

1 APPROVED: 05/06/15
2 EFFECTIVE: 05/24/15

3 SNOHOMISH COUNTY COUNCIL
4 Snohomish County, Washington

5
6 AMENDED ORDINANCE NO. 15-027
7

8 RELATING TO GROWTH MANAGEMENT; REVISING REGULATIONS
9 PERTAINING TO ARCHAEOLOGICAL AND HISTORIC RESOURCES,
10 AND AMENDING SCC 30.22.100, 30.22.130, AND 30.32D.200
11

12 WHEREAS, the Snohomish County Board of Commissioners and the Tulalip
13 Tribes duly adopted a Comprehensive Plan for the Tulalip Reservation (Tulalip Subarea
14 Plan) on June 26, 1972; and
15

16 WHEREAS, the Tulalip Tribes adopted the Tulalip Comprehensive Plan on
17 January 21, 1994, in Tribal Ordinance No. 78, replacing the Tulalip Subarea Plan; and
18

19 WHEREAS, the Snohomish County Council ("County Council") adopted the
20 Snohomish County Growth Management Act Comprehensive Plan (GMACP) in
21 Ordinance No. 94-125 on June 28, 1995, replacing all previous subarea plans, including
22 the Tulalip Subarea Plan; and
23

24 WHEREAS, in an effort to achieve consistency between land use plans,
25 Snohomish County ("the County") and the Tulalip Tribes jointly proposed amendments
26 to the Snohomish County GMACP for the Tulalip Indian Reservation; and
27

28 WHEREAS, on July 21, 1999, the County Council adopted map and text
29 amendments to the Snohomish County GMACP for the Tulalip Indian Reservation in
30 Amended Ordinances Nos. 99-031 and 99-032; and
31

32 WHEREAS, on July 21, 1999, the County Council remanded a commercialized
33 portion of the Tulalip Subarea back to the Snohomish County Planning Commission
34 ("Planning Commission") for further consideration in Motion No. 99-262; and
35

36 WHEREAS, the Tulalip Tribes, Snohomish County and the Washington State
37 Department of Commerce negotiated as to how to gain compliance with the Growth
38 Management Act (GMA) for this commercialized area of the Tulalip Indian Reservation;
39 and
40

41 WHEREAS, on April 3, 2002, the County Council adopted Amended Ordinance
42 No. 02-007, which was placed in the Snohomish County Code (SCC) as title 33 SCC,
43 Protection and Preservation of Snohomish County Archaeological and Historic
44 Resources, Sites and Districts; and
45

46 WHEREAS, on December 9, 2002, the County Council adopted provisions for
47 Historic and Archaeological Resources in chapter 30.32D SCC (formerly title 33 SCC) in
48 Amended Ordinance No. 02-064; and

1 WHEREAS, on December 21, 2005, the County Council adopted text and map
2 amendments establishing a new Reservation Commercial designation and associated
3 policies in exhibits H, N, and Q to Amended Ordinance No. 05-069; and
4

5 WHEREAS, RCW 36.70A.130 requires that the County must take action by June
6 30, 2015, to review and, if needed, revise its comprehensive plan and development
7 regulations to ensure that they comply with the GMA; and
8

9 WHEREAS, on May 14, 2014, the County Council passed Amended Motion No.
10 14-140, which adopted a list of items upon which Snohomish County intended to take
11 further action to satisfy the GMA periodic compliance review requirements set forth in
12 RCW 36.70A.130; and
13

14 WHEREAS, Amended Motion No. 14-140 identified the need for a development
15 regulation requiring an archaeological assessment for development applications on any
16 property with a land use designation of Reservation Commercial, consistent with the
17 County's GMACP Land Use (LU) Policy 11.A.6 which was adopted in Exhibit N of
18 Amended Ordinance No. 05-069 on December 21, 2005; and
19

20 WHEREAS, LU Policy 11.A.6 states: "Since lands designated Reservation
21 Commercial are located in a culturally significant area, development applications on any
22 property in this designation shall include an archeological assessment in order to avoid
23 impacting any archeological resource;" and
24

25 WHEREAS, Goal LU 11 states: "Identify and encourage the preservation and
26 enhancement of cultural resources in Snohomish County, including archaeological,
27 historic and arts resources;" and
28

29 WHEREAS, Objective LU 11.A states: "Identify and document archaeological
30 and historic resources throughout Snohomish County;" and
31

32 WHEREAS, the Planning Commission held a briefing on January 27, 2015,
33 concerning the code amendments contained in this ordinance; and
34

35 WHEREAS, the Planning Commission held a public hearing on February 24,
36 2015, to receive public testimony concerning the code amendments contained in this
37 ordinance; and
38

39 WHEREAS, at the conclusion of the Planning Commission's public hearing, the
40 Planning Commission voted to approve the code amendments as set forth in its
41 recommendation letter dated March 11, 2015; and
42

43 WHEREAS, on May 6, 2015, the County Council held a public hearing after
44 proper notice, and considered public comments and the entire record related to the
45 proposal contained in this ordinance; and
46

47 WHEREAS, following the public hearing, the County Council deliberated on the
48 code amendments contained in this ordinance;

1
2 NOW, THEREFORE, BE IT ORDAINED:
3

4 Section 1. The County Council adopts the following findings in support of this
5 ordinance:
6

7 A. The foregoing recitals are adopted as findings as if set forth in full herein.
8

9 B. This ordinance is consistent with the following GMA Planning Goal related to
10 Historic Preservation (RCW 36.70A.020(13)) by clarifying that an archaeology site
11 report must be included with development applications proposed on all lands
12 designated on County maps as Reservation Commercial:
13

14 GMA Planning Goal 13: "Identify and encourage the preservation of lands, sites,
15 and structures, that have historical or archaeological significance."
16

