan.
- 18 (101) Farmers Market: Allowed as a Permitted Use (P) when sited on land  
 19 designated riverway commercial farmland, upland commercial farmland or  
 20 local commercial farmland in the comprehensive plan. Allowed as an  
 21 Administrative Conditional Use (A) when sited on land not designated  
 22 riverway commercial farmland, upland commercial farmland or local  
 23 commercial farmland in the comprehensive plan.
- 24 (102) Community Facilities for Juveniles in R-5 zones must be located within  
 25 one mile of an active public transportation route at the time of permitting.
- 26 (103) All community facilities for juveniles shall meet the performance  
 27 standards set forth in SCC 30.28.025.
- 28 (104) Personal wireless telecommunications service facilities: See chapter  
 29 30.28A SCC and landscaping standards in SCC 30.25.025.
- 30 (105) Personal wireless telecommunications service facilities are subject to a  
 31 building permit pursuant to SCC 30.28A.020 and the development standards  
 32 set forth in chapter 30.28A SCC and landscaping standards in SCC  
 33 30.25.025.
- 34 (106) A building permit only is required for facilities co-locating on existing  
 35 utility poles, towers, and/or antennas unless otherwise specified in chapter  
 36 30.28A SCC.
- 37 (107) Agricultural composting requirements:  
 38 (a) On-farm site agricultural composting operations that comply with the requirements  
 39 established in this section are allowed in the A-10 zone. These composting facilities and  
 40 operations shall be constructed and operated in compliance with all applicable federal, state and  
 41 local laws, statutes, rules and regulations. The Nutrient Management Plan portion of the farm's  
 42 Snohomish Conservation District Farm Plan or any other established nutrient management plan  
 43 must be on file with the department when any application for a land use permit or approval is  
 44 submitted to the department for the development of an agricultural composting facility. Farm site  
 45 agricultural composting operations shall also comply with the following criteria:  
 46 (i) The composting operation shall be limited to 10 percent of the total farm site area;  
 47 (ii) At least 50 percent of the composted materials shall be agricultural waste;  
 48 (iii) At least 10 percent of the agricultural wastes must be generated on the farm site;  
 49 (iv) A maximum of 500 cubic yards of unsuitable incidental materials accumulated in  
 50 the agricultural waste such as rock, asphalt, or concrete over three inches in size may be stored

1 at 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 other  
10 established nutrient management plan must be on file with the department when any permit  
11 application is submitted to the department for the development of an agricultural composting  
12 facility.

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

15 (109) Privately operated off-road vehicle (ORV) use areas shall be allowed by  
16 conditional use permit on Forestry and Recreation (F&R) zoned property  
17 designated Forest on the comprehensive plan future land use map. These  
18 areas shall be identified by an F&R ORV suffix on the zoning map. Privately  
19 operated ORV use areas are regulated pursuant to SCC 30.28.080, SCC  
20 30.28.085 and other applicable county codes.

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

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

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

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

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

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

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

48 (117) RESERVED for future use.

49 (118) RESERVED for future use.

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



1 (120) Allowed as a conditional use only with a Park-and-Pool Lot or a Park-  
2 and-Ride 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  
6 be located 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, except those as provided for in SCC 30.34A.010(4)(d), are  
11 permitted only in structures which are legally existing on May 29, 2010. Such  
12 uses, except those as provided for in SCC 30.34A.010(4)(d), shall also  
13 comply with subsection (122) of this section.

14 (124) The minimum lot size for marijuana related facilities is 100,000 square  
15 feet. Marijuana production is allowed indoors and outdoors. Marijuana  
16 processing is only allowed when there is a marijuana production facility on  
17 site. Marijuana facilities are subject to special setbacks pursuant to SCC  
18 30.23.110(28).

19 (125) Marijuana production and processing is permitted indoors only; no  
20 outdoor production or processing is allowed.

21 (126) Notwithstanding all other provisions of this chapter, marijuana collective  
22 gardens, collective garden dispensaries, or access points in operation as of  
23 November 1, 2013, shall be permitted uses in their current locations through  
24 December 31, 2015, provided that the use complies with all state laws related  
25 to medical marijuana and maintains a current certificate of occupancy. Such  
26 uses must close or relocate to a zone where they are a permitted use on or  
27 before January 1, 2016. New marijuana collective gardens, collective garden  
28 dispensaries, or access points after November 1, 2013 shall only be  
29 permitted in the zones specified in this chapter.

