

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

AMENDED ORDINANCE NO. 16-029

CORRECTING INADVERTENT ERRORS IN THE SNOHOMISH COUNTY CODE  
(SCC), AMENDING SECTIONS 2.01.040, 6.01.151, 10.01.060, 30.22.110, 30.23.032,  
30.23.040, 30.23.110, 30.28.020, 30.28.050, 30.28.105, 30.63A.815 AND 30.86.510

WHEREAS, on December 9, 2002, the county adopted title 30 of the SCC to  
consolidate and streamline county land use and development codes to eliminate  
duplication, inconsistency, and ambiguity; and

WHEREAS, the county has identified certain inadvertent errors and  
inconsistencies in titles 2, 6, 10 and 30 SCC that cannot be addressed by the county  
code reviser through the authority established in SCC 1.02.020(2); and

WHEREAS, the inadvertent errors and inconsistencies identified for correction in  
this ordinance include typographical errors, outdated or inaccurate citations and cross-  
references, and outdated, inaccurate or redundant language inadvertently created in the  
code during previous amendments; and

WHEREAS, the county has conducted early and continuous public participation  
with respect to the code amendments contained in this ordinance; and

WHEREAS, the Snohomish County Planning Commission ("Planning  
Commission") held a briefing on September 22, 2015, concerning the proposed 2015  
code corrections; and

WHEREAS, the Planning Commission held a public hearing on October 27,  
2015, to receive public testimony concerning the proposed 2015 code corrections; and

WHEREAS, at the conclusion of the Planning Commission's public hearing, the  
Planning Commission voted to recommend approval of the proposed 2015 code  
corrections included in title 30 SCC with amendments contained in this ordinance, as  
set forth in its recommendation letter dated November 5, 2015; and

WHEREAS, the need for the code corrections in SCC 30.63A.815 and 30.86.510  
did not arise until January 2016, and prompt correction of those codes by inclusion in  
this proposal is appropriate; and

WHEREAS, on May 11, 2016, the County Council held a public hearing after  
proper notice, heard public testimony related to the code corrections contained in this  
ordinance, and considered the entire record, including the Planning Commission's  
recommendations; and

1 WHEREAS, the County Council concludes that titles 2, 6, 10 and 30 SCC should  
2 be amended as set forth herein;

3  
4 NOW, THEREFORE, BE IT ORDAINED:

5  
6 Section 1. The County Council adopts the foregoing recitals as findings of fact as if set  
7 forth in full herein.

8  
9 Section 2. The County Council makes the following additional findings of fact:

10  
11 A. This ordinance will amend Titles 2, 6, 10 and 30 of the SCC by amending  
12 portions of SCC 2.01.040, 6.01.151, 10.01.060, 30.22.110, 30.23.032, 30.23.040,  
13 30.23.110, 30.28.020, 30.28.050, 30.28.105, 30.63A.815 and 30.86.510 which  
14 require either correction of an obvious error or clarification of wording.

15  
16 B. This proposal is consistent with the following goals, objectives, and policies  
17 contained in the County's Growth Management Act ("GMA") Comprehensive  
18 Plan:

- 19  
20 1. Goal ED 2 "Provide a planning and regulatory environment which  
21 facilitates growth of the local economy."  
22  
23 2. Objective ED 2.A "Develop and maintain a regulatory system that is fair,  
24 understandable, coordinated and timely."  
25  
26 3. ED Policy 2.A.1 "Snohomish County shall work to ensure that the  
27 Snohomish County Code is an understandable, accessible, and user  
28 friendly document."  
29  
30 4. ED Policy 2.A.2 "Snohomish County should stress predictability but  
31 maintain enough flexibility in the Comprehensive Plan and development  
32 codes to allow for timely response to unanticipated and desirable  
33 developments."  
34

35 C. Procedural requirements.

- 36 1. This ordinance is consistent with state law and chapter 30.73 SCC.  
37  
38 2. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance  
39 was transmitted to the Washington State Department of Commerce for  
40 distribution to state agencies on October 2, 2015.  
41  
42 3. This action is considered procedural and is exempt from the State  
43 Environmental Policy Act (SEPA), Chapter 43.21C RCW, review pursuant  
44 to WAC 197-11-800(19)(b) and SCC 30.61.030.  
45

4. The public participation process used in the adoption of this ordinance has complied with all applicable requirements of the GMA and the SCC.
5. As required by RCW 36.70A.370, the Washington State Attorney General last issued an advisory memorandum in December 2015, entitled "Advisory Memorandum and Recommended Process for Evaluating Proposed Regulatory or Administrative Actions to Avoid Unconstitutional Takings of Private Property" to help local governments avoid the unconstitutional taking of private property. The process outlined in the State Attorney General's 2015 advisory memorandum was used by the County in objectively evaluating the regulatory changes proposed by this ordinance.

D. These amendments are consistent with the record.

1. On December 9, 2002, the county adopted the Unified Development Code ("UDC") in Title 30 of the SCC to consolidate and streamline county land use and development codes to eliminate duplication, inconsistency, and ambiguity.
2. This ordinance will amend several sections of Title 30 SCC as well as other sections of the SCC to correct inadvertent errors, omissions, and inconsistencies. The errors, omissions and inconsistencies identified for correction in this ordinance include (i) grammatical and typographical errors, (ii) outdated or inaccurate citations and cross-references, (iii) outdated, inaccurate, or redundant language inadvertently left in the code during previous amendments, (iv) missing language that was accidentally omitted or deleted during previous amendments, and (v) provisions in need of revision for consistency.
3. The Planning Commission has review authority and makes recommendations regarding Title 30 SCC code corrections. The Planning Commission has review authority for regulations adopted under the GMA pursuant to SCC 2.08.010.
4. The corrections to SCC 2.01.040(5), SCC 6.01.151(3) and SCC 10.01.060(8)(c) are included in this ordinance because they have clear relevance to the administration of the Department of Planning and Development Services.
5. The correction to SCC 2.01.040(5) is necessary to rectify grammatical and typographical errors that transpired through the adoption of Ordinance No. 02-026 and the subsequent adoption of Amended Ordinance No. 07-015.  
  
SCC 2.01.040(5) was originally adopted through Ordinance No. 02-026, addressing the planning director's authority to accept conveyances of real property. The word "a" was not included when the ordinance was

transcribed and the word "is" was grammatically incorrect. Amended Ordinance No. 07-015 was adopted with a typographical error that changed the word "is" to "it" without showing it as a change in legislative format.

The correction makes the language in SCC 2.01.040(5) grammatically correct, provides clear understandable language and does not alter the meaning or intent of the original adopting Ordinance No. 02-026.

6. The corrections to SCC 6.01.151(3) and SCC 10.01.060(8)(c) are necessary to correct an erroneous code citation. Ordinance No. 02-098 repealed SCC 2.02.167 and replaced it with SCC 2.02.170, addressing the procedure for reconsideration of the Hearing Examiner's decision. Ordinance No. 02-098 failed to concurrently correct cross references in SCC 6.01.151 and SCC 10.01.060.
7. The correction to the Rural and Resource Use Matrix in SCC 30.22.110 is necessary to rectify an error that inadvertently removed Detached Private Accessory Garages as a permitted or conditional use in the A-10 zone. Private Garages were listed as a Permitted use in most zones in the county, including the A-10 zone, for several decades. On February 15, 2006, Amended Emergency Ordinance No. 06-011 established different classifications of Private Garages based on garage size, establishing larger garages as an Administrative use in A-10 and leaving smaller garages as a permitted use in the A-10 zone. Adopted on August 2, 2006, Amended Ordinance No. 06-057 provided further refinement to the Private Garages regulations, changing the name of the use to Detached Private Accessory Garages and changing the listing for garages over 4,000 square feet from an Administrative use in the A-10 zone to a conditional use in the A-10 zone.

The Rural and Resource Use Matrix in SCC 30.22.110 was next amended on December 13, 2006, by Amended Ordinance No. 06-137 related to motocross racetracks. Although Amended Ordinance No. 06-137 did not address Detached Private Accessory Garages, a typographical error in that ordinance resulted in the omission of Detached Private Accessory Garages as a use in the A-10 zone. The omission was not shown in strikethrough, thus giving no indication it was modified code language. This error has been repeated in the use matrix and subsequent ordinances since the adoption of Amended Ordinance No. 06-137. This correction makes the listing for Detached Private Accessory Garages in A-10 identical to what was adopted in Amended Ordinance No. 06-057, which last amended the Detached Private Accessory Garages listing in SCC 30.22.110.
8. The correction to the Urban Residential Zones Bulk Matrix Table in SCC 30.23.032 is necessary to resolve an incorrect cross reference created by a typographical error in Amended Ordinance No. 12-049. The presently

1 cited code provision – SCC 30.41E.100(5)(a) – does not exist. The correct  
2 citation to SCC 30.42E.100(5)(a) references bulk regulations for mobile  
3 home parks (MPH), consistent with that part of the Urban Residential  
4 Zones bulk matrix.  
5