17 C. This ordinance will better achieve, comply with, and implement the following
18 Development Patterns (DP) policy set forth in Puget Sound Regional Council's
19 Multicounty Planning Policies (MPPs) by creating additional protections for culturally
20 significant areas in Snohomish County:
21

22 MPP-DP-34: "Preserve significant regional historic, visual and cultural resources
23 including public views, landmarks, archaeological sites, historic and cultural
24 landscapes, and areas of special character."
25

26 D. This ordinance will better achieve, comply with, and implement the following
27 Development Patterns (DP) policy set forth in the Snohomish County Countywide
28 Planning Policies (CPPs) by protecting culturally significant areas within the Tulalip
29 Indian Reservation:
30

31 DP-34: "The County and cities are encouraged to protect and preserve historical,
32 cultural and archaeological resources in a manner consistent with state law and
33 local policies and in collaboration with state agencies."
34

35 E. This ordinance complies with and implements the County's GMACP by
36 identifying properties that must include an archaeology site report in the Urban Zone
37 Categories Use Matrix and adding clarifying code language to SCC 30.32D.200.
38

39 F. Procedural requirements.
40

41 1. This ordinance is consistent with state law and chapter 30.73 SCC.
42

43 2. State Environmental Policy Act, chapter 43.21C RCW (SEPA), requirements
44 with respect to this non-project action have been satisfied through the completion
45 of an environmental checklist and the issuance of a determination of non-
46 significance on March 13, 2015.
47

1 3. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance
2 was transmitted to the Washington State Department of Commerce for
3 distribution to state agencies on March 11, 2015.

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

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

15
16 G. This ordinance is consistent with the record.

17
18 1. The County's GMACP must be internally consistent pursuant to RCW
19 36.70A.040(4) and 36.70A.070.

20
21 2. The County is required to update its GMACP and development regulations
22 according to a schedule established by RCW 36.70A.130(5).

23
24 3. Amendments to SCC 30.22.100, 30.22.130 and 30.32D.200 are necessary to
25 ensure that development applications for all non-tribally owned, fee-simple
26 properties designated Reservation Commercial on the County's Future Land
27 Use Map must include an archaeology site report pursuant to SCC
28 30.32D.200(3)(b) to avoid impacts to any archaeological resource.

29
30 4. Amendments to SCC 30.32D.200 to correct a grammatical error.

31
32 5. Section 4 amends SCC 30.22.100 Urban Zone Categories: Use Matrix to add
33 a new reference note for the Community Business (CB) and General
34 Commercial (GC) zones. The CB and GC zones are the implementing zones
35 for properties designated Reservation Commercial.

36
37 6. Section 5 amends SCC 30.22.130 Reference notes for use matrix to add a
38 new reference note requiring an archaeology site report pursuant to SCC
39 30.32D.200. This new reference note will alert staff that there is a new
40 requirement for just those CB and GC-zoned properties designated
41 Reservation Commercial on the County's Future Land Use Map.

42
43 7. Section 6 amends SCC 30.32D.200 to add a new provision clarifying that all
44 development applications submitted on properties designated Reservation
45 Commercial must include an archaeology site report.

1
2 Section 2. The County Council makes the following conclusions:
3

4 A. This ordinance is consistent with the goals, objectives and policies of the
5 County's GMACP.
6

7 B. This ordinance is consistent with Washington State law and the SCC.
8

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

12 D. The regulations proposed by this ordinance do not result in an unconstitutional
13 taking of private property for a public purpose.
14

15 E. This ordinance is necessary to protect public health, safety and welfare.
16

17 Section 3. The County Council bases its findings and conclusions on the entire
18 record of the County Council, including all testimony and exhibits. Any finding which
19 should be deemed a conclusion, and any conclusion which should be deemed a finding,
20 is hereby adopted as such.
21

22 Section 4. Snohomish County Code Section 30.22.100, last amended by
23 Ordinance No. 13-073 on December 11, 2013, is amended to read:
24

30.22.100 Urban Zone Categories: Use Matrix

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸	R7,200 ⁸	T	LDMR	MIR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC ¹¹⁷
Accessory Apartment ⁶²	A	A	A	A	A	A	A		A	A		P		P	P		
Adult Entertainment Business/Use ⁶⁷												P		P	P		
Agriculture ^{41, 107}	P	P	P			P	P		P	P		P	P	P	P		P
Airport, Stage 1 Utility ¹	C	C	C						P	P		P	P	P	P		
Airport-All Others												P	P	P	P		
Amusement Facility ⁴¹							P		P	P		P		P	P		P
Antique Shop							P		P	P		P		P	P		P
Art Gallery ⁴¹	C	C	C			C	C	P	P	P		P	P	P	P		P
Asphalt Batch Plant & Continuous Mix Asphalt Plant												P			P		
Auto Repair, Major										P		P	P	P	P		P ⁸⁶
Auto Repair, Minor							P		P ⁸⁶	P		P	P	P	P		P ⁸⁶
Auto Towing														P	P		
Auto Wrecking Yard														C ⁴⁴	P ⁴⁴		
Bakery							P ⁶⁹	P	P	P		P	P	P	P		P
Bed and Breakfast Guesthouse ⁵⁸	C	C	C	C	C	C											C
Billboards ⁴⁶ Non-digital Digital														P	P		
Boarding House	P ¹⁵	P ¹⁵	P ¹⁵			P	P	P	P	P							P
Boat Launch, Commercial ³¹									C	C				C	C		P ¹¹⁸
Boat Launch, Non-commercial ³¹	C	C	C			C	C		C	C				C	C		
Boat Sales														P	P		
Caretaker's Quarters												P	P	P	P		
Cemetery, Columbarium, Crematorium, Mausoleum ⁴¹	C	C	C			C	C		P	P		P	P	P	P		P

