

1 Adopted: April 15, 2015
2 Effective: April 30, 2015

3
4 SNOHOMISH COUNTY COUNCIL
5 Snohomish County, Washington

6
7 AMENDED ORDINANCE NO. 15-015

8
9 RELATING TO GROWTH MANAGEMENT; REVISING DEVELOPMENT REGULATIONS
10 FOR CAMPGROUNDS AND RECREATIONAL FACILITIES NOT OTHERWISE LISTED;
11 AMENDING SECTIONS 30.22.110, 30.22.130, 30.28.076, AND 30.910.007 OF THE
12 SNOHOMISH COUNTY CODE
13

14 WHEREAS, Snohomish County has been promoting outdoor recreation as a form of
15 economic development in the eastern parts of the county; and

16
17 WHEREAS, General Policy Plan policy LU 8.C.1 calls for “low intensity recreation” on
18 lands designated as Commercial Forest and the Commercial Forest/Forest Transition Area; and

19
20 WHEREAS, the General Policy Plan LU-57 describes Local Forest lands as “an integral
21 part of the Tulalip Tribes’ designated forest lands devoted to protection and sustainability of
22 natural resources within the interior of the Tulalip Reservation”; and

23
24 WHEREAS, General Policy Plan Policy LU 8.B.7 reads “New structures proposed to be
25 located on designated Commercial Forest lands shall establish and maintain a minimum 500 foot
26 setback, which shall be a resource protection area, from the property boundaries of adjacent
27 Commercial Forest lands”; and

28
29 WHEREAS, Snohomish County staff met with stakeholder groups to seek input on the
30 recommendations in this ordinance, including the Darrington Area Business Association on April
31 16, 2014, and the Sky Valley Chamber of Commerce on August 6, 2014; and

32
33 WHEREAS, Snohomish County and the Tulalip Tribes have an established process,
34 created through a Memorandum of Understanding (MOU), to resolve outstanding issues of
35 jurisdiction over fee-simple land on the Tulalip Reservation, and the code amendments in this
36 ordinance were raised through that process at a stakeholder meeting on August 20, 2014; and

37
38 WHEREAS, the Snohomish County Planning Commission (“Planning Commission”)
39 held two briefings, on June 24, 2014, and August 26, 2014, concerning the code amendments
40 contained in this ordinance; and

1 WHEREAS, the Planning Commission held a public hearing on September 16, 2014, to
2 receive public testimony concerning the code amendments contained in this ordinance and
3 received two public comments in favor of the amendments; and
4

5 WHEREAS, the Tulalip Tribes submitted a letter dated September 16, 2014, to the
6 Planning Commission requesting that this ordinance “not apply to the Forestry Zoning and Local
7 Forest designation on the Tulalip Reservation” for reasons of tribal sovereignty as well as Goal
8 LU 2 and policies LU 2-2 and LU 2-3 from the Tulalip Tribes Comprehensive Plan; and
9

10 WHEREAS, at the conclusion of the Planning Commission’s public hearing, the
11 Planning Commission deliberated on the proposed ordinance, discussed the letter from the
12 Tulalip Tribes, and made a motion to amend the proposal to exempt land on the Tulalip
13 Reservation from the changes proposed in this ordinance, consistent with the request from the
14 Tulalip Tribes and out of respect for tribal sovereignty; and
15

16 WHEREAS, the Planning Commission then voted to recommend adoption of the code
17 amendments contained in this ordinance, as shown in its recommendation letter dated November
18 18, 2014; and
19

20 WHEREAS, Forestry zoning is the implementing zone for Commercial Forest,
21 Commercial Forest/Forest Transition Area, and Local Forest plan designations; and
22

23 WHEREAS, the intent of having separate designations for Forest Lands is to allow
24 differentiated implementation of the plan designations, and the exemption requested by the
25 Tulalip Tribes helps achieve existing policy distinction; and
26

27 WHEREAS, on April 15, 2015, the County Council held a public hearing after proper
28 notice, and considered public comment and the entire record related to the code amendments
29 contained in this ordinance; and
30

31 WHEREAS, following the public hearing, the County Council deliberated on the code
32 amendments contained in this ordinance;
33

34 NOW, THEREFORE, BE IT ORDAINED:
35

36 Section 1. The County Council adopts the following findings in support of this
37 ordinance:
38

39 A. The foregoing recitals are adopted as findings as if set forth in full herein.
40

1 B. This is a proposal to amend Title 30 of the Snohomish County Code (SCC) to allow
2 recreational uses on Forest Lands.

3
4 C. This ordinance complies with and implements the following Snohomish County Growth
5 Management Act Comprehensive Plan (GMA CP) General Policy Plan (GPP) goals,
6 objectives and policies:

- 7
- 8 1. Goal ED 1 “Promote the maintenance and enhancement of a healthy economy.”
- 9
- 10 2. Goal ED 2 “Provide a planning and regulatory environment which facilitates growth
11 of the local economy.”
- 12
- 13 3. Objective LU 8.C.1 “Commercial forestry, tree farms, non-commercial mineral
14 extraction, low intensity recreation, compatible ancillary uses, and other activities
15 relying on forest land should be the primary uses of designated Commercial Forest
16 land.”
- 17
- 18 4. Objective LU 8.D “Ensure that adjacent land uses do not interfere with commercial
19 forest management activities.”
- 20
- 21 5. Policy LU 6.B.3 “Resource-based industries that help sustain rural communities,
22 require only rural levels of service, support the conservation of natural resource lands,
23 and complement rural character shall be promoted in rural areas.”
- 24
- 25 6. Policy LU 8.B.7 “New structures proposed to be located on designated Commercial
26 Forest lands shall establish and maintain a minimum 500 foot setback, which shall be
27 a resource protection area, from the property boundaries of adjacent Commercial
28 Forest lands.”
- 29

30 D. Procedural requirements.

- 31
- 32 1. State Environmental Policy Act (SEPA) requirements with respect to this non-project
33 action have been satisfied through the completion of an environmental checklist and
34 the issuance of a determination of non-significance on November 29, 2014.
- 35
- 36 2. The proposal is a Type 3 legislative action pursuant to SCC 30.73.010.
- 37
- 38 3. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance was
39 transmitted to the Washington State Department of Commerce for distribution to state
40 agencies on November 17, 2014.
- 41

1 4. The public participation process used in the adoption of this ordinance has complied
2 with all applicable requirements of the GMA and the SCC.
3

4 5. The Washington State Attorney General last issued an advisory memorandum, as
5 required by RCW 36.70A.370, in December of 2006 entitled “Advisory
6 Memorandum: Avoiding Unconstitutional Takings of Private Property” to help local
7 governments avoid the unconstitutional taking of private property. The process
8 outlined in the State Attorney General’s 2006 advisory memorandum was used by
9 Snohomish County in objectively evaluating the regulatory changes proposed by this
10 ordinance.
11

12 E. This ordinance is consistent with the record.
13

14 1. This ordinance is consistent in the following ways:

- 15 a. Facilities for non-motorized bicycles are consistent with the intent of “low
16 intensity recreation” in LU 8.C.1, therefore, it is appropriate to clarify that non-
17 motorized bicycles are not considered to be Off Road Vehicles in County Code or
18 the permit review process.
- 19 b. Camping represents one form of low intensity recreation, provided development
20 of the camping facilities occurs at a low density and with minimal utilities to
21 ensure that camping of this nature will not interfere with long-term commercial
22 timber production on Forest Lands.
- 23 c. Recreation takes many forms beyond camping and other recreational uses
24 specifically listed in SCC 30.22.110 (the Rural and Resource Use Matrix), some
25 of which may meet the intent of “low intensity recreation” in LU 8.C.1 on Forest
26 Lands. Of the possible types of Recreational Facilities Not Otherwise Listed,
27 some would have minimal impacts on neighbors and should be approvable
28 through the administrative conditional use process; other facilities that exceed the
29 criteria listed in this proposal should use the additional public input opportunities
30 provided by the conditional use process to ensure compatibility with neighbors
31 and long-term commercial timber production.
- 32 d. The intent of the Forestry and Recreation (F&R) zone is to allow a diversity of
33 recreational opportunities, and therefore, this zone should allow the catch-all
34 category of Recreational Uses Not Otherwise Listed.
35

36 2. This ordinance will enable further implementation of existing county policy.
37

38 Section 2. The County Council makes the following conclusions:
39

- 40 A. This ordinance is necessary to comply with RCW 36.70A.020(5), (8), (9), (10) and
41 36.70A.130(1)(d) and to maintain consistency with GMA.

- 1
2 B. The proposal is consistent with the goals, objectives and policies of the GPP.
3
4 C. The proposal is consistent with Washington State law and the SCC.
5
6 D. The County has complied with all SEPA requirements in respect to this non-project action.
7
8 E. The regulations proposed by this ordinance do not result in an unconstitutional taking of
9 private property for a public purpose.
10

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

15 Section 4. Snohomish County Code Section 30.22.110, last amended by Ordinance No.
16 14-086 on October 1, 2014, is amended to read:
17

18 30.22.110 Rural and Resource Use Matrix

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Accessory Apartment ⁶²	A	A	A	A				A	A	A	A
Agriculture ⁴¹	P	P	P	P	P	P	P	P	P	P	P
Airport: Stage 1 Utility 1	C	C	C ¹¹⁵					C			
Antique Shop	C		C ^{45, 115}	P ⁷⁹	P						
Art Gallery ⁴¹	C		C ¹¹⁵	P ⁷⁹	P						
Asphalt Batch Plant & Continuous Mix Asphalt Plant											P
Auto Repair, Minor				P ⁷⁸	P	P					
Auto Towing	C		C								
Bakery				P ⁷⁸	P						
Bakery, Farm ⁹⁷	P	P	P	P			P		P	P	
Bed and Breakfast Guesthouse ⁵⁸	C		C ¹¹⁵	P				C	C	A	
Bed and Breakfast Inn ⁵⁸	C		C ¹¹⁵	P				C	C	C	

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Boarding House	P ¹⁵	P ¹⁵	P ^{15, 115}					P ¹⁵		P ¹⁵	
Boat Launch, Commercial ³¹		C							C		
Boat Launch, Non-commercial ³¹	C		C	C				C	C		
Campground								<u>A</u> ^{32,127}	C ³²		
Caretaker's Quarters	P		C				P				P
Cemetery, Columbarium, Crematorium, Mausoleum ⁴¹	P		C ¹¹⁵								
Church ⁴¹	P		C ¹¹⁵	C	P						
Cold Storage							P				
Commercial Vehicle Home Basing			C ³³								
Commercial Vehicle Storage Facility				C			P				
Community Club	P		C ¹¹⁵	P	P						
Community Facilities for Juveniles ¹⁰³											
1 to 8 residents			P ^{102,115}	P	P						
9 to 24 residents			S ^{103,115}	P	P						
Construction Contracting				P ^{80, 81}							
Country Club	C		C ¹¹⁵	P							
Craft Shop ²¹				P							
Dams, Power Plants, & Associated Uses									P		
Day Care Center ²	P		C ¹¹⁵	P	P	P					
Distillation of Alcohol	C ³⁴		C ^{34, 115}							C ³⁴	
Dock & Boathouse, Private,	P	P	P	P				P	P	P	

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Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Non-commercial ^{3, 41}											
Drug Store				P ⁷⁹	P						
Dwelling, Duplex	P	P	P					P		P	
Dwelling, Mobile Home	P	P	P		P ⁶			P	P	P	P
Dwelling, Single Family	P	P	P		P			P	P	P	P
Equestrian Center ^{41, 70, 72}	P	C	C ¹¹⁵					C	P	C ⁷⁰	
Excavation & Processing of Minerals ²⁸	A, C	A, C	A, C				A, C	A, P, C	A, C		A, C
Explosives, Storage	C	C	C				C	P	C		C
Fabrication Shop							P				
Fallout Shelter, Individual	P	P	P ¹¹⁵	P	P	P	P	P	P	P	P
Fallout Shelter, Joint ⁷	P		P	P	P	P	P	P	P	P	P
Family Day Care Home ⁸	P		P ¹¹⁵	P	P			P		P	
Farm Product Processing											
Up to 5,000 sq ft	P	P	P ¹¹⁵	P			P	P		P	
Over 5,000 sq ft ⁹⁴	A	A	A ¹¹⁵	A			A	A		A	
Farm Support Business ⁹⁴	A	A	A ¹¹⁵	A			P			A	
Farm Stand											
Up to 400 sq ft ⁹	P	P	P ^{100,115}	P	P	P	P	P	P	P	P
401 - 5,000 sq ft ^{99, 100}	P	P	P, A ¹⁰⁰	P	P	P	P	P	P	P	
Farm Workers Dwelling										P ¹⁰	
Farmers Market ⁹³	P	P	P ¹⁰¹ A ^{101,115}	P	P	P	P			P	
Farmland Enterprises ⁹⁵		A	A ¹¹⁵							A	
Fish Farm	P	P	P ¹¹⁵					P	P	P	
Fix-it Shop				P ⁷⁸	P		P				
Forestry	P	P	P				P	P	P	P	P

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Forestry Industry Storage & Maintenance Facility	P ³⁰	P					P	P	P		
Foster Home	P	P	P	P				P		P	
Garage, Detached Private Accessory ⁶⁰											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P		P
2,401 - 4,000 sq ft on More than 3 Acres ^{41, 59}	P	P	P	P	P	P	P	P	P		P
2,401 - 4,000 sq ft on Less than 3 acres ^{41, 59}	A	A	A	A	A	A	A	A	A		A
4,001 sq ft and Greater ^{41, 59}	C	C	C	C	C	C	C	C	C		C
Garage, Detached Private Non-accessory ⁶⁰											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P
2,401 sq ft and greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	C
Golf Course and Driving Range	C		C ¹¹⁵							C ⁷⁴	
Government Structures & Facilities 27, 41	C	C	C ¹¹⁵	C	P		C	C	C		C
Greenhouse, Lath House, Nurseries: ⁵² Retail	P	P	P ¹¹⁵	P	P		P	P		P	
Greenhouse, Lath House, Nurseries: ⁵² Wholesale	P	P	P ¹¹⁵	P	P		P	P		P	
Grocery Store				P ⁸⁰	P	P ⁸⁰					
Grooming Parlor					P						
Guesthouse ⁸⁵	P	P	P	P				P	P	P	
Hardware Store				P ⁸⁰	P						
Hazardous Waste Storage & Treatment Facilities Onsite ⁶⁵	P			P		P	P	P	P		