- 6 9. The correction to SCC 30.23.040(31) is necessary to replace a code  
7 citation that was not updated when the subsections in SCC 30.23.110  
8 were renumbered by Ordinance No. 10-026. SCC 30.23.040(31)  
9 addresses setback requirements for mineral excavation and processing.  
10 The current citation to SCC 30.23.110(26) addresses special setbacks for  
11 wireless towers. The corrected citation to SCC 30.23.110(27) references  
12 special setbacks for mineral excavation and processing.  
13
- 14 10. The corrections to SCC 30.23.040(54) are necessary to replace code  
15 citations that were not updated when the subsections in SCC 30.41B.010  
16 were renumbered by Ordinance No. 12-018. SCC 30.23.040(54)  
17 addresses the subdivision of parcels split by an urban growth area  
18 boundary. The current citations to SCC 30.41.B.010(5) and SCC  
19 30.41B.010(6) both address lands exempt and nonexempt from certain  
20 subdivision requirements. The corrected citations to SCC 30.41.B.010(7)  
21 and SCC 30.41.B.010(8) address split parcels.  
22
- 23 11. The correction to SCC 30.23.110(26) is necessary to replace a code  
24 citation that was not updated when the subsections in SCC 30.23.110  
25 were renumbered by Amended Ordinance No. 10-026. Subsection 25 was  
26 renumbered to 26 and the reference to 26(a) was not included in  
27 Amended Ordinance No. 10-026.  
28
- 29 12. The correction to SCC 30.28.020 is necessary to replace a code citation  
30 that was not updated when chapter 30.53A SCC Fire Code was revised by  
31 Amended Ordinance No. 14-055. SCC 30.28.020(4) addresses certificate  
32 of occupancy for bed and breakfast guesthouses and inns and references  
33 the repealed SCC 30.53A.060. The amendment inserts the correct  
34 citation, SCC 30.53A.361, related to the fire marshal's ability to inspect  
35 properties.  
36
- 37 13. The corrections to SCC 30.28.050 are necessary to replace a code  
38 citation that was not updated when chapter 30.53A SCC Fire Code was  
39 revised by Amended Ordinance No. 14-055. SCC 30.28.050 addresses  
40 home occupation requirements and references the repealed SCC  
41 30.53A.060 relating to certificate of occupancy. The amendments insert  
42 the correct citation, SCC 30.53A.361, related to the fire marshal's ability to  
43 inspect properties.  
44
- 45 14. The corrections to SCC 30.28.105(4) are necessary to replace code  
46 citations that were not updated when chapter 6.37 SCC was repealed by  
47 Amended Ordinance No. 11-024. Chapter 6.37 SCC addressed special

events requirements. Requirements for special events were incorporated into chapter 30.53A SCC Fire Code. The amendments insert the correct citations related to special event requirements and use the phrase “special events” rather than “public events and assemblies,” consistent with chapter 30.53A SCC.

15. The correction to SCC 30.63A.815(1) is necessary to replace reference to SCC 30.63A.440 with reference to volume I, chapter 3 of the Drainage Manual. SCC 30.63A.440 was repealed in Ordinance No. 15-102.

16. The correction to the heading in Table SCC 30.86.510(2) will utilize consistent terminology as recently adopted in Ordinance Nos. 15-102 and 15-103. The revised definition of “impervious surface,” the new definition of “hard surface,” and the treatment of pervious pavement and green roofs under those definitions necessitates this change so that fees are calculated consistent with past practice. Under current practices this correction does not result in increased fees. This correction to Table 30.86.510(2) was inadvertently omitted from Ordinance No. 15-103.

17. The correction to Table SCC 30.86.510(2) removes the term “native” in relation to vegetation converted to landscaping or lawn areas for consistency with: 1) the county’s Phase I NPDES Permit; 2) current drainage review threshold determination language; and 3) current practices for evaluating thresholds and calculating fees.

Section 3. Based on the foregoing findings of fact, the council makes the following conclusions:

- A. The code corrections are consistent with and comply with the procedural and substantive requirements of the GMA and the County’s GMA Comprehensive Plan.
- B. The proposal is consistent with Washington State law and the Snohomish County Code.
- C. The actions of the ordinance would not result in an unconstitutional taking of private property for a public purpose.

Section 4. Snohomish County Code Section 2.01.040, last amended by Ordinance No. 15-005 on March 18, 2015, is amended to read:

**2.01.040 Director.**

(1) The director shall organize, manage and administer the activities of the department. He or she shall advise the executive and the council with regard to programs managed by or affecting the activities of the department.

(2) The director may, upon approval by the executive, issue rules as may be necessary to carry out the purposes of this chapter, and upon approval by the executive and/or council, enter into contracts on behalf of the county to carry out the purposes of this chapter.

(3) The director shall prepare and submit to the executive annual budget estimates for the department as provided in SCC 4.26.030.

(4) The director shall appoint all officers and employees of the department in accordance with the rules of the county personnel system and exempt personnel system and shall implement service improvements and cost reductions where possible.

(5) The director shall have the power to accept on behalf of the county, deeds and other conveyances or covenants of real property when such conveyances or covenants are tendered in compliance with conditions of a land use or development permit, and ((it)) consistent with adopted land use, development or engineering standards and regulations.

(a) Right-of-Way (ROW) conveyances shall be approved and accepted by the director of the department of public works or county engineer.

(b) Road establishments are accepted under separate authority and procedures in accordance with chapters 36.81 RCW and 13.90 SCC.

(c) Dedications of real property within the boundaries of a final subdivision are accepted under separate procedure in accordance with the provisions of SCC 30.41A.650.

(6) The director may delegate functions, powers, and duties to other officers and employees of the department as deemed expedient to further the purposes of this chapter.

Section 5. Snohomish County Code Section 6.01.151, last amended by Amended Ordinance No. 96-003 on February 21, 1996, is amended to read:

**6.01.151 Appeals Procedure.**

(1) Any person who has been served with a notice and order pursuant to SCC 6.01.135 or whose application for a license/permit has been denied may appeal to the hearing examiner. Appeals shall be filed and processed pursuant to the provisions of chapter 2.02 SCC.

(2) At the hearing on a notice and order appeal, the licensing authority shall have the burden of proving the violation, which burden shall be met by a preponderance of the evidence. At the hearing on an appeal from the denial of a license/permit, the appellant shall have the burden of proof, which burden shall be met by a preponderance of the evidence.

(3) The decision of the hearing examiner on any such appeal shall be final and conclusive with an optional right of reconsideration as provided in SCC ((2.02.167))

1 2.02.170 and may then be reviewable by an action for writ of review filed in Snohomish  
2 County superior court as provided in chapter 2.02 SCC.

3  
4 Section 6. Snohomish County Code Section 10.01.060, last amended by Ordinance  
5 No. 02-098 on December 9, 2002, is amended to read:  
6

7 **10.01.060 Modified standards permit.**

8 (1) Any person who owns or is in possession of any property, use, process or  
9 equipment from which sound can emanate may apply to the administrator for a Modified  
10 Standards Permit (MSP) to provide relief from the requirements of SCC 10.01.030 or  
11 rules or regulations adopted under SCC 10.01.030 governing the quality, nature,  
12 duration or extent of discharge of noise. A MSP may apply to all noise sources of a  
13 particular class or type. The application shall be accompanied by such information and  
14 data as the administrator may require. The administrator has authority to rule on the  
15 application, subject to the provisions of this section and to any rules and regulations  
16 adopted under this section.  
17

18 (2) Criteria. The administrator may grant a MSP if the administrator finds that:  
19

20 (a) The noise occurring or proposed to occur does not endanger public health,  
21 welfare, or safety; and  
22

23 (b) In considering the relative interests of the applicant, other owners or  
24 possessors of property likely to be affected by the noise, and the general public the  
25 MSP is warranted; and  
26

27 (c) The MSP, if granted, will further a public interest; and  
28

29 (d) The applicant demonstrates the requirements for a temporary, technical or  
30 economic MSP under SCC 10.01.060 (3) are met.  
31

32 (3) Categories of MSPs.  
33

34 (a) Temporary. The administrator may grant a temporary MSP, not to exceed  
35 fourteen days, for any activity, use, process or equipment which the administrator  
36 determines is temporary in nature. All such determinations shall be made in  
37 accordance with the procedures outlined in SCC 10.01.060(2).  
38

39 (b) Technical. The administrator may grant a technical MSP on the ground that  
40 there is no practical means known or available for the adequate prevention,  
41 abatement or control of the noise involved. The duration of a technical MSP shall  
42 be until such practical means for prevention, abatement or control become known  
43 or available. A technical MSP shall be subject to the holder's taking of any  
44 alternative measures that the administrator may prescribe. The holder of a  
45 technical MSP shall make reports to the administrator on a yearly or more frequent  
46 basis, as required by the administrator, detailing actions taken to develop a means



1 of noise control or to reduce the noise involved, and must relate these actions to  
2 pertinent current technology.

3  
4 (c) Economic. The administrator may grant an economic MSP on the ground that  
5 compliance with the particular requirement or requirements for which the MSP is  
6 sought will require the taking of measures which, because of their extent or cost,  
7 must be spread over a period of time. The duration of the MSP shall be for a period  
8 not to exceed such reasonable time as is required, in the view of the administrator,  
9 for the taking of the necessary measures. An economic MSP shall contain a  
10 timetable for the taking of action in an expeditious manner and shall be conditioned  
11 on the applicant's adherence to the timetable.