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TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸	R7,200 ⁸	T	LDMR	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LJ ^{65, 76}	HI ⁵⁵	MHP ¹¹⁴	UC ¹¹⁷
Church ⁴¹	C	C	C		P	P	P	P	P	P		P	P	P	P		P
Cleaning Establishment							P	P	P	P		P	P	P	P		P
Clubhouse					C	C	C	C	P	P		P	P	P	P	P	P
Cold Storage									P	P		P	P	P	P		
Commercial Vehicle Storage Facility									P	P		P	P	P	P		
Community Club	C	C	C		C	C	C		P	P		P	P	P	P	P	P
Community Facilities for Juveniles ¹⁰³																	
1 to 8 Resident Facility	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P
9 to 24 Resident Facility	S	S	S	S	S	P	P	P	P	P		P	P	P	P	P	P
Construction Contracting										P							
Country Club	C	C	C														P
Craft Shop ²¹									P ⁸⁶	P		P	P	P	P		P ⁸⁶
Day Care Center ²	C	C	C		C	C	P	P	P	P		P	P	P	P	A	P
Department Store									P ⁸⁶	P							P
Distillation of Alcohol																	P ⁸⁶
Distillation of Wood, Coal, Bones or Manufacturing of Their By-products												P					
Dock & Boathouse, Private, Non-commercial ^{3, 41}	P	P	P	P	P	P	P		P	P							
Drug Store							P	P	P	P	P ² ₂						P
Dwelling, Attached Single Family	P	P	P	P	P	P	P	P	P	P							
Dwelling, Cottage Housing ¹¹⁶	A	A	A	A	A	A											
Dwelling, Duplex	P ⁴²	P ⁴²	P ⁴²	P	P	P	P		P	P							
Dwelling, Mobile Home	P ⁶	P ⁶	P ⁶	P ⁶	P	P	P ⁶		P ⁶	P ⁶						P	
Dwelling, Multifamily																	
Dwelling, Single Family	P	P	P	P	P	P	P	P ⁴	P	P						P ⁴	
Dwelling, Townhouse ⁵			A	P	P	P	P	P	P	P							P

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸	R7,200 ⁸	T	LDMR	MIR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LI ^{55, 76}	HI ⁵⁵	MHP ¹¹⁴	UC ¹¹⁷
Electric Vehicle Infrastructure																	
Electric Vehicle Charging Station – Restricted, Level 1, and Level 2 ¹²¹	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Electric Vehicle Charging Station – Public, Level 1 and Level 2							P	P	P	P	P	P	P	P	P		P
Electric Vehicle Charging Station, Level 3	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	P	P	P	P	P	P	P	P	P		P
Battery Exchange Stations	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	P	P	P	P	P	P	P	P	P		P
Explosives, Manufacturing												P			P		
Explosives, Storage												P			P		
Extraction of Animal or Fish Fat or Oil												P			P		
Fabrication Shop												P			P		
Fairgrounds												P			P		
Fallout Shelter, Individual	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P
Fallout Shelter, Joint ⁷	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P
Family Day Care Home ⁸	P	P	P	P	P	P	P		P	P						P	
Farm Product Processing																	
Up to 5000 sq ft									P	P					P		
Over 5000 sq ft ⁹⁴									A	P					P		
Farm Stand																	
Up to 400 sq ft ⁹	P	P	P						P	P					P		
401 to 5,000 sq ft ⁹⁹																	
Farmers Market ⁹³							P	P		P				P	P		P
Financial Institutions																	P

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸	R7,200 ⁸	T	LDMR	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LJ ^{55,76}	HJ ⁵⁵	MHP ¹¹⁴	UC ¹¹⁷
Fish Farm												P	P	P	P		
Fix-it Shop								P	P ⁸⁶	P		P	P	P	P		P ⁸⁶
Forestry												P		P	P		
Forge, Foundry, Blast Furnace for Melting of Ore															P		
Foster Home	P	P	P	P	P	P	P		P	P						P	
Fuel & Coal Yard										P		P	P	P	P		
Garage, Detached Private Accessory ⁶⁰																	
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	
2,401 – 4,000 sq ft on More than 3 Acres ^{41,59}	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	
2,401 – 4,000 sq ft on Less than 3 acres ^{41,59}	A	A	A	A	A	A	A	A	A	A		A	A	A	A		
4,001 sq ft and Greater ^{41,59}	C	C	C	C	C	C	C	C	C	C		C	C	C	C		
Garage, Detached Private Non-accessory ⁶⁰																	
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P		P	P	P	P		
2,401 sq ft and greater ^{41,59}	C	C	C	C	C	C	C	C	C	C		C	C	C	C		
Golf Course and Driving Range	C	C	C	C	C	C	C	C	C	C		P	P	P	P		
Government Structures & Facilities ^{27,41}																	
Greenhouse, Lath House, & Nurseries : ⁵² Retail	C	C	C	C	C	C	C	P	P	P		P	P	P	P		P
Greenhouse, Lath House, & Nurseries: ⁵² Wholesale							P	P	P	P							P ⁸⁶
Grocery Store							P	P	P	P							P
Grooming Parlor							P	P	P	P			P ⁵³	P	P		P