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Health and Social Service Facility ⁹⁰											
Level I	P	P	P ¹¹⁵	P	P			P	P	P	P
Level II ^{41, 91}			C ¹¹⁵	C							
Level III											
Home Improvement Center				P ⁸⁰	P						
Home Occupation ^{11, 84}	P ⁶⁴	P ⁶⁴	P ⁶⁴	P ⁶⁴	P			P ⁶⁴	P ⁶⁴	P ⁶⁴	P ⁶⁴
Homestead Parcel ⁴⁰	C		C ¹¹⁵							C	
Hotel/Motel				P		P					
Kennel, ⁴¹ Commercial ¹²	P	P	P ¹¹⁵					P		C	
Kennel, ⁴¹ Private-Breeding ¹³	P	P	P					P		P	
Kennel, ⁴¹ Private-Non-Breeding ¹³	P	P	P	P				P		P	
Kitchen, farm	P	P	P	P			P			P	
Library ⁴¹	C		C ¹¹⁵	P							
Licensed Practitioner ^{29, 41}				P ⁷⁹							
Livestock Auction Facility	C ⁴⁸		C ^{48, 115}		P		P			C ⁴⁸	
Locksmith				P	P						
Log Scaling Station	C	C	C ¹¹⁵				P	P	P	P	
Lumberyard							P				
Manufacturing - All Other Forms Not Specifically Listed ⁸³				C			C				
Marijuana Collective Garden ^{124, 126}							P				
Marijuana Collective Garden Dispensary, or Access Point ¹²⁶				P							

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Marijuana Processing ¹²⁴							P			P	
Marijuana Production ¹²⁴							P			P	
Marijuana Retail				P							
Metal Working Shop				P ⁷⁸			P				
Mini-equestrian Center ^{41, 72}	P	P	P ¹¹⁵	P			P	P	P	P ⁷¹	
Model Hobby Park ⁷⁵			A ¹¹⁵							A	
Model House/Sales Office	P	P	P ¹¹⁵					P	P		
Motocross Racetrack			C ¹¹³						C ¹¹³		
Motor Vehicle & Equipment Sales					P23						
Museum ⁴¹	C		C ¹¹⁵	P						C ⁶¹	
Office, General				P	P						
Off-road vehicle use area, private									C ¹⁰⁹		
Park, Public ¹⁴	P	P	P	P	P		P	P	P	P	P
Park-and-Pool Lot				P	P	P	P				
Park-and-Ride Lot	C	C	C	P		P		C	C	C	
Personal Services Shop				P ⁷⁹	P						
Personal Wireless Communications Facilities ^{27,41, 104, 105, 106}	C	C	C	C	C	C	C	C	C	C	C
Petroleum Products & Gas Storage - Bulk							P ⁴³				
Print shop				P							
Public Events/Assemblies on Farmland ⁹⁶										P	
Race Track ^{24, 41}			C ¹¹⁵								
Railroad Right-of-way	C	C	C ¹¹⁵		P		P	C	C	C	C

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Recreational Facility Not Otherwise Listed ⁹⁸	C		C ¹¹⁵		P		P ⁷⁹	<u>A, C</u> <u>127</u>	<u>A, C</u> <u>127</u>	C	
Recreational Vehicle ¹⁹	P	P	P					P	P	P	
Recreational Vehicle Park									C		
Resort									C		
Restaurant				P ⁸⁰	P	P					
Retail Store				P ⁸⁰	P						
Rural Industries ⁴¹	P ²⁵										
Sanitary Landfill	C	C	C ¹¹⁵					C			C
Sawmill	C ²⁶	C ²⁶	C ^{26, 115}				P	P	P		
Schools											
K-12 & Preschool ^{41, 68}	C		C ¹¹⁵	P							
College ^{41, 68}	C		C ¹¹⁵								
Other ^{41, 68}				C			C				
Second Hand Store				P ⁷⁸	P						
Service Station ⁴¹				P	P	P					
Shake & Shingle Mill	C ²⁶	C ²⁶	C ^{26, 115}				P	P			
Shooting Range ⁹²	C	C	C					C			
Sludge Utilization ³⁹	C	C, P ⁵⁰	C ¹¹⁵					C		C	C ⁵⁶
Small Animal Husbandry ⁴¹	P		P		P			P	P	P	P
Specialty Store				P ⁷⁸	P						
Stables	P	P	P	P			P	P	P	P	
Stockyard or Slaughter House							C ⁴⁸				
Storage, Retail Sales Livestock Feed			P ^{54, 115}	P			P			P	
Storage Structure,											

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Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Accessory ⁶⁰											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P
2,401 - 4,000 sq ft on More than 3 Acres ^{41, 59}	P	P	P	P	P	P	P	P	P	P	P
2,401 - 4,000 sq ft on Less than 3 acres ^{41, 59}	A	A	A	A	A	A	A	A	A	A	A
4,001 sq ft and Greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	C
Storage Structure, Non-accessory ⁶⁰											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P
2,401 sq ft and greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	C
Studio ⁴¹	C ⁷⁷		C ^{77, 115}								
Swimming/Wading Pool ^{17, 41}	P	P	P					P	P	P	P
Tavern ⁴¹				P	P						
Temporary Dwelling During Construction	A	A	A	A	A	A	A	A	A	A	A
Temporary Dwelling For Relative ¹⁸	A	A	A					A	A	A	A
Temporary Logging Crew Quarters								P	P		
Temporary Residential Sales Coach ⁷³	A		A ¹¹⁵								
Temporary Woodwaste Recycling ⁶³	A						A	A			
Temporary Woodwaste Storage ⁶³	A							A			
Tire Store					P						
Tool Sales & Rental				P	P						

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Transit Center	C	C	C ¹¹⁵	P		P		C	C	C	
Ultralight Airpark ²⁰	C	C	C ¹¹⁵					C			
Utility Facilities, Electromagnetic Transmission & Receiving Facilities ²⁷	C	C	C	C	P	C	P	C	C	C	C
Utility Facilities, Transmission Wires or Pipes & Supports ²⁷	P	P	P	P	P	P	P	P	P	P	P
Utility Facilities - All Other Structures ^{27, 41}	C	C	C	C	P	C	P	C	C	C	C
Veterinary Clinic	P		C ¹¹⁵	P	P					C	
Wedding Facility ⁸⁷		P	P ¹¹⁵							P	
Woodwaste Recycling ⁵⁷	C	C	C				C	C			
Woodwaste Storage ⁵⁷	C	C	C				C	C			
Yacht/Boat Club				P			P				
P - Permitted Use	<p>A blank box indicates a use is not allowed in a specific zone. Note: Reference numbers within matrix indicate special conditions apply; see SCC 30.22.130. Check other matrices in this chapter if your use is not listed above.</p>										
A - Administrative Conditional Use											
C - Conditional Use											
S - Special Use											

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Section 5. Snohomish County Code Section 30.22.130, last amended by Ordinance No. 15-005 on March 18, 2015, is amended to read:

30.22.130 Reference notes for use matrix.

(1) Airport, Stage 1 Utility:

- (a) Not for commercial use and for use of small private planes;
- (b) In the RU zone, they shall be primarily for the use of the resident property owner; and
- (c) When the airport is included in an airpark, the disclosure requirements of SCC 30.28.005 shall apply.