12  
13 (4) Application Fee. Application for a MSP or for renewal of a MSP shall be  
14 accompanied by payment of a nonrefundable fee as follows:

15  
16 (a) Temporary MSP \$100.00

17  
18 (b) Technical or economic MSP \$250.00

19  
20 In addition to this nonrefundable fee, applicants for technical or economic MSPs shall  
21 pay all additional costs not covered by the fee. Such costs include, but are not limited  
22 to:

23  
24 (i) Consultant charges for acoustical or economic studies;

25  
26 (ii) Field inspections;

27  
28 (iii) All hearing costs;

29  
30 (iv) Any time in excess of 5 hours required to review the original application. All  
31 such charges shall be based upon actual costs paid by the county when an  
32 outside contractor is used to perform the work. When the work is performed by  
33 county staff the charge shall be \$40/hour.

34  
35 (5) MSP not Held as a Right. A MSP or its renewal shall not be a right of the applicant  
36 or holder of the MSP or renewal, but shall be at the reasonable discretion of the  
37 administrator. The administrator shall retain jurisdiction over all MSPs. Upon a petition  
38 for review being filed by any person affected by a MSP or by any public official, the  
39 administrator may, in his/her discretion, call an administrative conference for the  
40 purpose of reviewing that MSP. Procedures governing such administrative conferences  
41 shall be in accordance with SCC 10.01.060(6). Upon accepting a petition for review the  
42 administrator may, for good cause shown, temporarily stay the force and effect of all or  
43 any part of the MSP until the review is finally adjudicated. The administrator may  
44 reaffirm, modify or rescind all or any part of the MSP being reviewed, provided that  
45 permanent modifications or rescission may only take place following an administrative  
46 conference.

1  
2 (6) Administrative Procedures.  
3

4 (a) The administrator shall adopt rules and regulations governing the application  
5 for and granting of MSPs, including provision for notice and/or administrative  
6 conferences. The administrator shall have authority to:  
7

8 (i) Receive and examine available information,  
9

10 (ii) Make decisions,  
11

12 (iii) At his/her discretion, hold administrative conferences for the settlement or  
13 simplification of the issues,  
14

15 (iv) Dispose of procedural requests or similar matters, and  
16

17 (v) Take any action authorized by or necessary to carry out this section.  
18

19 (b) No technical or economic MSP may be granted without due notice to the public  
20 and opportunity to comment. If comments in opposition to the granting of the MSP  
21 are received, no technical or economic MSP may be granted until after an  
22 administrative conference has been held.  
23

24 (c) Temporary MSPs may be granted by the administrator upon application.  
25

26 (d) Notice of a MSP request and/or administrative conference shall be as provided  
27 in Section 30.70.045(1), (2) and (3) except that the time and place for the  
28 administrative conference shall be set by the administrator and the notices shall be  
29 mailed to all property owners and residents within 500 feet of the property line of  
30 the lot containing the noise source, provided that if the MSP being requested is  
31 related to a mining use or operation the notice shall be provided to all property  
32 owners and residents within 1,500 feet. Preparation and mailing of notice to such  
33 owners and residents on applications involving repair, replacement, or construction  
34 of a public highway shall be the responsibility of the applicant.  
35

36 The administrator's decision shall be final and may be appealed in the manner  
37 provided in SCC 10.01.060 (8).  
38

39 (7) Renewal. MSPs, except temporary MSPs, granted under chapter 10.01 may be  
40 renewed on terms and conditions and for periods which would be appropriate on the  
41 initial granting of a MSP. No renewal of a technical or economic MSP shall be granted  
42 except on application made at least sixty days prior to the expiration of the MSP.  
43

44 (8) Appeals. Any person aggrieved by the denial, granting or the terms and conditions of  
45 the grant of a noise MSP by the administrator may appeal such decision to the hearing  
46 examiner under the following procedures:

(a) Appeals shall be filed and processed pursuant to the provisions of chapter 2.02 SCC.

(b) At the hearing, the appellant shall have the burden of proof, which burden shall be met by a preponderance of the evidence.

(c) The decision of the examiner shall be final and conclusive with an optional right of reconsideration as provided in SCC ((2.02.167)) 2.02.170 and may then be reviewable by an action for writ of review filed in Snohomish county superior court as provided in chapter 2.02 SCC; except as may be limited by chapters 43.21C RCW, 197-11 WAC and 30.61 SCC.

(9) **Suspension of Enforcement Action.** An owner or possessor of a pre-existing use or activity for which a MSP has been requested shall be free from enforcement action regarding the noise covered in the MSP application until such time as the MSP has been granted or denied.

1 Section 7. Snohomish County Code Section 30.22.110, last amended by Amended Ordinance No. 15-009 on May 6,  
 2 2015, is amended to read:

3  
 4 **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 <sup>62</sup>	A	A	A	A				A	A	A	A
Agriculture <sup>41</sup>	P	P	P	P	P	P	P	P	P	P	P
Airport: Stage 1 Utility <sup>1</sup>	C	C	C <sup>115</sup>					C			
Antique Shop	C		C <sup>45, 115</sup>	P <sup>79</sup>	P						
Art Gallery <sup>41</sup>	C		C <sup>115</sup>	P <sup>79</sup>	P						
Asphalt Batch Plant & Continuous Mix Asphalt Plant											P
Auto Repair, Minor				P <sup>78</sup>	P	P					
Auto Towing	C		C								
Bakery				P <sup>78</sup>	P						
Bakery, Farm <sup>97</sup>	P	P	P	P			P		P	P	
Bed and Breakfast Guesthouse <sup>58</sup>	C		C <sup>115</sup>	P				C	C	A	

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Bed and Breakfast Inn <sup>58</sup>	C		C <sup>115</sup>	P				C	C	C	
Boarding House	P <sup>15</sup>	P <sup>15</sup>	P <sup>15, 115</sup>					P <sup>15</sup>		P <sup>15</sup>	
Boat Launch, Commercial <sup>31</sup>		C							C		
Boat Launch, Non-commercial <sup>31</sup>	C		C	C				C	C		
Campground								A <sup>32,127</sup>	C <sup>32</sup>		
Caretaker's Quarters	P		C				P				P
Cemetery, Columbarium, Crematorium, Mausoleum <sup>41</sup>	P		C <sup>115</sup>								
Church <sup>41, 129</sup>	P		C <sup>115</sup>	C	P						
Cold Storage							P				
Commercial Vehicle Home Basing			C <sup>33</sup>								
Commercial Vehicle Storage Facility				C			P				
Community Club	P		C <sup>115</sup>	P	P						
Community Facilities for Juveniles <sup>103</sup>											

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
1 to 8 residents			P <sup>102, 115</sup>	P	P						
9 to 24 residents			S <sup>103, 115</sup>	P	P						
Construction Contracting				P <sup>80, 81</sup>							
Country Club	C		C <sup>115</sup>	P							
Craft Shop <sup>21</sup>				P							
Dams, Power Plants, & Associated Uses									P		
Day Care Center <sup>2, 129</sup>	P		C <sup>115</sup>	P	P	P					
Distillation of Alcohol	C <sup>34</sup>		C <sup>34, 115</sup>							C <sup>34</sup>	
Dock & Boathouse, Private, Non-commercial <sup>3, 41</sup>	P	P	P	P				P	P	P	
Drug Store				P <sup>79</sup>	P						
Dwelling, Duplex	P	P	P					P		P	
Dwelling, Mobile Home	P	P	P		P <sup>6</sup>			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
Dwelling, Single Family	P	P	P		P			P	P	P	P
Equestrian Center <sup>41, 70, 72</sup>	P	C	C <sup>115</sup>					C	P	C <sup>70</sup>	
Excavation & Processing of Minerals <sup>28</sup>	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 <sup>115</sup>	P	P	P	P	P	P	P	P
Fallout Shelter, Joint <sup>7</sup>	P		P	P	P	P	P	P	P	P	P
Family Day Care Home <sup>8, 130</sup>	P		P <sup>115</sup>	P	P			P		P	
Farm Product Processing											
Up to 5,000 sq ft	P	P	P <sup>115</sup>	P			P	P		P	
Over 5,000 sq ft <sup>94</sup>	A	A	A <sup>115</sup>	A			A	A		A	
Farm Support Business <sup>94</sup>	A	A	A <sup>115</sup>	A			P			A	
Farm Stand											

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Up to 400 sq ft <sup>9</sup>	P	P	P <sup>100, 115</sup>	P	P	P	P	P	P	P	P
401 - 5,000 sq ft <sup>99, 100</sup>	P	P	P, A <sup>100</sup>	P	P	P	P	P	P	P	
<b>Farm Workers Dwelling</b>										P <sup>10</sup>	
<b>Farmers Market</b> <sup>93</sup>	P	P	P <sup>101</sup>  A <sup>101, 115</sup>	P	P	P	P			P	
<b>Farmland Enterprises</b> <sup>95</sup>		A	A <sup>115</sup>							A	
<b>Fish Farm</b>	P	P	P <sup>115</sup>					P	P	P	
<b>Fix-it Shop</b>				P <sup>78</sup>	P		P				
<b>Forestry</b>	P	P	P				P	P	P	P	P
<b>Forestry Industry Storage &amp; Maintenance Facility</b>	P <sup>30</sup>	P					P	P	P		
<b>Foster Home</b>	P	P	P	P				P		P	
<b>Garage, Detached Private Accessory</b> <sup>60</sup>											



Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	<u>P</u>	P
2,401 - 4,000 sq ft on More than 3 Acres <sup>41, 59</sup>	P	P	P	P	P	P	P	P	P	<u>P</u>	P
2,401 - 4,000 sq ft on Less than 3 acres <sup>41, 59</sup>	A	A	A	A	A	A	A	A	A	<u>A</u>	A
4,001 sq ft and Greater <sup>41, 59</sup>	C	C	C	C	C	C	C	C	C	<u>C</u>	C
<b>Garage, Detached Private Non-accessory</b> <sup>60</sup>											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P
2,401 sq ft and greater <sup>41, 59</sup>	C	C	C	C	C	C	C	C	C	C	C
<b>Golf Course and Driving Range</b> <sup>130</sup>	C		C <sup>115</sup>							C <sup>74</sup>	
<b>Government Structures &amp; Facilities</b> <sup>27, 41</sup>	C	C	C <sup>115</sup>	C	P		C	C	C		C
<b>Greenhouse, Lath House, Nurseries:</b> <sup>52</sup> Retail	P	P	P <sup>115</sup>	P	P		P	P		P	
<b>Greenhouse, Lath House, Nurseries:</b> <sup>52</sup> Wholesale	P	P	P <sup>115</sup>	P	P		P	P		P	
<b>Grocery Store</b>				P <sup>80</sup>	P	P <sup>80</sup>					
<b>Grooming Parlor</b>					P						

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Guesthouse <sup>85</sup>	P	P	P	P				P	P	P	
Hardware Store				p <sup>80</sup>	P						
Hazardous Waste Storage & Treatment Facilities Onsite <sup>65</sup>	P			P		P	P	P	P		
Health and Social Service Facility <sup>90</sup>											
Level I	P	P	p <sup>115</sup>	P	P			P	P		P
Level II <sup>41, 91, 129</sup>			C <sup>115</sup>	C							
Level III											
Home Improvement Center				p <sup>80</sup>	P						
Home Occupation <sup>11, 84</sup>	p <sup>64</sup>	p <sup>64</sup>	p <sup>64</sup>	p <sup>64</sup>	P			p <sup>64</sup>	p <sup>64</sup>	p <sup>64</sup>	p <sup>64</sup>
Homestead Parcel <sup>40</sup>	C		C <sup>115</sup>							C	
Hotel/Motel				P		P					
Kennel, <sup>41</sup> Commercial <sup>12, 130</sup>	P	P	p <sup>115</sup>					P		C	
Kennel, <sup>41</sup> Private-Breeding <sup>13</sup>	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
<b>Kennel,</b> <sup>41</sup> Private-Non-Breeding <sup>13</sup>	P	P	P	P				P		P	
<b>Kitchen, farm</b>	P	P	P	P			P			P	
<b>Library</b> <sup>41</sup>	C		C <sup>115</sup>	P							
<b>Licensed Practitioner</b> <sup>29, 41</sup>				P <sup>79</sup>							
<b>Livestock Auction Facility</b>	C <sup>48</sup>		C <sup>48, 115</sup>		P		P			C <sup>48</sup>	
<b>Locksmith</b>				P	P						
<b>Log Scaling Station</b> <sup>130</sup>	C	C	C <sup>115</sup>				P	P	P	P	
<b>Lumberyard</b>							P				
<b>Manufacturing - All Other Forms Not Specifically Listed</b> <sup>83</sup>				C			C				
<b>Marijuana Collective Garden</b> <sup>124, 126</sup>							P				
<b>Marijuana Collective Garden Dispensary, or Access Point</b> <sup>124, 126</sup>				P							
<b>Marijuana Processing</b> <sup>124</sup>							P			P	
<b>Marijuana Production</b> <sup>124</sup>							P			P	

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
<b>Marijuana Retail</b> <sup>124</sup>				P							
<b>Metal Working Shop</b>				P <sup>78</sup>			P				
<b>Mini-equestrian Center</b> <sup>41, 72</sup>	P	P	P <sup>115</sup>	P			P	P	P	P <sup>71</sup>	
<b>Model Hobby Park</b> <sup>75, 130</sup>			A <sup>115</sup>							A	
<b>Model House/Sales Office</b>	P	P	P <sup>115</sup>					P	P		
<b>Motocross Racetrack</b> <sup>129</sup>			C <sup>113</sup>						C <sup>113</sup>		
<b>Motor Vehicle &amp; Equipment Sales</b>					P <sup>23</sup>						
<b>Museum</b> <sup>41, 130</sup>	C		C <sup>115</sup>	P						C <sup>61</sup>	
<b>Office, General</b>				P	P						
<b>Off-road vehicle use area, private</b>									C <sup>109</sup>		
<b>Park, Public</b> <sup>14, 130</sup>	P	P	P	P	P		P	P	P	P	P
<b>Park-and-Pool Lot</b>				P	P	P	P				
<b>Park-and-Ride Lot</b>	C	C	C	P		P		C	C		

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Personal Services Shop				p <sup>79</sup>	P						
Personal Wireless Communications Facilities <sup>27, 41, 104, 105, 106, 130</sup>	C	C	C	C	C	C	C	C	C	C	C
Petroleum Products & Gas Storage - Bulk							p <sup>43</sup>				
Print shop				P							
Public Events/Assemblies on Farmland <sup>96</sup>										P	
Race Track <sup>24, 41, 129</sup>			C <sup>115</sup>								
Railroad Right-of-way	C	C	C <sup>115</sup>		P		P	C	C	C	C
Recreational Facility Not Otherwise Listed <sup>98</sup>	C		C <sup>115</sup>		P		p <sup>79</sup>	A, C <sub>127</sub>	A, C <sub>127</sub>	C	
Recreational Vehicle <sup>19</sup>	P	P	P					P	P	P	
Recreational Vehicle Park									C		
Resort									C		
Restaurant				p <sup>80</sup>	P	P					

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Retail Store				p <sup>80</sup>	p						
Rural Industries <sup>41</sup>	p <sup>25</sup>										
Sanitary Landfill <sup>129</sup>	C	C	C <sup>115</sup>					C			C
Sawmill	C <sup>26</sup>	C <sup>26</sup>	C <sup>26, 115</sup>				P	P	P		
Schools											
K-12 & Preschool <sup>41, 68, 129</sup>	C		C <sup>115</sup>	P							
College <sup>41, 68</sup>	C		C <sup>115</sup>								
Other <sup>41, 68</sup>				C			C				
Second Hand Store				p <sup>78</sup>	p						
Service Station <sup>41</sup>				P	P	P					
Shake & Shingle Mill	C <sup>26</sup>	C <sup>26</sup>	C <sup>26, 115</sup>				P	P			
Shooting Range <sup>92</sup>	C	C	C					C			
Sludge Utilization <sup>39</sup>	C	C, p <sup>50</sup>	C <sup>115</sup>					C		C	C <sup>56</sup>

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Small Animal Husbandry <sup>41</sup>	P		P		P			P	P	P	P
Specialty Store				P <sup>78</sup>	P						
Stables	P	P	P	P			P	P	P	P	
Stockyard or Slaughter House <sup>129</sup>							C <sup>48</sup>				
Storage, Retail Sales Livestock Feed			P <sup>54, 115</sup>	P			P			P	
Storage Structure, Accessory <sup>60</sup>											
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 <sup>41, 59</sup>	P	P	P	P	P	P	P	P	P	P	P
2,401 - 4,000 sq ft on Less than 3 acres <sup>41, 59</sup>	A	A	A	A	A	A	A	A	A	A	A
4,001 sq ft and Greater <sup>41, 59</sup>	C	C	C	C	C	C	C	C	C	C	C

Storage Structure, Non-accessory <sup>60</sup>											
--	--	--	--	--	--	--	--	--	--	--	--

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P
2,401 sq ft and greater <sup>41, 59</sup>	C	C	C	C	C	C	C	C	C	C	C
Studio <sup>41</sup>	C <sup>77</sup>		C <sup>77, 115</sup>								
Swimming/Wading Pool <sup>17, 41</sup>	P	P	P					P	P	P	P
Tavern <sup>41</sup>				P	P						
Temporary Dwelling During Construction	A	A	A	A	A	A	A	A	A	A	A
Temporary Dwelling For Relative <sup>18</sup>	A	A	A					A	A	A	A
Temporary Logging Crew Quarters								P	P		
Temporary Residential Sales Coach <sup>73</sup>	A		A <sup>115</sup>								
Temporary Woodwaste Recycling <sup>63</sup>	A						A	A			
Temporary Woodwaste Storage <sup>63</sup>	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 <sup>115</sup>	P		P		C	C		
Ultralight Airpark <sup>20</sup>	C	C	C <sup>115</sup>					C			
Utility Facilities, Electromagnetic Transmission & Receiving Facilities <sup>27, 129</sup>	C	C	C	C	P	C	P	C	C	C	C
Utility Facilities, Transmission Wires or Pipes & Supports <sup>27</sup>	P	P	P	P	P	P	P	P	P	P	P
Utility Facilities - All Other Structures <sup>27, 41, 130</sup>	C	C	C	C	P	C	P	C	C	C	C
Veterinary Clinic	P		C <sup>115</sup>	P	P					C	
Wedding Facility <sup>87, 130</sup>		P	P <sup>115</sup>							P	
Woodwaste Recycling <sup>57</sup>	C	C	C				C	C			
Woodwaste Storage <sup>57</sup>	C	C	C				C	C			
Yacht/Boat Club				P			P				
P - Permitted Use		A blank box indicates a use is not allowed in a specific zone.									