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸	R7,200 ⁸	T	LDMR	MIR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	L ^{76, 55}	HI ⁵⁵	MHP ¹¹⁴	UC ¹¹⁷
Guesthouse ⁸⁵	P	P	P		P	P	P	P	P	P							P
Gymnasium								P	P	P			P	P	P		P
Hardware Store							P	P	P	P				P	P		P
Hazardous Waste Storage & Treatment Facilities, Offsite ⁶⁶												C	C	C	C		
Hazardous Waste Storage & Treatment Facilities, Onsite ⁶⁵							P	P	P	P			P	P	P		
Health and Social Service Facility ⁹⁰																	
Level I	P	P	P	P	P	P	P	P	P	P			P	P		P	P
Level II ⁴¹	C	C	C		C	C	C	C	C	C			P			C	P
Level III						C	C	P	P	P				P	P	C	P
Home Improvement Center							P	P	P ⁸⁶	P				P	P		P
Home Occupation ¹¹	P	P	P	P	P	P	P	P	P	P						P	P
Hotel/Motel					C	C		P	P	P		P		P ⁸⁸			P
Junkyard														C ⁴⁴	P ⁴⁴		
Kennel, ⁴¹ Commercial ¹²	C	C	C						P	P			P	P	P		
Kennel, ⁴¹ Private-Breeding ¹³	P	P	P		P	P	P	P	P	P			P	P	P		
Kennel, ⁴¹ Private-Non-Breeding ¹³	P	P	P		P	P	P	P	P	P			P	P	P		
Laboratory														P	P		P ⁸⁶
Library ⁴¹	C	C	C		C	C	C	P	P	P				P	P		P
Licensed Practitioner ^{29, 41}					C	C	P	P	P	P				P	P		P
Livestock Auction Facility																	
Locksmith							P	P	P ⁸⁶	P				P	P		P
Lumberyard										P				P	P		
Manufacturing, Heavy ⁸²																	
Manufacturing-All Other Forms Not Specifically Listed ⁸³																	

TYPE OF USE	R9,600 ₃₈	R8,400 ₈	R7,200 ₈	T	LDMR	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LJ ⁶⁵ , 76	HI ⁶⁵	MHP ₁₁₄	UC ¹¹⁷	
Marijuana Collective Garden ¹²⁵												P	P	P	P			
Marijuana Collective Garden Dispensary, or Access Point							P	P	P	P			P	P	P		P	
Marijuana Processing ¹²⁵												P	P	P	P			
Marijuana Production ¹²⁵												P	P	P	P			
Marijuana Retail							P	P	P	P			P	P	P		P	
Massage Parlor									P	P		P	P	P	P		P	
Medical Clinic ²⁹					C	C	P	P	P	P		P	P	P	P		P	
Mini Self-Storage										P		P	P	P	P			
Mobile Home Park ³⁸					C	C			C	C						P		
Mobile Home & Travel Trailer Sales										P		C ³⁶		P	P			
Model Hobby Park ⁷⁵													A	A	A			
Model House/Sales Office	P	P	P	P	P	P	P	P	P	P							P	
Mortuary					C	C						P	P	P	P		P	
Motocross Racetrack										C ¹¹³		C ¹¹ ₃	C ¹¹³	C ¹¹³	C ¹¹³			
Motor Vehicle & Equipment Sales									P ²³	P				P	P		P ²³	
Museum ⁴¹	C	C	C		C	C	C	C	P	P		P	P	P	P		P	
Office, General							P	P	P	P		P	P	P	P		P	
Park, Public ¹⁴	P	P	P		P	P	P	P	P	P		P	P	P	P		P	
Park-and-Pool Lot	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P		P	
Park-and-Ride Lot	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P		P	
Personal Services Shop							P	P	P ⁸⁶	P		P ⁴⁹	P ⁴⁹	P	P		P	
Personal Wireless Communications Facilities ^{27, 41, 104, 105, 106}	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P ¹¹⁹
Pet Shop							P	P	P	P			P ⁵³	P	P		P	
Petroleum Products & Gas Storage - Bulk ⁴³										P		P	P	P	P		P	

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸	R7,200 ⁸	T	LDMR	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	L ⁵⁵ ₇₆	HI ⁵⁵	MHP ¹¹⁴	UC ¹¹⁷
Petroleum Refining ⁴³												P					
Print Shop									P ⁸⁶	P		P	P	P	P		P ⁸⁶
Printing Plant								P		P		P	P	P	P		
Race Track ^{24, 41}										C		P	P	P	P		
Railroad Right-of-way	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P		P
Recreational Facility Not Otherwise Listed	C	C	C		C	C	P	P	P	P		P	P	P	P		P
Recreational Vehicle Park									C	C							C
Rendering of Fat, Tallow, or Lard												P					
Restaurant							P	P	P	P		P	P ⁴⁹	P ⁴⁹	P		P
Retail Store							P	P	P ⁸⁶	P			P ⁵³	P	P		P
Retirement Apartments				P	P	P	P	P	P	P							P
Retirement Housing				P	P	P	P	P	P	P							P
Rolling or Blooming Mills												P					
Sanitary Landfill	C	C	C						C	C		C	C	C	C		
Sawmill												P	P	P	P		
Schools																	
K-12 & Preschool ^{41, 68}	C	C	C		C	C			P	P		P	P	P	P		P
College ^{41, 68}	C	C	C		C	C			P	P		P	P	P	P		P
Other ^{41, 68}					C	C			P	P		P	P	P	P		P
Second Hand Store									P ⁸⁶	P				P	P		P
Service Station ⁴¹							P	P	P ⁸⁶	P				P	P		P
Shake & Shingle Mill												P	P	P	P		
Shooting Range ⁹²												P	P	P	P		
Sludge Utilization ³⁹	C ⁵⁶	C ⁵⁶	C ⁵⁶		C ⁵⁶	C ⁵⁶			C ⁵⁶	C ⁵⁶		C ⁵⁶		C ⁵⁶	P		C ⁵⁰
Small Animal Husbandry ⁴¹	C ³⁷	C ³⁷	C ³⁷				P	P	P	P		P	P	P	P		
Specialty Store							P	P	P ⁸⁶	P				P	P		P

AMENDED ORDINANCE NO. 15-027
RELATING TO GROWTH MANAGEMENT; REVISING REGULATIONS
PERTAINING TO ARCHAEOLOGICAL AND HISTORIC RESOURCES,
AND AMENDING SCC 30.22.100, 30.22.130, AND 30.32D.200