30  
31 Section 4. Snohomish County Code Section 30.41F.050, adopted by Amended Ordinance  
32 No. 07-022 on April 23, 2007, is amended to read:

33  
34 **30.41F.050 Provisions for public safety.**

35  
36 Pursuant to SCC (~~(30.53A.150)~~) 30.53A.512, the required width of a fire lane shall not be  
37 obstructed in any manner, at any time, including parking of vehicles. The developer and/or  
38 builder shall consult with the applicable fire district/department during a pre-construction  
39 meeting regarding maintenance of fire lane access throughout construction. Fire lane and no  
40 parking signage shall be provided pursuant to chapter 30.27 SCC.

41  
42 Section 5. Snohomish County Code Section 30.53B.060, adopted by Amended Ordinance  
43 No. 02-064 on December 9, 2002, is amended to read:

44  
45 **30.53B.060 Subsection 404.2 amended - compliance.**

46 Subsection 404.2 is amended to read as follows:

47  
48 Whenever such notice is posted, the Building Official shall include a notification reciting the  
49 emergency and specifying the conditions which necessitate the posting. No person shall remain  
50 in or enter any building which has been so posted, except that entry may be made to repair,  
51 demolish or remove such building under permit. No person shall remove or deface any such

1 notice after it is posted until the required repairs, demolition or removal have been completed  
2 and a certificate of occupancy has been issued pursuant to the provisions of ((SCC  
3 30.52A.130)) chapter 30.50 SCC.

4  
5 Section 6. Snohomish County Code Section 30.63A.870, adopted by Amended Ordinance  
6 No. 10-026 on June 9, 2010, is amended to read:

7  
8 **30.63A.870 Process for construction acceptance.**

9  
10 When the applicant or owner requests construction acceptance of drainage facilities for  
11 purposes of recording a final subdivision or short subdivision pursuant to chapter 30.41A or  
12 30.41B SCC, or for purposes of obtaining a certificate of occupancy for single-family detached  
13 units (SFDUs) or for other types of commercial projects pursuant to ((SCC 30.52A.130)) chapter  
14 30.50 SCC, the department shall perform a drainage inspection pursuant to SCC 30.63A.860(6)  
15 to determine whether the construction has been completed in conformance with the approved  
16 stormwater site plan.

17  
18 Section 7. Snohomish County Code Section 30.83.010, last amended by Amended  
19 Ordinance No. 07-084 on September 5, 2007, is amended to read:

20  
21 **30.83.010 Code interpretations.**

22  
23 (1) This chapter is intended to provide a process for administrative interpretation of the  
24 provisions of this title. Code interpretations:

- 25 (a) Clarify ambiguous provisions of the code applied to a specific project;
- 26 (b) Determine nonconforming rights;
- 27 (c) Determine whether a use is allowed in a particular zone; and
- 28 (d) Interpret the meaning of terms.

29 (2) This chapter applies to written interpretations of this title. This chapter does not apply to:

- 30 (a) Interpretations relating to the ((Fire Code)) fire code, chapter 30.53A SCC, which are  
31 made by the fire marshal ((pursuant to section 101.4 of the Fire Code)); and
- 32 (b) Interpretations relating to the construction codes, chapters ((30.52A)) 30.50 - 30.52G  
33 SCC, which are made by the building official or fire marshal pursuant to SCC 30.50.020(2).

34  
35 Section 8. Snohomish County Code Section 30.85.090, last amended by Amended  
36 Ordinance No. 08-101 on March 25, 2009, is amended to read:

37  
38 **30.85.090 Citation.**

39  
40 (1) Violations of the following provisions of Snohomish County Code shall be subject to the  
41 citation and/or criminal provisions set forth in this chapter:

- 42 (a) Junkyard conditions in urban zones (SCC 30.22.100 or SCC 30.65.285);
- 43 (b) Recreational vehicle occupancy (SCC 30.22.100, 30.22.110, 30.22.120 or  
44 30.22.130(19)(b) and (c) or SCC 30.65.285);
- 45 (c) Tree retention (SCC 30.25.016(1))
- 46 (d) Illegal signs (chapter 30.27 SCC);
- 47 (e) Noise standards (chapter 10.01 SCC, except public disturbance noises as defined by  
48 SCC 10.01.040);
- 49 (f) Fence height (((SCC 30.52A.148(1)(c) or SCC 30.23.100(3)))) (SCC 30.50.308 or  
50 SCC 30.23.100);
- 51 (g) Erosion control measures and best management practices (chapter 30.63A SCC);

1 (h) Overcrowding beyond building capacity or blocking means of egress (SCC  
2 30.53A.382);

3 (i) Obstruction of fire apparatus access roads (SCC 30.53A.512);

4 (j) Means of egress (SCC 30.53A.010, Section ((4028)) 1030 IFC);

5 (k) Burn permit (SCC 30.53A.298);

6 (l) Stop work order (SCC 30.85.230); and

7 (m) Emergency order (SCC 30.85.240).