<b>A - Administrative Conditional Use</b>	<p>Note: Reference numbers within matrix indicate special conditions apply; see SCC 30.22.130.</p> <p>Check other matrices in this chapter if your use is not listed above.</p>
<b>C - Conditional Use</b>	
<b>S - Special Use</b>	

1

2

- 1 Section 8. Snohomish County Code Section 30.23.032, last amended by Amended Ordinance No. 15-025 on May 6,  
2 2015, is amended to read:  
3 30.23.032 Urban Residential Zone Categories – Bulk Matrix

**Table 30.23.032**  
**URBAN RESIDENTIAL ZONES BULK MATRIX**

	Zone	Lot Dimension (feet) <sup>54</sup>			Minimum Setback Requirements From (feet) <sup>11, 33</sup>							Max. Lot Coverage <sup>8</sup>
		Min. Lot Area <sup>29</sup> (sq. ft.)	Min. Lot Width	Max. Bldg. Height <sup>27, 64</sup>	Side and Rear Lot Lines Adjacent to:				Resource Lands		Seismic Hazards	
					Commercial & Industrial zones	R-9,600, R-8,400 & R-7,200	Other Urban Residential zones	Rural zones	Ag	Forest		
Urban Residential	R-9,600	9,600 <sup>23</sup>	70	30	10	5	5	5	See SCC 30.32B.130	See SCC 30.32A.110	See chapters 30.51A and 30.62B SCC	35%
	R-8,400	8,400 <sup>23</sup>	65	30	10	5	5	5				35%
	R-7,200	7,200 <sup>23</sup>	60	30	10	5	5	5				35%
	T (buildings ≤ 20 feet high) <sup>59</sup>	See SCC 30.31E.050		35	10	10	5	25				See SCC 30.31E.050
	T (buildings > 20 feet high) <sup>59</sup>				15	20	10					
	LDMR (buildings ≤ 20 feet high) <sup>15, 59, 61, 62</sup>	7,200 <sup>4</sup>	60	45	10	10	5	25				30%
	LDMR (buildings 20 - 30 feet high) <sup>15, 59, 61, 62</sup>				10	20	10					
	LDMR (buildings > 30 feet high) <sup>15, 59, 61, 62</sup>				15	25	15					
	MR (buildings ≤ 20 feet high) <sup>15, 59, 61, 62</sup>	7,200 <sup>5</sup>	60	45	10	10	5	25				40%
	MR (buildings 20 - 30 feet high) <sup>15, 59, 61, 62</sup>				10	20	10					
MR (buildings > 30 feet high) <sup>15, 59, 61, 62</sup>	15				25	15						
	MHP	<sup>55</sup>	None	25	See SCC ((30.41E.100(5)(a))) 30.42E.100(5)(a))						50%	

- 4 Notes:  
5 See SCC 30.23.040 for reference notes listed in Table 30.23.032.

1 Section 9. Snohomish County Code Section 30.23.040, last amended by Ordinance  
2 No. 15-103 on January 11, 2016, is amended to read:

3  
4 **30.23.040 Reference notes for SCC Tables 30.23.030 and 30.23.032.**

5 (1) MR bulk requirements shall apply for all residential development permitted in urban  
6 commercial zones.

7  
8 (2) When subdivisionally described, the minimum lot area shall be 1/128th of a section.

9  
10 (3) When subdivisionally described, the minimum lot area shall be 1/32nd of a section.

11  
12 (4) In the LDMR zone, the maximum density shall be calculated based on 4,000 square  
13 feet of land per dwelling unit.

14  
15 (5) In the MR zone, the maximum density shall be calculated based on 2,000 square  
16 feet of land per dwelling unit.

17  
18 (6) Commercial forestry structures shall not exceed 65 feet in height.

19  
20 (7) Non-residential structures shall not exceed 45 feet in height.

21  
22 (8) Lot coverage includes all buildings on the given lot.

23  
24 (9) RESERVED for future use.

25  
26 (10) RESERVED for future use.

27  
28 (11) These setbacks shall be measured from the property line.

29  
30 (12) Greater setbacks than those listed may apply to areas subject to Shoreline  
31 Management Program jurisdiction or critical areas regulations in chapter 30.62A,  
32 30.62B, 30.62C and 30.67 SCC. Some uses have special setbacks identified in SCC  
33 30.23.110.

34  
35 (13) The listed setbacks apply where the adjacent property is zoned F. In all other  
36 cases, setbacks are the same as in the R-8,400 zone. In the F zone, the setbacks for  
37 residential structures on 10 acres or less which were legally created prior to being  
38 zoned to F shall be the same as in the R-8,400 zone.

39  
40 (14) RESERVED for future use.

41  
42 (15) See SCC 30.23.300.

43  
44 (16) In the FS zone, the setback from non-residential property shall be five feet for side  
45 setbacks and 15 feet for rear setbacks.

1 (17) In the IP zone there shall be an additional one foot setback for every one foot of  
2 building height over 45 feet.

3  
4 (18) RESERVED for future use.

5  
6 (19) See SCC 30.31A.020(1) and (2) which specify the minimum area of a tract of land  
7 necessary for PCB or BP zoning.

8  
9 (20) See additional setback provisions for dwellings located along the boundaries of  
10 designated farmland contained in SCC 30.32B.130.

11  
12 (21) See additional setback provisions for structures located adjacent to forest lands,  
13 and/or on lands designated local forest or commercial forest contained in SCC  
14 30.32A.110.

15  
16 (22) The minimum lot size for properties designated Rural Residential (RR)--10  
17 (Resource Transition) on the comprehensive plan shall be 10 acres.

18  
19 (23) Minimum lot area requirements may be modified within UGAs in accordance with  
20 SCC 30.23.020.

21  
22 (24) In rural cluster subdivisions approved in accordance with the provisions of chapter  
23 30.41C SCC, the minimum lot area shall be as provided in SCC 30.23.220. The  
24 maximum lot area shall be 20,000 square feet or less when located in rural/urban  
25 transition areas.

26  
27 (25) RESERVED for future use.

28  
29 (26) RESERVED for future use.

30  
31 (27) See SCC 30.23.050 for height limit exceptions. See also SCC 30.67.460 for height  
32 limit requirements within shoreline jurisdiction.

33  
34 (28) RESERVED for future use.

35  
36 (29) See SCC 30.23.200 et seq. for additional lot area requirements and exceptions.

37  
38 (30) SCC 30.32A.120 (Siting of new structures--Commercial forest land) requires an  
39 application for a new structure on parcels designated commercial forest, but not within a  
40 designated commercial forest--forest transition area, to provide a minimum 500-foot  
41 setback, which shall be a resource protection area, from the property boundaries of  
42 adjacent commercial forest lands except that if the size, shape, and/or physical site  
43 constraints of an existing legal lot do not allow a setback of 500 feet, the new structure  
44 shall maintain the maximum setback possible, as determined by the department.

1 (31) Setback requirements for mineral excavation and processing are in SCC  
2 ((30.23.110(26))) 30.23.110(27). Performance standards and permit requirements are in  
3 chapter 30.31D SCC.

4  
5 (32) The site shall be a contiguous geographic area and have a size of not less than 10  
6 acres, except in the case of subsurface shaft excavations, no minimum acreage is  
7 required, pursuant to SCC 30.31D.020(1).

8  
9 (33) See SCC Table 30.28.050(4)(i) for setback requirements for structures containing a  
10 home occupation.

11  
12 (34) RESERVED for future use.

13  
14 (35) See chapter 30.31E SCC, for more complete information on the Townhouse Zone  
15 height, setback, and lot coverage requirements.

16  
17 (36) RESERVED for future use (MR and LDMR setbacks--DELETED by Ord. 05-094,  
18 effective September 29, 2005).

19  
20 (37) Agriculture: All structures used for housing or feeding animals, not including  
21 household pets, shall be located at least 30 feet from all property lines.

22  
23 (38) There shall be no subdivision of land designated commercial forest in the  
24 comprehensive plan except to allow installation of communication and utility facilities if  
25 all the following requirements are met:

26  
27 (a) The facility cannot suitably be located on undesignated land;

28  
29 (b) The installation cannot be accomplished without subdivision;

30  
31 (c) The facility is to be located on the lowest feasible grade of forest land; and

32  
33 (d) The facility removes as little land as possible from timber production.

34  
35 (39) On parcels designated commercial forest, but not within a designated commercial  
36 forest--forest transition area, establish and maintain a minimum 500-foot setback, which  
37 shall be a resource protection area, from the property boundaries of adjacent  
38 commercial forest lands except when the size, shape, and/or physical site constraints of  
39 an existing legal lot do not allow a setback of 500 feet, the new structure shall maintain  
40 the maximum setback possible as provided in SCC 30.32A.120.