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸	R7,200 ⁸	T	LDMR	MR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	LJ ^{55, 76}	HJ ⁵⁶	MHP ¹¹⁴	UC ¹¹⁷
	Stables	P	P	P		P	P	P	P	P	P		P	P	P	P	
Stockyard or Slaughter House												P			P		
Storage, Retail Sales Livestock Feed									P	P							
Storage Structure, Accessory ⁶⁰																	
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
2,401 – 4,000 sq ft on More than 3 Acres ^{41, 59}	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
2,401 – 4,000 on Less than 3 acres ^{41, 59}	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
4,001 sq ft and Greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Storage Structure, Non-accessory ⁶⁰																	
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
2,401 sq ft and greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Studio ⁴¹	C ⁷⁷	C ⁷⁷	C ⁷⁷	C ⁷⁷	C ⁷⁷	C ⁷⁷	P	P	P ⁸⁶	P		P	P	P	P		P
Swimming/Wading Pool ^{17, 41}	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	
Tannery																	
Tar Distillation or Manufacturing																	
Tavern ⁴¹									P	P				P	P		P
Television/Radio Stations															P		
Temporary Dwelling During Construction																	
Temporary Dwelling For Relative ¹⁸	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Temporary Residential Sales Coach ⁷³	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Temporary Woodwaste Recycling ⁶³																	
Temporary Woodwaste Storage ⁶³															A	A	
Tire Store															A	A	
Tool Sales & Rental							P	P	P ⁸⁶	P				P	P	P	P ⁸⁶
									P ⁸⁶	P				P	P		P ⁸⁶

TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸	R7,200 ⁸	T	LDMR	MIR	NB	PCB	CB ¹²⁸	GC ¹²⁸	FS	IP ⁷⁶	BP	L ^{55,76}	HI ⁵⁵	MHP ¹¹⁴	UC ¹¹⁷
Transit Center	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P		P
Ultralight Airpark ²⁰												P					
Utility Facilities, Electromagnetic Transmission & Receiving Facility ²⁷	C	C	C	C	C	C	C	P	P ⁸⁶	P	C	P	P	P	P		
Utility Facilities, Transmission Wires, Pipes & Supports ²⁷	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utility Facilities-All Other Structures ^{27,41}	C	C	C	C	C	C	C	P	P ⁸⁶	P	C	P	P	P	P	C	P
Veterinary Clinic					C	C	P	P	P ⁸⁶	P		P	P	P	P		P
Warehousing										P		P	P	P	P		
Wholesale Establishment								P	P ⁸⁶	P		P	P	P	P		
Woodwaste Recycling ⁵⁷															C	C	
Woodwaste Storage ⁵⁷															C	C	
Yacht/Boat Club												P	P	P	P		P
All other uses not otherwise mentioned													P	P	P		
P - Permitted Use	A blank box indicates a use is not allowed in a specific zone.																
A - Administrative Conditional Use	Note: Reference numbers within matrix indicate special conditions apply; see SCC30.22.130.																
C - Conditional Use	Check other matrices in this chapter if your use is not listed above.																
S - Special Use																	

1
2 Section 5. Snohomish County Code Section 30.22.130, last amended by
3 Amended Ordinance No. 15-015 on April 15, 2015, is amended to read:
4

5 **30.22.130 Reference notes for use matrix.**
6

7 (1) Airport, Stage 1 Utility:

- 8 (a) Not for commercial use and for use of small private planes;
9 (b) In the RU zone, they shall be primarily for the use of the resident property
10 owner; and
11 (c) When the airport is included in an airpark, the disclosure requirements of SCC
12 30.28.005 shall apply.

13 (2) Day Care Center:

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

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

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

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

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

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

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

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

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

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

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

43 (6) Dwelling, Mobile Home:

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

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

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

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

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

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

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

7 (18) Temporary Dwelling for a relative:

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

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

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

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

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

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

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

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

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

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

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

35 (19) Recreational Vehicle:

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

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

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

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

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

45 (iii) Subject to subsections (19)(a) and (b) of this section and SCC
46 30.22.120(7)(b), temporary overnight use in a mobile home park, which has been in
47 existence continuously since 1970 or before, that provides septic or sewer service,
48 water and other utilities, and that has an RV flood evacuation plan that has been

1 approved and is on file with the department of emergency management and department
2 of planning and development services.

3 (20) Ultralight Airpark:

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

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

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

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

16 (ii) occur between sunset and sunrise;

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

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

21 (21) Craft Shop:

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

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

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

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

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

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

33 (25) Rural Industry:

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

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

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

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

44 (26) Sawmill, Shake and Shingle Mill:

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

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

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

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

7 (27) Governmental and Utility Structures and Facilities:

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

9 (28) Excavation and Processing of Minerals:

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

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

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

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

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

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

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

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

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

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

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

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

40 (32) Campground:

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

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

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

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

- 1 (44) Auto Wrecking Yards and Junkyards: A sight-obscuring fence a minimum of seven
2 feet high shall be established and maintained in the LI zone. For requirements for this
3 use, SCC 30.25.020 and 30.25.050 apply.
- 4 (45) Antique Shops when established as a home occupation as regulated by SCC
5 30.28.050(1); provided further that all merchandise sold or offered for sale shall be
6 predominantly "antique" and antique-related objects.
- 7 (46) Billboards: See SCC 30.27.080 for specific requirements.
- 8 (47) Nursery, Wholesale: In R-20,000 zone, a wholesale nursery is permitted on three
9 acres or more; a conditional use permit is required on less than three acres.
- 10 (48) Stockyard and Livestock Auction Facility: The minimum lot size is 10 acres.
- 11 (49) Restaurants and Personal Service Shops: Located to service principally the
12 constructed industrial park uses.
- 13 (50) Sludge Utilization: A conditional use permit is required for manufacture of materials
14 by a non-governmental agency containing stabilized or digested sludge for a public
15 utilization.
- 16 (51) Single Family and Multifamily Dwellings are a prohibited use, except for the
17 following:
- 18 (a) Existing dwellings that are nonconforming as a result of a county-initiated
19 rezone to BP may make improvements or additions provided such improvements are
20 consistent with the bulk regulations contained in chapter 30.23 SCC; provided further
21 that such improvements do not increase the ground area covered by the structural
22 portion of the nonconforming use by more than 100 percent of that existing at the
23 existing date of the nonconformance; and
- 24 (b) New single family and multifamily dwellings in the BP zone authorized
25 pursuant to the provisions of SCC 30.31A.140.
- 26 (52) Greenhouses, Lath Houses, and Nurseries:
- 27 (a) Incidental sale of soil, bark, fertilizers, plant nutrients, rocks, and similar plant
28 husbandry materials is permitted;
- 29 (b) The incidental sale of garden tools and associated gardening accessories shall
30 be permitted; however, the sale of motorized landscaping equipment such as lawn
31 mowers, weed eaters, edgers, and rototillers shall be prohibited;
- 32 (c) There shall be no on-site signs advertising uses other than the principal use;
33 and
- 34 (d) Incidental sales of garden tools and associated gardening accessories shall be
35 less than 25 percent of the sales of products produced in the greenhouse, lath house, or
36 nursery.
- 37 (53) Retail Store: See SCC 30.31A.120 for specific requirements for retail stores in the
38 BP zone.
- 39 (54) Retail Sales of Hay, Grain, and Other Livestock Feed are permitted on site in
40 conjunction with a livestock auction facility.
- 41 (55) Noise of Machines and Operations in the LI and HI zones shall comply with chapter
42 10.01 SCC and machines and operations shall be muffled so as not to become
43 objectionable due to intermittence, beat frequency, or shrillness.
- 44 (56) Sludge Utilization only at a completed sanitary landfill or on a completed cell within
45 a sanitary landfill, subject to the provision of SCC 30.28.085.
- 46 (57) Woodwaste Recycling and Woodwaste Storage Facility: See SCC 30.28.095.
- 47 (58) Bed and Breakfast Guesthouses and Bed and Breakfast Inns: See SCC 30.28.020.

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

3 (a) Special setback requirements for these uses are contained in SCC
4 30.23.110(20);

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

7 (c) The following compatibility standards shall apply:

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

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

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

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

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

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

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

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

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

48 (62) Accessory Apartments: See SCC 30.28.010.

- 1 (63) Temporary Woodwaste Recycling and Temporary Woodwaste Storage Facilities:
2 See SCC 30.28.090.
- 3 (64) RESERVED for future use.
- 4 (65) On-site Hazardous Waste Treatment and Storage Facilities are allowed only as an
5 incidental use to any use generating hazardous waste which is otherwise allowed;
6 provided that such facilities demonstrate compliance with the state siting criteria for
7 dangerous waste management facilities pursuant to RCW 70.105.210 and WAC 173-
8 303-282 as now written or hereafter amended.
- 9 (66) An application for a conditional use permit to allow an off-site hazardous waste
10 treatment and storage facility shall demonstrate compliance with the state siting criteria
11 for dangerous waste management facilities pursuant to RCW 70.105.210 and WAC
12 173-303-282 as now written or hereafter amended.
- 13 (67) Adult Entertainment Uses: See SCC 30.28.015.
- 14 (68) Special Building Height provisions for this use are contained in SCC
15 30.23.050(2)(d).
- 16 (69) Bakery: In the NB zone, the gross floor area of the use shall not exceed 1,000
17 square feet and the bakery business shall be primarily retail in nature.
- 18 (70) Equestrian Centers are allowed with a conditional use permit on all lands zoned A-
19 10 except in that portion of the special flood hazard area of the lower Snohomish and
20 Stillaguamish rivers designated density fringe as described in chapter 30.65 SCC.
- 21 (71) Mini-equestrian Centers are allowed as a permitted use on all lands zoned A-10
22 except in that portion of the special flood hazard area of the lower Snohomish and
23 Stillaguamish rivers designated density fringe as described in chapter 30.65 SCC.
- 24 (72) Equestrian Centers and Mini-equestrian Centers require the following:
25 (a) Five-acre minimum site size for a mini-equestrian center;
26 (b) Covered riding arenas shall not exceed 15,000 square feet for a mini-
27 equestrian center; provided that stabling areas, whether attached or detached, shall not
28 be included in this calculation;
29 (c) Any lighting of an outdoor or covered arena shall be shielded so as not to glare
30 on surrounding properties or rights-of-way;
31 (d) On sites located in RC and R-5 zones, Type A landscaping as defined in SCC
32 30.25.017 is required to screen any outside storage, including animal waste storage,
33 and parking areas from adjacent properties;
34 (e) Riding lessons, rentals, or shows shall only occur between 8 a.m. and 9 p.m.;
35 (f) Outside storage, including animal waste storage, and parking areas shall be
36 set back at least 30 feet from any adjacent property line. All structures shall be set back
37 as required in SCC 30.23.110(8); and
38 (g) The facility shall comply with all applicable county building, health, and fire
39 code requirements.
- 40 (73) Temporary Residential Sales Coach (TRSC):
41 (a) The commercial coach shall be installed in accordance with all applicable
42 provisions within chapter 30.54A SCC;
43 (b) The TRSC shall be set back a minimum of 20 feet from all existing and
44 proposed road rights-of-way and five feet from proposed and existing property lines;
45 (c) Vehicular access to the temporary residential sales coach shall be approved
46 by the county or state; and

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

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

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

15 (75) Model Hobby Park: SCC 30.28.060.