(2) Day Care Center:

- 1 (a) In WFB, R-7,200, R-8,400, R-9,600, R-12,500, R-20,000, and SA-1 zones, shall only
2 be permitted in connection with and secondary to a school facility or place of worship; and
3 (b) Outdoor play areas shall be fenced or otherwise controlled, and noise buffering
4 provided to protect adjoining residences.
- 5 (3) Dock and Boathouse, Private, Non-commercial: The following standards apply outside of
6 shoreline jurisdiction only. If located within shoreline jurisdiction, the standards in
7 SCC 30.67.515 apply instead.
- 8 (a) The height of any covered over-water structure shall not exceed 12 feet as measured
9 from the line of ordinary high water;
- 10 (b) The total roof area of covered, over-water structures shall not exceed 1,000 square feet;
- 11 (c) The entirety of such structures shall have a width no greater than 50 percent of the
12 width of the lot at the natural shoreline upon which it is located;
- 13 (d) No over-water structure shall extend beyond the mean low water mark a distance
14 greater than the average length of all preexisting over-water structures along the same
15 shoreline and within 300 feet of the parcel on which proposed. Where no such preexisting
16 structures exist within 300 feet, the pier length shall not exceed 50 feet;
- 17 (e) Structures permitted hereunder shall not be used as a dwelling, nor shall any boat
18 moored at any wharf be used as a dwelling while so moored; and
- 19 (f) Covered structures are subject to a minimum setback of three feet from any side lot line
20 or extension thereof. No side yard setback shall be required for uncovered structures. No
21 rear yard setback shall be required for any structure permitted hereunder.
- 22 (4) Dwelling, Single family: In PCB zones, shall be allowed only if included within the same
23 structure as a commercial establishment. In the MHP zone, single family detached dwellings are
24 limited to one per existing single legal lot of record.
- 25 (5) See chapter 30.31E SCC for rezoning to Townhouse zone, and chapter 30.23A SCC for
26 design standards applicable to townhouse and attached single-family dwelling development.
- 27 (6) Dwelling, Mobile Home:
- 28 (a) Shall be multi-sectioned by original design, with a width of 20 feet or greater along its
29 entire body length;
- 30 (b) Shall be constructed with a non-metallic type, pitched roof;
- 31 (c) Except where the base of the mobile home is flush to ground level, shall be installed
32 either with:
- 33 (i) skirting material which is compatible with the siding of the mobile home; or
34 (ii) a perimeter masonry foundation;
- 35 (d) Shall have the wheels and tongue removed; and
- 36 (e) In the RU zone the above only applies if the permitted lot size is less than 20,000 square
37 feet.
38

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2 (7) Fallout Shelter, Joint, by two or more property owners:
3 Side and rear yard requirements may be waived by the department along the boundaries lying
4 between the properties involved with the proposal, and zone; provided that its function as a
5 shelter is not impaired.
- 6 (8) Family Day Care Home:
7 (a) No play yards or equipment shall be located in any required setback from a street; 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
13 shall 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
21 required to construct the first accessory dwelling unit. Construction of the maximum
22 number of dwelling units permitted shall be interpreted as exhausting all residential
23 potential of the land until such 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
26 legal description by the property owner with the intent of allowing maximum flexibility
27 while minimizing interference with productive farm operation. Farm worker dwellings may
28 be located other than as provided for in this subsection only if environmental or physical
29 constraints preclude meeting 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 in the R-5 and
32 RD zones, where 200,000 square feet shall be the minimum lot area.
- 33 (13) Kennel, Private-breeding, and Kennel, Private Non-breeding: Where the animals comprising
34 the kennel are housed within the dwelling, the yard or some portion thereof shall be fenced and
35 maintained in good repair or to contain or to confine the animals upon the property and restrict
36 the entrance of other animals.
- 37 (14) Parks, Publicly-owned and Operated:
38 (a) No bleachers are permitted if the site is less than five acres in size;
39 (b) All lighting shall be shielded to protect adjacent properties; and
40 (c) No amusement devices for hire are permitted.
- 41 (15) Boarding House: There shall be accommodations for no more than two persons.

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

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

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

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

9 (18) Temporary Dwelling for a relative:

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

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

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

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

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

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

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

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

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

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

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

34 (19) Recreational Vehicle:

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

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

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

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

1 (ii) Temporary overnight use by farm workers on the farm where they are employed
2 subject to subsections (19)(a) and (b) of this section; and
3 (iii) Subject to subsections (19)(a) and (b) of this section, temporary overnight use in a
4 mobile home park, which has been in existence continuously since 1970 or before,
5 that provides septic or sewer service, water and other utilities, and that has an RV
6 flood evacuation plan that has been approved and is on file with the department of
7 emergency management and department of planning and development services.

8 (20) Ultralight Airpark:

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

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

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

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

21 (ii) occur between sunset and sunrise;

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

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

26 (21) Craft Shop:

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

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

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

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

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

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

38 (25) Rural Industry:

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

40 (b) All operations shall be carried out in a manner so as to avoid the emission or creation of
41 smoke, dust, fumes, odors, heat, glare, vibration, noise, traffic, surface water drainage,

1 sewage, water pollution, or other emissions which are unduly or unreasonably offensive or
2 injurious to properties, residents, or improvements in the vicinity;

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

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

7 (26) Sawmill, Shake and Shingle Mill:

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

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

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

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

17 (27) Governmental and Utility Structures and Facilities:

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

19 (28) Excavation and Processing of Minerals:

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

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

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

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

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

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

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

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

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

- 1 (d) Pedestrian access to the water separate from the boat launching lane or lanes may be
2 required where it is deemed necessary in the interest of public safety;
3 (e) Safety buoys shall be installed and maintained separating boating activities from other
4 water-oriented recreation and uses where this is reasonably required for public safety,
5 welfare, and health; and
6 (f) All site improvements for boat launch facilities shall comply with all other requirements
7 of the zone in which it is located.

8 (32) Campground:

9 (a) The maximum overall density shall be seven camp or tent sites per acre in Forestry and
10 Recreation (F&R) zoning and two camp or tent sites per acre in Forestry (F) zoning;

11 (~~and~~)

12 (b) The minimum site size shall be 10 acres; and

13 (c) Campgrounds in Forestry (F) zoning may not provide utility hookups (e.g. water,
14 electric, sewage) to individual campsites; such hookups are allowed in campgrounds with
15 Forestry and Recreation (F&R) zoning.