41  
42 (40) Land designated local commercial farmland shall not be divided into lots of less  
43 than 10 acres unless a properly executed deed restriction which runs with the land and  
44 which provides that the land divided is to be used exclusively for agricultural purposes  
45 and specifically not for a dwelling(s) is recorded with the Snohomish County auditor.

1 (41) Minimum lot area in the rural use zone shall be the minimum allowed by the zone  
2 identified as the implementing zone by the comprehensive plan for the plan designation  
3 applied to the subject property. Where more than one implementing zone is identified  
4 for the same designation, the minimum lot size shall be that of the zone allowing the  
5 smallest lot size.

6  
7 (42) RESERVED for future use.  
8

9 (43) Additional bulk requirements may apply. Refer to SCC 30.31F.100 and 30.31F.140.  
10

11 (44) The 50 percent maximum lot coverage limitation applies solely to the portion of the  
12 area within the CRC comprehensive plan designation and zone that is centered at 180th  
13 Street SE and SR 9, generally extending between the intersection of 172nd Street/SR 9  
14 to just south of 184th Street/SR 9, as indicated on the County's FLUM and zoning map.  
15

16 (45) The 30 percent maximum lot coverage limitation applies solely to the portion area  
17 located within the CRC comprehensive plan designation and zone that is centered at  
18 State Route (SR) 9 and 164th Street SE, as indicated on the County's Future Land Use  
19 Map (FLUM) and zoning map.  
20

21 (46) Additional setbacks may apply to development within a rural cluster subdivision.  
22 Refer to chapter 30.41C SCC. Residential subdivision is restricted pursuant to SCC  
23 30.32C.150. Uses are restricted where the R-5 zone coincides with the Mineral  
24 Resource Overlay (MRO) to prevent development which would preclude future access  
25 to the mineral resources.  
26

27 (47) RESERVED for future use.  
28

29 (48) RESERVED for future use.  
30

31 (49) RESERVED for future use.  
32

33 (50) RESERVED for future use.  
34

35 (51) RESERVED for future use.  
36

37 (52) See SCC 30.33B.020 for bulk regulations related to existing playing fields on  
38 designated recreational land.  
39

40 (53) RESERVED for future use.  
41

42 (54) A split parcel may be subdivided along the UGA boundary line using one of three  
43 methods. First, a split parcel may be subdivided along the UGA boundary line into two  
44 lots, whereby one lot remains within the UGA and the other lot remains outside the  
45 UGA, pursuant to SCC ((30.41B.010(5))) 30.41B.010(7). Second, a split parcel may be  
46 subdivided as part of a short plat application, pursuant to SCC ((30.41B.010(6)))

1 30.41B.010(8). Finally, a split parcel may be subdivided as part of a plat application,  
2 pursuant to SCC 30.41A.010(3).

3  
4 (55) See SCC 30.42E.100(9)(c).

5  
6 (56) RESERVED for future use.

7  
8 (57) RESERVED for future use.

9  
10 (58) RESERVED for future use.

11  
12 (59) Relationship of setback to building height:

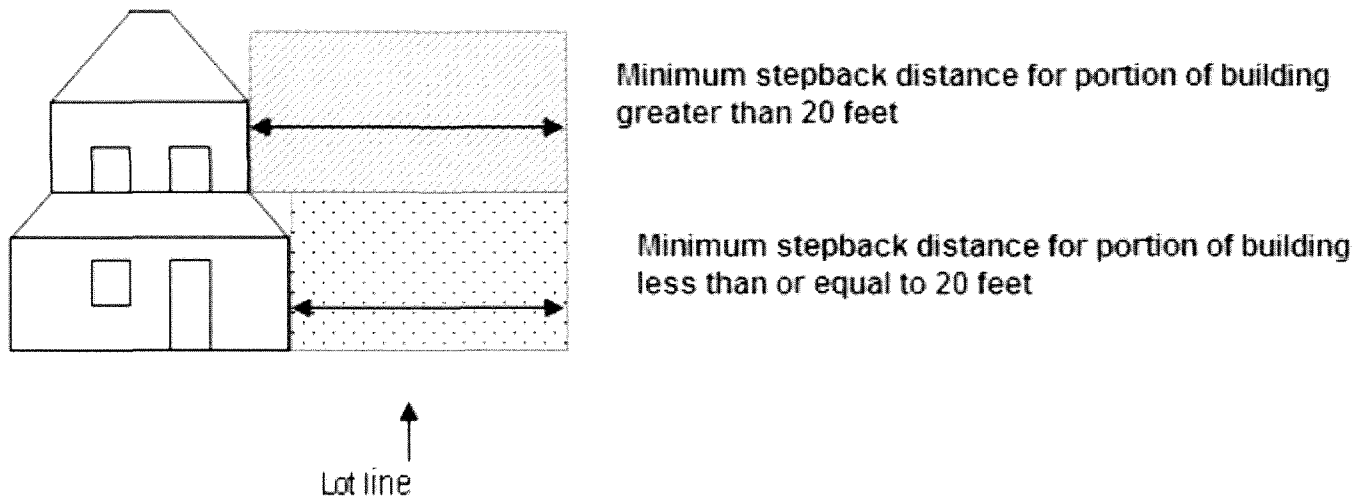
13  
14 The minimum setback requirements are dependent on the heights of the building as  
15 specified in this column. To meet the setback requirements, buildings over 20 feet in  
16 height must either:

17  
18 (a) Set the entire building back the minimum setback distance; or

19  
20 (b) Stepback those portions of the building exceeding 20 feet in height to the  
21 minimum setback distance, as illustrated in Figure 30.23.040(59).  
22

23 **Figure 30.23.040(59)**

24 **Example of relationship of building height to setback**



25  
26 (60) RESERVED for future use.

27  
28 (61) Single-family detached, single-family attached and duplex structures shall comply  
29 with the minimum setbacks required in the R-8,400 zone.  
30



(62) Fencing between single-family detached, single-family attached and duplex structures shall be:

(a) Prohibited in the area that is within five feet of a third story ingress/egress window so ladder access to the third floor window is not impeded; or

(b) Limited to either vegetative, wood, block, concrete or metal that does not exceed 42 inches in height.

(63) Additional building height up to a maximum of 180 feet may be allowed under certain circumstances as provided for in SCC 30.34A.040(1).

(64) If located within an airport compatibility area, building height is subject to the requirements of SCC 30.32E.060.

Section 10. Snohomish County Code Section 30.23.110, last amended by Ordinance No. 15-103 on January 11, 2016, is amended to read:

**30.23.110 Special setbacks for certain uses.**

This section supplements the normal setbacks required by the underlying zone for the specified use.

(1) Agriculture. All structures used for housing or feeding animals, not including household pets, shall be located at least 30 feet from all property lines.

(2) Amusement Facilities. Theaters must be at least 300 feet from the property line of any preschool or K-12 school. Other amusement facilities must be at least 500 feet from the property line of any park, playground, preschool, or K-12 school. Distances shall be measured horizontally by following a straight line from the nearest point in the building in which the amusement facility will be located, to the nearest property line of a parcel which contains a park, playground, preschool, or K-12 school.

(3) Art Gallery. All buildings must be at least 20 feet from any other lot in a residential zone.

(4) Cemetery, Mausoleum, and Crematoriums. All buildings must be at least 50 feet from external boundaries of the property.

(5) Church. All buildings must be at least 25 feet from any other lot in a residential zone.

(6) Dock and Boathouse. Covered structures must be at least three feet from any side lot line or extension thereof. No setback from adjacent properties is required for any uncovered structure, and no setback from the water is required for any structure permitted hereunder, except that setbacks for docks and boathouses located in shoreline jurisdiction are regulated under SCC 30.67.515.

1 (7) Educational Institutions.

2  
3 (a) All buildings shall be set back at least 35 feet from all external property lines;  
4 and

5  
6 (b) All buildings shall be set back from all road network elements, except a  
7 driveway. The setback shall be the greater of either 75 feet from the centerline of a  
8 road network element, or 45 feet from the edge of a road network element.  
9

10 (8) Equestrian Center and Mini-Equestrian Center. Open or covered arenas must be at  
11 least 50 feet from any external property line. New structures located on or adjacent to  
12 lands subject to chapter 30.32A SCC shall comply with all applicable setbacks.  
13

14 (9) Governmental Structure or Facility. All structures must be at least 20 feet from any  
15 other lot in a residential zone.  
16

17 (10) Health and Social Service Facility, Level II. All buildings must be at least 30 feet  
18 from all external property boundaries.  
19

20 (11) Kennel, Commercial; Kennel, Private-Breeding; or Kennel, Private-Non-Breeding.  
21 All animal runs, and all buildings and structures devoted primarily to housing animals,  
22 must be at least 30 feet from all external property lines.  
23

24 (12) Library. All buildings must be at least 20 feet from any other lot in a residential  
25 zone.  
26

27 (13) Museum. All buildings must be at least 20 feet from any other lot in a residential  
28 zone.  
29

30 (14) Office, Licensed Practitioners. All buildings must be at least 20 feet from any other  
31 lot in a residential zone.  
32

33 (15) Race Track. The track must be at least 50 feet from all external property lines.  
34

35 (16) Rural Industry. All buildings and structures, storage areas, or other activities  
36 (except sales stands) occurring outside of a residential structure must be at least 20 feet  
37 from any property line.  
38

39 (17) School, Preschool and K-12.  
40

41 (a) All buildings shall be set back at least 35 feet from all external property lines;  
42 and  
43

44 (b) All buildings shall be set back from all road network elements, except a  
45 driveway. The setback shall be the greater of either 75 feet from the centerline of a  
46 road network element, or 45 feet from the edge of the road network element.