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

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

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

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

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

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

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

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

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

39 (a) The use complies with all of the performance standards required by SCC
40 30.31F.100 and 30.31F.110;

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

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

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

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

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

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

13 (84) RESERVED for future use.

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

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

16 (87) Wedding Facility:

17 (a) Such use is permitted only:

18 (i) on vacant and undeveloped land;

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

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

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

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

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

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

29 (iii) adequate sanitation facilities are provided on site pursuant to chapter
30 30.50 SCC and applicable Snohomish Health District provisions;

31 (c) Adequate on-site parking shall be provided for the use pursuant to SCC
32 30.26.035;

33 (d) A certificate of occupancy shall be obtained pursuant to chapter 30.50 SCC for
34 the use of any existing structure;

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

36 (i) the applicant must demonstrate that the use is accessory to the primary use
37 of the site for agricultural purposes and supports, promotes or sustains agricultural
38 operations and production;

39 (ii) the use must be located, designed, and operated so as to not interfere with,
40 and to support the continuation of, the overall agricultural use of the property and
41 neighboring properties;

42 (iii) the use and all activities and structures related to the use must be
43 consistent with the size, scale, and intensity of the existing agricultural use of the
44 property and the existing buildings on the site;

45 (iv) the use and all activities and structures related to the use must be located
46 within the general area of the property that is already developed for buildings and
47 residential uses;

1 (v) the use and all activities and structures related to the use shall not convert
2 more 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
4 preserve prime farmland.

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

11 (89) Hotel/Motel uses are permitted in the Light Industrial zone when the following
12 criteria are 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
15 zoned light 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
21 the 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
27 and program staffing.

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

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

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

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

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

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

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

46 (98) Recreational Facility Not Otherwise Listed in Ag-10 zone, Forestry (F), or Forestry
47 and Recreation (F&R) zones: See SCC 30.28.076.

48 (99) Farm Stand: See SCC 30.28.039.

1 (100) Farm Stand: Allowed as a Permitted Use (P) when sited on land designated
2 riverway commercial farmland, upland commercial farmland or local commercial
3 farmland in the comprehensive plan. Allowed as an Administrative Conditional Use (A)
4 when sited on land not designated riverway commercial farmland, upland commercial
5 farmland or local commercial farmland in the comprehensive plan.

6 (101) Farmers Market: Allowed as a Permitted Use (P) when sited on land designated
7 riverway commercial farmland, upland commercial farmland or local commercial
8 farmland in the comprehensive plan. Allowed as an Administrative Conditional Use (A)
9 when sited on land not designated riverway commercial farmland, upland commercial
10 farmland or local commercial farmland in the comprehensive plan.

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

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

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

17 (105) Personal wireless telecommunications service facilities are subject to a building
18 permit pursuant to SCC 30.28A.030 and the development standards set forth in chapter
19 30.28A SCC and landscaping standards in SCC 30.25.025.

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

22 (107) Agricultural composting requirements:

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

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

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

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

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

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

43 (b) In all other zones except A-10 where agriculture is a permitted use, incidental
44 agricultural composting of agricultural waste generated on a farm site is permitted. The
45 agricultural composting facility shall be constructed and operated in compliance with all
46 applicable federal, state and local laws, statutes, rules and regulations. The Nutrient
47 Management Plan portion of the farm's Snohomish Conservation District Farm Plan or
48 any other established nutrient management plan must be on file with the department

- 1 when any permit application is submitted to the department for the development of an
2 agricultural composting facility.
- 3 (108) RESERVED for future use. (Urban Center Demonstration Program projects -
4 DELETED by Ord. 09-079)
- 5 (109) Privately operated off-road vehicle (ORV) use areas shall be allowed by
6 conditional use permit on Forestry and Recreation (F&R) zoned property designated
7 Forest on the comprehensive plan future land use map. These areas shall be identified
8 by an F&R ORV suffix on the zoning map. Privately operated ORV use areas are
9 regulated pursuant to SCC 30.28.080, SCC 30.28.086 and other applicable county
10 codes.
- 11 (110) RESERVED for future use.
- 12 (111) RESERVED for future use.
- 13 (112) RESERVED for future use. (Transfer of Development Rights receiving area
14 overlay - DELETED by Amended Ord. 13-064)
- 15 (113) Privately operated motocross racetracks are allowed by conditional use permit,
16 and are regulated pursuant to SCC 30.28.100 and 30.28.105, and other applicable
17 county codes. Motocross racetracks are allowed in the Forestry and Recreation (F&R)
18 zone only on commercial forest lands.
- 19 (114) New AM radio towers are prohibited. AM radio towers either constructed before
20 October 13, 2010, or with complete applications for all permits and approvals required
21 for construction before October 13, 2010, shall not be considered nonconforming uses
22 and they may be repaired, replaced, and reconfigured as to the number and dimensions
23 of towers so long as the repair, replacement, or reconfiguration occurs on the parcel
24 where the tower was originally constructed or permitted and it does not increase the
25 number of AM radio towers constructed on the parcel.
- 26 (115) This use is prohibited in the R-5 zone with the Mineral Resource Overlay (MRO).
27 Public park is a permitted use on reclaimed portions of mineral excavation sites with the
28 MRO.
- 29 (116) See cottage housing design standard requirements in chapter 30.41G SCC.
- 30 (117) RESERVED for future use.
- 31 (118) RESERVED for future use.
- 32 (119) Only building mounted personal wireless communications facilities shall be
33 permitted.
- 34 (120) Allowed as a conditional use only with a Park-and-Pool Lot or a Park-and-Ride
35 Lot.
- 36 (121) Permitted as an incidental use with a permitted use, conditional use or
37 administrative conditional use.
- 38 (122) Products or merchandise offered for sale or storage by a business may be located
39 outdoors; provided, that:
- 40 (a) The area occupied by the display shall not exceed 500 square feet; and
41 (b) Public sidewalks shall not be enclosed as space for sales or storage by
42 fencing or other means that effectively limits public use of the sidewalk.
- 43 (123) Such uses, except those as provided for in SCC 30.34A.010(4)(d), are permitted
44 only in structures which are legally existing on May 29, 2010. Such uses, except those
45 as provided for in SCC 30.34A.010(4)(d), shall also comply with subsection (122) of this
46 section.
- 47 (124) The minimum lot size for marijuana related facilities is 100,000 square feet.
48 Marijuana production is allowed indoors and outdoors. Marijuana processing is only