8 (2) Issuance of the citation is a final determination and a fine will be assessed in accordance  
9 with SCC Table 30.85.130.

10 (3) Payment of a fine assessed under the citation shall not relieve the person(s) named in  
11 the citation of any obligation to cure, abate or stop the violation(s).

12 (4) A citation may be modified or withdrawn by the department at any time it was issued in  
13 error.

14 (5) Each day a person violates or fails to comply with a provision of this section may be  
15 considered a separate violation for which a citation may be issued, including the period pending  
16 a contested hearing.

17  
18 Section 9. Snohomish County Code Section 30.85.130, last amended by Amended  
19 Ordinance No. 08-101 on January, 21 2009, is amended to read:

20 **30.85.130 Fines for citations.**

21  
22 **Table 30.85.130 Fines for Citations**

CODE PROVISION	FIRST VIOLATION		REPEAT VIOLATION <sup>2</sup>		MULTIPLE REPEAT VIOLATIONS <sup>2</sup>	
	Non-commercial <sup>1</sup>	Commercial	Non-commercial <sup>1</sup>	Commercial	Non-commercial <sup>1</sup>	Commercial
Junkyard conditions in Urban Zone SCC 30.22.100 or SCC 30.65.285	\$150	\$250	\$300	\$500	\$500	\$700
RV occupancy SCC 30.22.100, 30.22.110, 30.22.120, 30.22.130(19)(b)&(c) or SCC 30.65.285	\$150	\$250	\$300	\$500	\$500	\$700
Tree Retention (per tree) <sup>3</sup> SCC 30.25.016(1)	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Non-permitted sign Chapter 30.27 SCC	\$150	\$250	\$300	\$500	\$500	\$700
Noise prevention Chapter 10.01 SCC	\$150	\$250	\$300	\$500	\$500	\$700
Fence height ((SCC 30.52A.148(1)(c), or SCC 30.23.100(3))) SCC 30.50.308 or SCC 30.23.100	\$150	\$250	\$300	\$500	\$500	\$700
Erosion control measures Chapter 30.63A SCC	\$150	\$250	\$300	\$500	\$500	\$700
Overcrowding building or egress SCC 30.53A.382	NA	\$250	NA	\$500	\$500	\$700
Obstruction of fire access roads SCC 30.53A.512	\$150	\$250	\$300	\$500	\$500	\$700

23  
ORDINANCE NO. 14-081  
RELATING TO THE CONSTRUCTION CODES; CORRECTING INADVERTENT ERRORS AND INCONSISTENCIES IN TITLE 30  
SCC; AMENDING SECTIONS 30.22.130, 30.41F.050, 30.53B.060, 30.63A.870, 30.83.010, 30.85.090 AND 30.85.130 OF THE  
SNOHOMISH COUNTY CODE

Means of egress SCC 30.53A.010; Section ((14028)) 1030 IFC	NA	\$250	NA	\$500	\$500	\$700
Burn permit SCC 30.53A.298	\$150	\$250	\$300	\$500	\$500	\$700
Stop work order SCC 30.85.230	\$300	\$500	\$600	\$1,000	\$1,000	\$1,500
Emergency order SCC 30.85.240	\$450	\$750	\$500	\$1,500	\$700	\$2,100

<sup>1</sup> See SCC 30.85.135 as definition

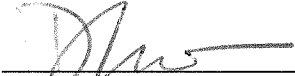
<sup>2</sup> Pursuant to SCC 30.85.280.

<sup>3</sup> *If the trees removed constitute no more than the lesser of 5 significant trees or 5% of the total number of significant trees on the site the fine shall be \$1,000 per tree.\**


Section 10. Severability and savings. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by the Growth Management Hearings Board or a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance. Provided, however, that if any section, sentence, clause, or phrase of this ordinance is held to be invalid by 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.

PASSED this 29<sup>th</sup> day of October, 2014.

ATTEST:

  
Debbie Eco, Clerk of the Council


SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

  
Dave Somers, Council Chair

- APPROVED
- EMERGENCY
- VETOED

DATE: 11/3/14

ATTEST: 

  
County Executive

Approved as to form only:  
  
\_\_\_\_\_  
Deputy Prosecuting Attorney

D-1