(18) Service Station Pump Island or Canopy. The following setbacks shall be applied from all road network elements, except for a driveway:

(a) The setback for a pump island, where the width of the road network element is less than 60 feet, shall be 45 feet from the centerline of the road network element.

(b) The setback for a pump island, where the road network element is 60 feet or wider, shall be one-half the width of the road network element plus 15 feet.

(c) The setback for a canopy, where the road network element is less than 60 feet, shall be 35 feet from the centerline of the road network element.

(d) The setback for a canopy, where the road network element is 60 feet or wider, shall be one-half the width of the road network element plus five feet.

(19) Small Animal Husbandry. All structures used for housing or feeding animals must be at least 30 feet from all property lines.

(20) Detached accessory or non-accessory storage structures and private garages with building footprints over 2,400 square feet must be at least 15 feet from any external property line; provided, that parcels abutting open space tracts shall have a five-foot setback from the open space. Storage structures and private garages over 4,000 square feet in size must be set back at least 20 feet from any external property line; provided, that parcels abutting open space tracts shall have a five-foot setback from the open space.

(21) RESERVED for future use.

(22) Studio. All buildings must be at least 20 feet from any other lot in a residential, multiple-family, or rural zone. The hearing examiner may require an additional setback distance when necessary to maintain compatibility of the proposed building with residential uses on adjoining properties.

(23) Swimming or Wading Pool. The pool must be at least five feet from any property line.

(24) Tavern. The use must be at least 500 feet from the external property lines of all public school grounds and public parks or playgrounds.

(25) Utility Structures. All structures must be at least 20 feet from any other lot in a residential zone.

(26) Personal Wireless Telecommunications Service Facilities. The setbacks of a wireless communications support structure used for a personal wireless telecommunications service facility shall be measured from the base of the structure to the property line of the parcel on which it is located. Where guy wire supports are used,

1 setbacks shall be measured from the base of the guy wire anchored to the ground,  
2 rather than the base of the structure except as provided for in subsection ~~((25)(a)))~~  
3 (26)(a) of this section.

4  
5 (a) In zones categorized as Rural or Resource under SCC 30.21.020, any public  
6 road right-of-way may be included in the setback calculation. In all other zones  
7 categorized under SCC 30.21.020, public road right-of-way shall not be included in  
8 the setback calculation.

9  
10 (b) Wireless communications support structures shall be set back from a property  
11 line with a minimum of 50 feet except as provided for in subsections (26)(c)  
12 through (e) of this section. For the purposes of this subsection, a wireless  
13 communications support structure's lease area boundaries shall not be considered  
14 property lines.

15  
16 (c) Setbacks may be modified by the approval authority to no less than 20 feet  
17 from a property line only if there is significant existing vegetation, topography, or  
18 some other land feature that will provide a higher level of screening of the facility.  
19 In accordance with SCC 30.25.025(2), a Native Vegetation Retention Area (NVRA)  
20 shall be established and maintained when this provision is used.

21  
22 (d) Wireless communications support structures located on utility support  
23 structures shall have no specific setback requirement.

24  
25 (e) Wireless communications support structures located on parcels adjacent to  
26 forest lands or lands designated local forest shall be set back in accordance with  
27 SCC 30.32A.110.

28  
29 (f) To minimize the potential for birds to collide into antenna support structures,  
30 personal wireless telecommunications services facilities shall not be located within  
31 the recommended construction buffer zone for birds listed as priority species by  
32 the Washington Department of Fish and Wildlife as described in its Management  
33 Recommendations for Washington's Priority Species Volume IV: Birds (May 2004),  
34 or listed as endangered or threatened species under the federal Endangered  
35 Species Act (64 CFR 14307), and as amended, unless the applicant demonstrates  
36 that the proposed location will not have a significant impact on such birds.

37  
38 (g) In no case shall a wireless communications support structure be constructed so  
39 that its base is closer to an existing dwelling than a distance equal to the height of  
40 the wireless communications support structure, unless the owner of such dwelling  
41 consents in writing that a closer distance is permitted.

42  
43 (27) Excavation and Processing of Minerals.

44  
45 (a) Minimum setbacks, as measured from the nearest edge of active mining or  
46 processing, shall be established as follows:

- (i) Distance from property line: 50 feet;
- (ii) Distance from any public road or right-of-way: 50 feet;
- (iii) Distance from residences: 100 feet; provided, that the residence is located on a site(s) designated and zoned for residential use;
- (iv) Distance from parks, schools, hospitals and/or libraries in existence at the time of permit application: one-fourth mile (1,320 feet);
- (v) Distance from UGA boundary: one-fourth mile (1,320 feet).

(b) No mining, processing or permanent buildings shall be located within the setback.

(c) Structures or buildings associated with mineral operations shall be located at least 100 feet from a developed residential property line.

(28) Marijuana production and marijuana processing. The minimum setback for outdoor marijuana production or marijuana processing facilities shall be at least 50 feet from any property line. The minimum setback for indoor marijuana production or marijuana processing facilities shall be at least 30 feet from any property line.

Section 11. Snohomish County Code Section 30.28.020, amended by Amended Ordinance No. 10-023 on June 9, 2010, is amended to read:

**30.28.020 Bed and breakfast guesthouses and bed and breakfast inns.**

(1) Where bed and breakfast inns and bed and breakfast guesthouses are allowed in the same zone, only one or the other of these facilities may be located on a subject property at the same time. An approved bed and breakfast guesthouse may be expanded to a bed and breakfast inn if a conditional use application for an inn is obtained and the original permit for the guesthouse, if necessary, is vacated.

(2) Submittal requirements to accompany a conditional use or building permit application:

(a) Site plan requirements. The site plan shall indicate the location of the off-street parking, proposed screening, the location and size of the bed and breakfast inn, and any proposed new construction to the premises, including additions, remodeling, and outbuildings; and

(b) Architectural requirements. For new construction only, the following shall apply:

(i) the applicant shall submit proposed architectural drawings and renderings of the proposed structure, including exterior elevations, which shall project a

1 residential, rather than a commercial appearance. This architectural  
2 documentation shall be in sufficient detail to demonstrate discernible  
3 compatibility between the new construction and the existing on-site  
4 development and structures; provided further that the applicant also shall  
5 document a design which, in scale, bulk, siding, and use of materials, is in  
6 keeping with existing buildings on adjacent properties and compatible with the  
7 surrounding character and neighborhood in which the guesthouse or inn is  
8 located; and  
9

10 (ii) if an outbuilding or outbuildings are proposed, a land disturbing activity plan,  
11 showing the extent of clearing activity, is required. Site design shall be sensitive  
12 to the natural features of the site. The use of manufactured and mobile homes  
13 is prohibited;  
14

15 (c) Screening: The owner/operator shall provide screening with shrubs, trees,  
16 fencing, and other suitable materials as necessary to minimize the impacts upon  
17 the residential character of the surrounding neighborhood; and  
18

19 (d) Floor plan: The floor plan shall indicate bathrooms to be used by guests and  
20 the location and number of guest rooms.  
21

22 (3) Minimum performance standards:  
23

24 (a) Parking requirements shall be in accordance with SCC Table 30.26.030(1). No  
25 on-street parking shall be allowed;  
26

27 (b) Meal service shall be limited to overnight guests of the establishment. Kitchens  
28 shall not be allowed in individual guest rooms;  
29

30 (c) The owner shall operate the facility and reside on the premises;  
31

32 (d) One sign for business identification and advertising shall be permitted in  
33 conjunction with the bed and breakfast establishment in accordance with SCC  
34 30.27.060(4);  
35

36 (e) The bed and breakfast establishment shall be conducted in such a manner as  
37 to give no outward appearance nor manifest any characteristics of a business,  
38 except as to the sign as allowed above, that would be incompatible with the ability  
39 of the neighboring residents to enjoy peaceful occupancy of their properties;  
40

41 (f) Guests shall be permitted to stay at the establishment for not more than 10  
42 consecutive days at a time;  
43

44 (g) The applicant shall submit a letter from the applicable water purveyor and  
45 sewer district, if applicable, stating that each of them has the respective capacity to  
46 serve the bed and breakfast inn;

(h) The applicant shall comply with all applicable county codes for fire, health, and building requirements and any applicable food service regulations and on-site sewage disposal requirements of the Snohomish Health District. The applicant shall comply with the applicable state regulations pertaining to public water systems, if a water system is to be developed or connected to an existing public water system;

(i) If three or more guest rooms are proposed, the applicant shall also meet state regulations pertaining to transient accommodation;

(j) If six guest rooms are proposed, the applicant shall meet all requirements for a hotel occupancy pursuant to the building code in chapter 30.52A SCC.