1 allowed when there is a marijuana production facility on site. Marijuana facilities are
2 subject to special setbacks pursuant to SCC 30.23.110(28).

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

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

13 (127) Campgrounds and Recreational Facilities Not Otherwise Listed are not allowed on
14 land designated Local Forest in the comprehensive plan.

15 (128) Development applications for all non-tribally owned, fee-simple properties
16 designated Reservation Commercial on the Snohomish County Future Land Use Map
17 must include an archaeology site report pursuant to SCC 30.32D.200(3)(b) or relocate
18 the project to avoid impacts to any archaeological resources.

19
20 Section 6. Snohomish County Code Section 30.32D.200, last amended by
21 Ordinance No. 06-037 on December 13, 2006, is amended to read:

22
23 **30.32D.200 Archaeology site report.**

24
25 (1) Known archaeological sites are recorded on the Washington State
26 Department of Archaeology and Historic Preservation's Geographic Information System.

27 (2) An archaeological site may cover only a portion of a property, parcel, or lot
28 and may be located on more than one property, parcel, or lot.

29 ~~((3) Any construction, earth movement, clearing, or other site disturbance of a
30 known archaeological site shall require either:~~

31 ~~(a) relocation of the project to avoid the known archaeological site; or~~

32 ~~(b) completion of an archaeological site report. The written report must be
33 submitted to the department by the property owner or project proponent and
34 include the location, condition, and extent of the archaeological resources
35 located on site, and any recommendations with respect to conditioning the
36 activity to avoid or minimize impacts on the known archaeological site*.)~~

37 (3) Completion of an archaeology site report or relocation of the project to avoid
38 the known archaeological site shall be required for:

39 (a) Any construction, earth movement, clearing, or other site disturbance of a
40 known archaeological site; or

41 (b) Any development application proposed on non-tribally owned, fee-simple
42 properties designated Reservation Commercial on the Snohomish County Future Land
43 Use Map.

44 ~~((4) The archaeological site report shall be written by a professional archeologist
45 as defined in WAC 25-48-020, and include the results of consultation with any affected
46 Indian tribe on proposed actions to avoid, protect, or mitigate impacts of the proposed
47 project.))~~

- 1
2 (4) An archaeology site report required under 3(a) of this section shall:
3 (a) Be written by a professional archaeologist as defined in WAC 25-48-020;
4 (b) Be submitted to the department by the property owner or project
5 proponent;
6 (c) Include the location, condition, and extent of the archaeological
7 resources located on site and any recommendations with respect to
8 conditioning the activity to avoid or minimize impacts on the known
9 archaeological site; and
10 (d) Include the results of consultation with any affected Indian tribe on
11 proposed actions to avoid or mitigate impacts of the proposed project.
12 (5) An archaeology site report required under 3(b) of this section shall:
13 (a) Be written by a professional archaeologist as defined in WAC 25-48-020;
14 (b) Be submitted to the department by the property owner or project
15 proponent;
16 (c) Include the location, condition, and extent of the archaeological
17 resources located on site and any recommendations with respect to
18 conditioning the activity to avoid impacts; and
19 (d) Include the results of consultation with any affected Indian tribe on
20 proposed actions to avoid impacts of the proposed project.


21 ~~((5))~~(6) The department shall provide a copy of the ((archaeological))
22 archaeology site report to any affected Indian tribe and the ((state office of
23 archaeology and historic preservation)) Washington State Department of
24 Archaeology and Historic Preservation, at the applicant's expense.

25 ~~((Code Reviser Note: The text shown above in subsection (3)(b) in italic font
26 was added by Amended Ordinance No. 06-037 but was not indicated with addition
27 marks.))~~

28
29 Section 7. Severability and Savings. If any section, sentence, clause or phrase
30 of this ordinance shall be held to be invalid by the Growth Management Hearings Board
31 (Board), or unconstitutional by a court of competent jurisdiction, such invalidity or
32 unconstitutionality shall not affect the validity or constitutionality of any other section,
33 sentence, clause or phrase of this ordinance. Provided, however, that if any section,
34 sentence, clause or phrase of this ordinance is held to be invalid by the Board or
35 unconstitutional by a court of competent jurisdiction, then the section, sentence, clause
36 or phrase in effect prior to the effective date of this ordinance shall be in full force and
37 effect for that individual section, sentence, clause or phrase as if this ordinance had
38 never been adopted.

39
40 PASSED this 6th day of May, 2015.

41
42 SNOHOMISH COUNTY COUNCIL
43 Snohomish County, Washington

44
45 
46 _____
47 Dave Somers
48 Council Chair

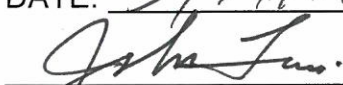
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ATTEST:

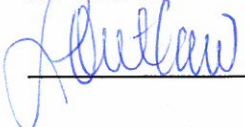


Debbie Eco
Clerk of the Council

APPROVED
 EMERGENCY
 VETOED

DATE: 5/14/15

County Executive

ATTEST:



Approved as to form only:

Deputy Prosecuting Attorney