16 (33) Commercial Vehicle Home Basing:

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

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

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

21 (34) Distillation of Alcohol:

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

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

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

27 (35) RESERVED for future use (Group Care Facility - DELETED by Amended Ord. 04-
28 010 effective March 15, 2004)

29 (36) Mobile Home and Travel Trailer Sales:

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

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

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

- 1 (d) Such use shall not be deemed to be outside storage for the purpose of SCC 30.25.024;
2 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 chapter 30.42E SCC.
- 7 (39) Sludge Utilization: See SCC 30.28.085.
- 8 (40) Homestead Parcel: See SCC 30.28.055.
- 9 (41) Special Setback Requirements for this use are contained in SCC 30.23.110 or
10 SCC 30.67.515 if within shoreline jurisdiction.
- 11 (42) Minimum Lot Size for duplexes shall be one and one-half times the minimum lot size for
12 single family dwellings. In the RU zone, this provision only applies when the minimum lot size
13 for single family dwellings is 12,500 square feet or less.
- 14 (43) Petroleum Products and Gas, Bulk Storage:
- 15 (a) All above ground storage tanks shall be located 150 feet from all property lines; and
16 (b) Storage tanks below ground shall be located no closer to the property line than a
17 distance equal to the greatest dimensions (diameter, length or height) of the buried tank.
- 18 (44) Auto Wrecking Yards and Junkyards: A sight-obscuring fence a minimum of seven feet
19 high shall be established and maintained in the LI zone. For requirements for this use,
20 SCC 30.25.020 and 30.25.050 apply.
- 21 (45) Antique Shops when established as a home occupation as regulated by SCC 30.28.050(1);
22 provided further that all merchandise sold or offered for sale shall be predominantly "antique"
23 and antique-related objects.
- 24 (46) Billboards: See SCC 30.27.080 for specific requirements.
- 25 (47) Nursery, Wholesale: In R-20,000 zone, a wholesale nursery is permitted on three acres or
26 more; a conditional use permit is required on less than three acres.
- 27 (48) Stockyard and Livestock Auction Facility: The minimum lot size is 10 acres.
- 28 (49) Restaurants and Personal Service Shops: Located to service principally the constructed
29 industrial park uses.
- 30 (50) Sludge Utilization: A conditional use permit is required for manufacture of materials by a
31 non-governmental agency containing stabilized or digested sludge for a public utilization.
- 32 (51) Single Family and Multifamily Dwellings are a prohibited use, except for the following:
- 33 (a) Existing dwellings that are nonconforming as a result of a county-initiated rezone to BP
34 may make improvements or additions provided such improvements are consistent with the
35 bulk regulations contained in chapter 30.23 SCC; provided further that such improvements
36 do not increase the ground area covered by the structural portion of the nonconforming use
37 by more than 100 percent of that existing at the existing date of the nonconformance; and
38 (b) New single family and multifamily dwellings in the BP zone authorized pursuant to the
39 provisions of SCC 30.31A.140.
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2 (52) Greenhouses, Lath Houses, and Nurseries:
- 3 (a) Incidental sale of soil, bark, fertilizers, plant nutrients, rocks, and similar plant
 - 4 husbandry materials is permitted;
 - 5 (b) The incidental sale of garden tools and associated gardening accessories shall be
 - 6 permitted; however, the sale of motorized landscaping equipment such as lawn mowers,
 - 7 weed eaters, edgers, and rototillers shall be prohibited;
 - 8 (c) There shall be no on-site signs advertising uses other than the principal use; and
 - 9 (d) Incidental sales of garden tools and associated gardening accessories shall be less than
 - 10 25 percent of the sales of products produced in the greenhouse, lath house, or nursery.
- 11 (53) Retail Store: See SCC 30.31A.120 for specific requirements for retail stores in the BP zone.
- 12 (54) Retail Sales of Hay, Grain, and Other Livestock Feed are permitted on site in conjunction
- 13 with a livestock auction facility.
- 14 (55) Noise of Machines and Operations in the LI and HI zones shall comply with
- 15 chapter 10.01 SCC and machines and operations shall be muffled so as not to become
- 16 objectionable due to intermittence, beat frequency, or shrillness.
- 17 (56) Sludge Utilization only at a completed sanitary landfill or on a completed cell within a
- 18 sanitary landfill, subject to the provision of SCC 30.28.085.
- 19 (57) Woodwaste Recycling and Woodwaste Storage Facility: See SCC 30.28.095.
- 20 (58) Bed and Breakfast Guesthouses and Bed and Breakfast Inns: See SCC 30.28.020.
- 21 (59) Detached accessory or non-accessory private garages and storage structures are subject to
- 22 the following requirements:
- 23 (a) Special setback requirements for these uses are contained in SCC 30.23.110(20);
 - 24 (b) Artificial lighting shall be hooded or shaded so that direct outside lighting, if any, will
 - 25 not result in glare when viewed from the surrounding property or rights-of-way;
 - 26 (c) The following compatibility standards shall apply:
 - 27 (i) proposals for development in existing neighborhoods with a well-defined character
 - 28 should be compatible with or complement the highest quality features, architectural
 - 29 character and siting pattern of neighboring buildings. Where there is no discernable
 - 30 pattern, the buildings shall complement the neighborhood. Development of detached
 - 31 private garages and storage structures shall not interrupt the streetscape or dwarf the
 - 32 scale of existing buildings of existing neighborhoods. Applicants may refer to the
 - 33 Residential Development Handbook for Snohomish County Communities to review
 - 34 techniques recommended to achieve neighborhood compatibility;
 - 35 (ii) building plans for all proposals larger than 2,400 square feet in the Waterfront
 - 36 Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and rural cluster subdivisions
 - 37 shall document the use of building materials compatible and consistent with existing
 - 38 on-site residential development exterior finishes;
 - 39 (iii) in the Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and rural
 - 40 cluster subdivisions, no portion of a detached accessory private garage or storage
 - 41 structure shall extend beyond the building front of the existing single family dwelling,

1 unless screening, landscaping, or other measures are provided to ensure compatibility
2 with adjacent properties; and

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

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

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

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

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

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

26 (62) Accessory Apartments: See SCC 30.28.010.

27 (63) Temporary Woodwaste Recycling and Temporary Woodwaste Storage Facilities: See
28 SCC 30.28.090.

29 (64) RESERVED for future use.

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

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

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

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

- 1 (69) Bakery: In the NB zone, the gross floor area of the use shall not exceed 1,000 square feet
2 and the bakery business shall be primarily retail in nature.
- 3 (70) Equestrian Centers are allowed with a conditional use permit on all lands zoned A-10 except
4 in that portion of the special flood hazard area of the lower Snohomish and Stillaguamish rivers
5 designated density fringe as described in chapter 30.65 SCC.
- 6 (71) Mini-equestrian Centers are allowed as a permitted use on all lands zoned A-10 except in
7 that portion of the special flood hazard area of the lower Snohomish and Stillaguamish rivers
8 designated density fringe as described in chapter 30.65 SCC.
- 9 (72) Equestrian Centers and Mini-equestrian Centers require the following:
- 10 (a) Five-acre minimum site size for a mini-equestrian center;
- 11 (b) Covered riding arenas shall not exceed 15,000 square feet for a mini-equestrian center;
12 provided that stabling areas, whether attached or detached, shall not be included in this
13 calculation;
- 14 (c) Any lighting of an outdoor or covered arena shall be shielded so as not to glare on
15 surrounding properties or rights-of-way;
- 16 (d) On sites located in RC and R-5 zones, Type A landscaping as defined in
17 SCC 30.25.017 is required to screen any outside storage, including animal waste storage,
18 and parking areas from adjacent properties;
- 19 (e) Riding lessons, rentals, or shows shall only occur between 8 a.m. and 9 p.m.;
- 20 (f) Outside storage, including animal waste storage, and parking areas shall be set back at
21 least 30 feet from any adjacent property line. All structures shall be set back as required in
22 SCC 30.23.110(8); and
- 23 (g) The facility shall comply with all applicable county building, health, and fire code
24 requirements.
- 25 (73) Temporary Residential Sales Coach (TRSC):
- 26 (a) The commercial coach shall be installed in accordance with all applicable provisions
27 within chapter 30.54A SCC;
- 28 (b) The TRSC shall be set back a minimum of 20 feet from all existing and proposed road
29 rights-of-way and five feet from proposed and existing property lines;
- 30 (c) Vehicular access to the temporary residential sales coach shall be approved by the
31 county or state; and
- 32 (d) Temporary residential sales coaches may be permitted in approved preliminary plats,
33 prior to final plat approval, when the following additional conditions have been met:
- 34 (i) plat construction plans have been approved;
- 35 (ii) the fire marshal has approved the TRSC proposal;
- 36 (iii) proposed lot lines for the subject lot are marked on site; and
- 37 (iv) the site has been inspected for TRSC installation to verify compliance with all
38 applicable regulations and plat conditions, and to assure that land disturbing activity,
39 drainage, utilities infrastructure, and native growth protection areas are not adversely
40 affected.

- 1 (74) Golf Course and Driving Range: In the A-10 zone, artificial lighting of the golf course or
2 driving range shall not be allowed. Land disturbing activity shall be limited in order to preserve
3 prime farmland. At least 75 percent of prime farmland on site shall remain undisturbed.
- 4 (75) Model Hobby Park: SCC 30.28.060.
- 5 (76) Commercial Retail Uses are not allowed in the Light Industrial and Industrial Park zones
6 when said zones are located in the Maltby UGA of the comprehensive plan, and where such
7 properties are, or can be served by railway spur lines.
- 8 (77) Studio: Studio uses may require the imposition of special conditions to ensure compatibility
9 with adjacent residential, multiple family, or rural-zoned properties. The hearing examiner may
10 impose such conditions when deemed necessary pursuant to the provisions of
11 chapter 30.42C SCC. The following criteria are provided for hearing examiner consideration
12 when specific circumstances necessitate the imposition of conditions:
- 13 (a) The number of nonresident artists and professionals permitted to use a studio at the
14 same time may be limited to no more than 10 for any lot 200,000 square feet or larger in
15 size, and limited to five for any lot less than 200,000 square feet in size;
- 16 (b) The hours of facility operation may be limited; and
- 17 (c) Landscape buffers may be required to visually screen facility structures or outdoor
18 storage areas when the structures or outdoor storage areas are proposed within 100 feet of
19 adjacent residential, multiple family, and rural-zoned properties. The buffer shall be an
20 effective site obscuring screen consistent with Type A landscaping as defined in
21 SCC 30.25.017.
- 22 (78) The gross floor area of the use shall not exceed 1,000 square feet.
- 23 (79) The gross floor area of the use shall not exceed 2,000 square feet.
- 24 (80) The gross floor area of the use shall not exceed 4,000 square feet.
- 25 (81) The construction contracting use in the Rural Business zone shall be subject to the following
26 requirements:
- 27 (a) The use complies with all of the performance standards required by
28 SCC 30.31F.100 and 30.31F.110;
- 29 (b) Not more than 1,000 square feet of outdoor storage of materials shall be allowed and
30 shall be screened in accordance with SCC 30.25.024;
- 31 (c) In addition to the provisions of subsection (81)(b) of this section, not more than five
32 commercial vehicles or construction machines shall be stored outdoors and shall be
33 screened in accordance with SCC 30.25.020 and 30.25.032;
- 34 (d) The on-site fueling of vehicles shall be prohibited; and
- 35 (e) The storage of inoperable vehicles and hazardous or earth materials shall be prohibited.
- 36 (82) Manufacturing, Heavy includes the following uses: Distillation of wood, coal, bones, or the
37 manufacture of their by-products; explosives manufacturing; manufacture of fertilizer; extraction
38 of animal or fish fat or oil; forge, foundry, blast furnace or melting of ore; manufacturing of acid,
39 animal black/black bone, cement or lime, chlorine, creosote, fertilizer, glue or gelatin, potash,
40 pulp; rendering of fat, tallow and lard, rolling or booming mills; tannery; or tar distillation and
41 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 by
3 the US Department of Labor, to produce, assemble or create products and which the director
4 finds consistent with generally accepted practices and performance standards for the industrial
5 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:
- 11 (i) on vacant and undeveloped land;
- 12 (ii) on developed land, but entirely outside of any permanent structure;
- 13 (iii) partially outside of permanent structures and partially inside of one or more
14 permanent structures which were legally existing on January 1, 2001; or
- 15 (iv) entirely inside of one or more permanent structures which were legally existing on
16 January 1, 2001;
- 17 (b) The applicant shall demonstrate that the following criteria are met with respect to the
18 activities related to the use:
- 19 (i) compliance with the noise control provisions of chapter 10.01 SCC;
- 20 (ii) adequate vehicular site distance and safe turning movements exist at the access to
21 the site consistent with the EDDS as defined in title 13 SCC; and
- 22 (iii) adequate sanitation facilities are provided on site pursuant to chapter 30.52A SCC
23 and applicable Snohomish Health District provisions;
- 24 (c) Adequate on-site parking shall be provided for the use pursuant to SCC 30.26.035;
- 25 (d) A certificate of occupancy shall be obtained pursuant to chapter 30.52A SCC for the
26 use of any existing structure. The certificate of occupancy shall be subject to an annual
27 inspection and renewal pursuant to SCC 30.53A.060 to ensure building and fire code
28 compliance;
- 29 (e) In the A-10 zone, the following additional requirements apply:
- 30 (i) the applicant must demonstrate that the use is accessory to the primary use of the
31 site for agricultural purposes and supports, promotes or sustains agricultural
32 operations and production;
- 33 (ii) the use must be located, designed, and operated so as to not interfere with, and to
34 support the continuation of, the overall agricultural use of the property and
35 neighboring properties;
- 36 (iii) the use and all activities and structures related to the use must be consistent with
37 the size, scale, and intensity of the existing agricultural use of the property and the
38 existing buildings on the site;
- 39 (iv) the use and all activities and structures related to the use must be located within
40 the general area of the property that is already developed for buildings and residential
41 uses;

- 1 (v) the use and all activities and structures related to the use shall not convert more
2 than one acre of agricultural land to nonagricultural uses; and
3 (vi) any land disturbing activity required to support the use shall be limited to preserve
4 prime farmland.

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

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

- 13 (a) The Light Industrial zone is located within a municipal airport boundary;
14 (b) The municipal airport boundary includes no less than 1,000 acres of land zoned light
15 industrial; and
16 (c) The hotel/motel use is served by both public water and sewer.

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

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

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

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

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

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

39 (93) Farmers Market: See SCC 30.28.036.

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

41 (95) Farmland Enterprise: See SCC 30.28.037.

- 1 (96) Public Events/Assemblies on Farmland: Such event or assembly shall:
2 (a) Comply with the requirements of SCC 30.53A.800; and
3 (b) Not exceed two events per year. No event shall exceed two weeks in duration.
- 4 (97) Bakery, Farm: The gross floor area of the use shall not exceed 1,000 square feet.
- 5 (98) Recreational Facility Not Otherwise Listed in Ag-10 zone, Forestry (F), or Forestry and
6 Recreation (F&R) zones: See SCC 30.28.076.
- 7 (99) Farm Stand: See SCC 30.28.039.
- 8 (100) Farm Stand: Allowed as a Permitted Use (P) when sited on land designated riverway
9 commercial farmland, upland commercial farmland or local commercial farmland in the
10 comprehensive plan. Allowed as an Administrative Conditional Use (A) when sited on land not
11 designated riverway commercial farmland, upland commercial farmland or local commercial
12 farmland in the comprehensive plan.
- 13 (101) Farmers Market: Allowed as a Permitted Use (P) when sited on land designated riverway
14 commercial farmland, upland commercial farmland or local commercial farmland in the
15 comprehensive plan. Allowed as an Administrative Conditional Use (A) when sited on land not
16 designated riverway commercial farmland, upland commercial farmland or local commercial
17 farmland in the comprehensive plan.
- 18 (102) Community Facilities for Juveniles in R-5 zones must be located within one mile of an
19 active public transportation route at the time of permitting.
- 20 (103) All community facilities for juveniles shall meet the performance standards set forth in
21 SCC 30.28.025.
- 22 (104) Personal wireless telecommunications service facilities: See chapter 30.28A SCC and
23 landscaping standards in SCC30.25.025.
- 24 (105) Personal wireless telecommunications service facilities are subject to a building permit
25 pursuant to SCC 30.28A.020 and the development standards set forth in chapter 30.28A SCC
26 and landscaping standards in SCC 30.25.025.
- 27 (106) A building permit only is required for facilities co-locating on existing utility poles,
28 towers, and/or antennas unless otherwise specified in chapter 30.28A SCC.
- 29 (107) Agricultural composting requirements:
30 (a) On-farm site agricultural composting operations that comply with the requirements
31 established in this section are allowed in the A-10 zone. These composting facilities and
32 operations shall be constructed and operated in compliance with all applicable federal, state
33 and local laws, statutes, rules and regulations. The Nutrient Management Plan portion of
34 the farm's Snohomish Conservation District Farm Plan or any other established nutrient
35 management plan must be on file with the department when any application for a land use
36 permit or approval is submitted to the department for the development of an agricultural
37 composting facility. Farm site agricultural composting operations shall also comply with
38 the following criteria:
39 (i) The composting operation shall be limited to 10 percent of the total farm site area;
40 (ii) At least 50 percent of the composted materials shall be agricultural waste;
41 (iii) At least 10 percent of the agricultural wastes must be generated on the farm site;

1 (iv) A maximum of 500 cubic yards of unsuitable incidental materials accumulated in
2 the agricultural waste such as rock, asphalt, or concrete over three inches in size may
3 be stored at the farm composting facility until its proper removal. All incidental
4 materials must be removed from the site yearly; and

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

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

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

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

22 (110) RESERVED for future use.

23 (111) RESERVED for future use.

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

26 (113) Privately operated motocross racetracks are allowed by conditional use permit, and are
27 regulated pursuant to SCC30.28.100 and 30.28.105, and other applicable county codes.

28 Motocross racetracks are allowed in the Forestry and Recreation (F&R) zone only on
29 commercial forest lands.

30 (114) New AM radio towers are prohibited. AM radio towers either constructed before October
31 13, 2010, or with complete applications for all permits and approvals required for construction
32 before October 13, 2010, shall not be considered nonconforming uses and they may be repaired,
33 replaced, and reconfigured as to the number and dimensions of towers so long as the repair,
34 replacement, or reconfiguration occurs on the parcel where the tower was originally constructed
35 or permitted and it does not increase the number of AM radio towers constructed on the parcel.

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

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

39 (117) RESERVED for future use.

40 (118) RESERVED for future use.

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

- 1 (120) Allowed as a conditional use only with a Park-and-Pool Lot or a Park-and-Ride Lot.
2 (121) Permitted as an incidental use with a permitted use, conditional use or administrative
3 conditional use.
4 (122) Products or merchandise offered for sale or storage by a business may be located outdoors;
5 provided, that:
6 (a) The area occupied by the display shall not exceed 500 square feet; and
7 (b) Public sidewalks shall not be enclosed as space for sales or storage by fencing or other
8 means that effectively limits public use of the sidewalk.
9 (123) Such uses, except those as provided for in SCC 30.34A.010(4)(d), are permitted only in
10 structures which are legally existing on May 29, 2010. Such uses, except those as provided for in
11 SCC 30.34A.010(4)(d), shall also comply with subsection (122) of this section.
12 (124) The minimum lot size for marijuana related facilities is 100,000 square feet. Marijuana
13 production is allowed indoors and outdoors. Marijuana processing is only allowed when there is
14 a marijuana production facility on site. Marijuana facilities are subject to special setbacks
15 pursuant to SCC 30.23.110(28).
16 (125) Marijuana production and processing is permitted indoors only; no outdoor production or
17 processing is allowed.
18 (126) Notwithstanding all other provisions of this chapter, marijuana collective gardens,
19 collective garden dispensaries, or access points in operation as of November 1, 2013, shall be
20 permitted uses in their current locations through December 31, 2015, provided that the use
21 complies with all state laws related to medical marijuana and maintains a current certificate of
22 occupancy. Such uses must close or relocate to a zone where they are a permitted use on or
23 before January 1, 2016. New marijuana collective gardens, collective garden dispensaries, or
24 access points after November 1, 2013 shall only be permitted in the zones specified in this
25 chapter.
26 (127) Campgrounds and Recreational Facilities Not Otherwise Listed are not allowed on land
27 designated Local Forest in the comprehensive plan.
28

29 Section 6. Snohomish County Code Section 30.28.076, last amended by Ordinance No.
30 06-004, on March 15, 2006, is amended to read:

31
32 **30.28.076 Recreational facility not otherwise listed**

33 (1) A-10 zone: Recreational facilities not otherwise listed are allowed in A-10 zones with a
34 conditional use permit, except within lands designated in the comprehensive plan (GPP) as local
35 commercial farmland, upland commercial farmland, or riverway commercial farmland. New
36 playing fields and supporting facilities within lands designated as recreational land in the
37 comprehensive plan are allowed with an administrative conditional use permit.

38 (a) Permissible recreational uses shall include only non-motorized field games or sports
39 and shall be conducted on uncovered fields under private ownership and control;

40 (b) Site development shall be depicted on a site development plan and shall include only
41 the following temporary improvements: ball fields, dugouts, seating, fencing, field

1 equipment, storage structures for sports and field maintenance equipment, concession
2 stands, parking areas, and other such temporary improvements as may be associated with
3 the proposed recreational use;

4 (c) All buildings and parking areas shall be set back a minimum of 50 feet from the
5 property boundaries. If the recreational use produces adverse conditions that will unduly
6 affect an adjacent agricultural use, the director may impose a larger setback in order to
7 alleviate the effects of such adverse conditions, which include but are not limited to noise,
8 vibration, dust, and light;

9 (d) All buildings shall be less than 300 square feet in size and located in proximity to the
10 parking areas;

11 (e) A maximum of two concession stands are allowed and shall not include permanently
12 installed food service equipment;

13 (f) Parking area and perimeter landscaping are required pursuant to Chapter 30.25 SCC and
14 Chapter 30.26 SCC;

15 (g) Unfenced playing fields shall be set back 50 feet from property boundaries. Fields with
16 a perimeter fence, a minimum of six feet in height, may be placed within the setback
17 subject to perimeter landscaping requirements;

18 (h) No outdoor lighting is allowed;

19 (i) Uses are restricted to daylight hours only; and

20 (j) Structures shall meet all provisions of federal, state and local statute and laws, including
21 provisions to assure water quality and flood protection.

22 (2) Forestry (F) zone: Recreational facilities not otherwise listed are allowed in F zones with an
23 administrative conditional use permit when all of the following conditions (a) through (j) are
24 met; otherwise recreational facilities are allowed in F zones with a conditional use permit.

25 (a) Permissible recreational uses shall include only non-motorized activities;

26 (b) Site development shall be depicted on a site development plan and shall include only
27 the following temporary improvements: ticketing booths, restroom facilities, storage
28 structures for recreational and maintenance equipment, fencing, structures other than
29 buildings, parking areas, trails, and other such temporary improvements as may be
30 associated with the proposed recreational use;

31 (c) Minimum setbacks for buildings and other structures depend on comprehensive plan
32 designation: For sites designated on the Future Land Use Map as Commercial Forest, new
33 buildings, structures, and parking areas shall be set back 500 feet from the property
34 boundaries of adjacent Commercial Forest lands; for sites not designated as Commercial
35 Forest, the setbacks shall be 200 feet from adjacent properties. If the recreational use
36 produces adverse conditions that will unduly affect an adjacent forestry use, the director
37 may impose a larger setback in order to alleviate the effects of such adverse conditions,
38 which include but are not limited to noise, vibration, dust, and light;

39 (d) All buildings shall be less than 600 square feet in size; most should be located in
40 proximity to the parking areas;

1 (e) Sites less than 5 acres may have up to two buildings; sites between 5 and 10 acres may
2 have three buildings, and one additional building is possible for each additional 5 acres of
3 site;

4 (f) Structures other than buildings – such as open-sided structures, and towers to support
5 equipment – shall not have a total footprint of more than 400 square feet per acre of total
6 site;

7 (g) Parking area and perimeter landscaping are required pursuant to chapter 30.25 SCC and
8 chapter 30.26 SCC;

9 (h) No outdoor lighting is allowed;

10 (i) Uses are restricted to daylight hours unless a special events permit is obtained; and

11 (j) Structures shall meet all provisions of federal, state and local statute and laws, including
12 provisions to assure water quality and flood protection.

13 (3) Forestry and Recreation (F&R) zone: Recreational facilities not otherwise listed are allowed
14 in F&R zones with an administrative conditional use permit when all of the following conditions

15 (a) through (i) are met; otherwise recreational facilities are allowed in F&R zones with a
16 conditional use permit.

17 (a) Permissible recreational uses shall include only non-motorized activities;

18 (b) Site development shall be depicted on a site development plan and shall include only
19 the following temporary improvements: ticketing booths, restroom facilities, storage
20 structures for recreational and maintenance equipment, fencing, structures other than
21 buildings, parking areas, trails, and other such temporary improvements as may be
22 associated with the proposed recreational use;

23 (c) Minimum setbacks for buildings and other structures depend on comprehensive plan
24 designation: For sites designated on the Future Land Use Map as Commercial Forest, new
25 buildings, structures, and parking areas shall be set back 500 feet from the property
26 boundaries of adjacent Commercial Forest lands; for sites not designated as Commercial
27 Forest, the setbacks shall be 50 feet from adjacent properties. If the recreational use
28 produces adverse conditions that will unduly affect an adjacent forestry, residential, or
29 agricultural use, the director may impose a larger setback in order to alleviate the effects of
30 such adverse conditions, which include but are not limited to noise, vibration, dust, and
31 light;

32 (d) All buildings shall be less than 1,000 square feet in size and most should be located in
33 proximity to the parking areas;

34 (e) For sites less than five acres, a maximum of three buildings are allowed;

35 (f) For sites greater than five acres, three buildings are allowed for the first five acres, and
36 one additional building is allowed for every additional five acres;

37 (g) Parking area and perimeter landscaping are required pursuant to chapter 30.25 SCC and
38 chapter 30.26 SCC;

39 (h) Uses are restricted to daylight hours unless a special events permit is obtained; and

40 (i) Structures shall meet all provisions of federal, state and local statutes and laws,
41 including provisions to assure water quality and flood protection.

1
2 Section 7. Snohomish County Code Section 30.910.007, last amended by Ordinance No.
3 05-146 on January 18, 2006, is amended to read:
4

5 **30.910.007 Off-road vehicle.**

6 "Off-road vehicle" means any self-propelled motor driven vehicle not used primarily for
7 transporting persons or property upon public highways not required to be licensed under
8 RCW 46.16.010. "Off-road vehicle" shall not include special construction vehicles. Such
9 vehicles generally include, but are not limited to any motorized vehicle used for recreational
10 travel on trails and non-highway roads or for recreation cross-country travel including two,
11 three, or four-wheel vehicles, motorcycles, four-wheel drive vehicles, and dune buggies.
12 Snowmobiles and non-motorized bicycles shall not be included in this definition.
13

14 Section 8. Severability and Savings. If any section, sentence, clause or phrase of this
15 ordinance shall be held to be invalid by the Growth Management Hearings Board (Board), or
16 unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall
17 not affect the validity or constitutionality of any other section, sentence, clause or phrase of this
18 ordinance. Provided, however, that if any section, sentence, clause or phrase of this ordinance is
19 held to be invalid by the Board or unconstitutional by a court of competent jurisdiction, then the
20 section, sentence, clause or phrase in effect prior to the effective date of this ordinance shall be in
21 full force and effect for that individual section, sentence, clause or phrase as if this ordinance had
22 never been adopted.
23

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PASSED this 15th day of April, 2015.

SNOHOMISH COUNCIL
Snohomish, Washington

/s/ Dave Somers
Council Chair

ATTEST:

/s/ Debbie Eco
Clerk of the Council

- (X) APPROVED
- () EMERGENCY
- () VETOED

DATE: 04/20/15

/s/ John Lovick
County Executive

ATTEST:

/s/ LaTanja Outlaw

Approved as to form only:

Deputy Prosecuting Attorney