(k) If outbuilding(s) are proposed for guest rooms, each outbuilding shall be a minimum of 130 square feet. The aggregate outbuilding square footage for guest use shall not exceed 850 square feet; and

(l) If an accessory apartment or temporary dwelling exists on the premises, the maximum number of bed and breakfast guest rooms shall be one less than otherwise permitted.

(4) A certificate of occupancy, to ensure compliance with applicable codes, shall be obtained from the department prior to allowing guests at the establishment. The certificate of occupancy shall be subject to an annual inspection and renewal pursuant to SCC ((30.53A.060)) 30.53A.361.

(5) In the Forestry (F) zone, bed and breakfast establishments shall not be permitted if the comprehensive plan designates the property as "Commercial Forest." In the F zone, up to three outbuildings for guest use may be permitted, provided that the aggregate outbuilding square footage does not exceed 850 square feet.

Section 12. Snohomish County Code Section 30.28.050, last amended by Amended Ordinance No. 13-086 on November 13, 2013, is amended to read:

**30.28.050 Home occupation.**

To verify that a home occupation use is allowed in a particular zone see SCC 30.22.100, 30.22.110, and 30.22.120.

**(1) General.**

(a) Not more than one person outside the family shall be employed.

(b) The occupation shall be secondary to the use of the dwelling for dwelling purposes.

1 (c) There shall be no external display of merchandise. No sales or fees for the use  
2 of merchandise except that produced by the inhabitants shall be made in the  
3 dwelling or on the premises.

4  
5 (d) The maximum nameplate horsepower rating of any single piece of mechanical  
6 equipment used in the home occupation shall be five horsepower, and no  
7 equipment shall be three-phase motors. The electrical service for the home  
8 occupation shall not exceed 200 amps.

9  
10 (e) Not more than one-fourth of the total square footage of the dwelling may be  
11 used in the occupation.

12  
13 (f) Signs in connection with the occupation shall be unlighted, shall not exceed two  
14 square feet, and shall be attached flat to the building.

15  
16 (g) The home occupation shall in no way affect the appearance of the building as a  
17 residence.

18  
19 (h) The home occupation shall be fully enclosed within the residence with no  
20 outside storage of equipment or materials.

21  
22 (2) Winemaking in detached accessory structures shall be permitted as a home  
23 occupation in the R 9,600 zone, provided that the winery complies with the following:

24  
25 (a) The home occupant operates under and maintains annual renewals of a valid  
26 domestic winery license originally issued by the Washington Department of  
27 Licensing, Business and Professionals Division pursuant to the rules and  
28 regulations of the state Liquor Control Board before November 1, 2003;

29  
30 (b) The existing detached accessory structure is located on a lot at least 0.5 acres  
31 in size;

32  
33 (c) The accessory structure does not exceed 2,500 square feet in gross floor area;

34  
35 (d) The accessory structure meets a minimum setback of five feet from the  
36 property line;

37  
38 (e) The accessory structure meets a building separation of at least 10 feet;

39  
40 (f) The winery complies with subsection (1)(f) of this section. The remaining  
41 provisions of subsection (1) of this section do not apply.

42  
43 (g) Temporary outside storage of materials and equipment used in the production  
44 and transport of wine is outside of the setback area; and  
45



(h) A certificate of occupancy is obtained from the department. The certificate of occupancy shall be subject to an annual inspection and renewal pursuant to SCC ((30.53A.060)) 30.53A.361.

(3) Use of accessory buildings. Home occupations may be conducted in an accessory building and/or an attached garage in accordance with the following:

(a) The provisions of subsections (1)(a), (c), (d), and (f) of this section shall be met:

(b) A minimum lot size of one acre is required;

(c) SCC Table 30.28.050(3)(c) identifies the maximum allowable, combined accessory building and attached garage area and the minimum required building setback for the garage and/or the accessory building from adjacent residentially zoned properties according to the home occupation lot or parcel size; except that in the rural business zone the requirements of the table shall not apply, and a maximum allowable combined accessory building and attached garage area of 1,000 square feet shall be permitted, and the minimum building setback from adjacent residentially-zoned property shall be 30 feet.

**Table 30.28.050(3)(c)**

**HOME OCCUPATION  
MAXIMUM FLOOR AREA/MINIMUM BUILDING SETBACK**

	One acre	Two acre	Three acre	Four acre	Five or more acres
Area (sq. ft.)	500	600	700	800	900
Setback (ft.)	30	40	50	60	70

(d) The home occupation shall in no way affect the appearance of the accessory building and/or the attached garage as accessory to the residential dwelling;

(e) The home occupation shall be fully enclosed within the accessory building and/or the attached garage including no outside storage of equipment or materials;

(f) The home occupation shall not create a level of noise vibration, smoke, dust, odors, heat, light, or glare beyond that which is acceptable in a residential area;

(g) The following activities, including any similar activities, are prohibited as home occupations: minor or major automobile, truck or heavy equipment fueling, maintenance or repair; auto-body work or painting; parking or storage of heavy equipment; and any Group H occupancies as defined in the building code except for woodworking and spray finishing in conjunction with woodworking activities;

(h) The home occupation hours of operation shall be limited to: 8:00 a.m. to 8:00 p.m., Monday through Friday; and 9:00 a.m. to 5:00 p.m., Saturday and Sunday; and

(i) A certificate of occupancy shall be obtained from the department prior to commencing the home occupation to ensure building and fire code compliance. The certificate of occupancy shall be subject to an annual inspection and renewal pursuant to SCC ((30.53A.060)) 30.53A.361.

(4) Resource-based and rural home occupations. Home occupations that are related to mineral, agriculture or forestry resources, or related to rural residential land uses may use the provisions of this subsection instead of the provisions of subsection (3) of this section. When the provisions of this subsection are used, the provisions of subsection (3) of this section shall not be used and all provisions of this subsection shall be met. Home occupations shall be subject to the following:

(a) A resource related home occupation shall be a resource-based business that is dependent upon mineral, agriculture, or forestry resources for its existence;

(b) A home occupation related to a rural residential land use shall be a rural residential-based business that either provides a service or creates a product primarily used in a rural area;

(c) The provisions of subsection (1)(f) of this section shall be met;

(d) The home occupation shall in no way affect the appearance of the accessory building and/or attached garage as accessory to the residential dwelling;

(e) The home occupation hours shall be limited to: 7:00 a.m. to 8:00 p.m., Monday through Friday; and 9:00 a.m. to 5:00 p.m., Saturday and Sunday;

(f) A certificate of occupancy shall be obtained from the department prior to commencing the home occupation to ensure building and fire code compliance. The certificate of occupancy shall be subject to an annual inspection and renewal pursuant to SCC ((30.53A.060)) 30.53A.361;

(g) Except for the outside storage area permitted in subsection (4)(j) of this section, the home occupation shall be fully enclosed within an accessory building and/or an attached garage;

(h) A minimum lot size of one acre is required;

(i) SCC Table 30.28.050(4)(i) identifies the maximum allowable combined accessory building and attached garage area and maximum allowable outside storage area that may be used for the home occupation, and minimum side and

1 rear yard setback required for the garage and/or accessory building from adjacent  
2 residentially-zoned properties;  
3

Table 30.28.050(4)(i)

HOME OCCUPATION MINIMUM SETBACKS & MAXIMUM ALLOWED AREA

	One acre	Two Acres	Three Acres	Four Acres	Five Acres	Ten or More Acres
Building Area (sq. ft.)	1,000	2,000	3,000	4,000	5,000	7,000
Storage Area (sq. ft.)	2,500	2,500	3,000	4,000	5,000	7,000
Setback (ft.)	40	50	60	75	85	100

4  
5 (j) Outside storage shall be enclosed with a solid fence or landscaped with a sight-  
6 obscuring vegetative screen effective in screening the area from adjacent  
7 properties and public roads;

8  
9 (k) The combined accessory building and attached garage area used for the home  
10 occupations shall not exceed 7,000 square feet. Any accessory building 4,000  
11 square feet or larger used for a home occupation pursuant to this subsection shall  
12 be screened from adjacent rural residential properties by Type A landscaping  
13 consistent with SCC Table 30.25.020(1) provisions along the length of the building  
14 when any portion of the building is within 100 feet of a property boundary or public  
15 right-of-way;

16  
17 (l) The parking area for any commercial vehicles used in the conduct of the home  
18 occupation and all but three vehicles of persons employed in the home occupation  
19 shall be located either indoors or within the outside storage area specified in  
20 subsection (4)(j) of this section;

21  
22 (m) The home occupation shall comply with applicable county code pertaining to  
23 maximum noise levels, drainage and dust control, and shall shield outdoor lighting  
24 and glare from adjacent residential properties;

25  
26 (n) The home occupation shall not employ more than three persons outside the  
27 family who perform work on the site; and

28  
29 (o) The following activities, including any similar activities, are prohibited as rural  
30 home occupations: processing of minerals, sawmills, retail or wholesale sale of  
31 motor vehicles, major and minor automobile repair (except repair of vehicles and  
32 equipment used in a rural residential based or resource-based home occupation  
33 business), motor vehicle body work or painting, and any Group H occupancies as

1 defined in the building code, except for woodworking and spray finishing in  
2 conjunction with woodworking activities.

3  
4 (5) The following activities, including any similar activities, are prohibited as home  
5 occupations in all zones: marijuana production, marijuana processing, marijuana retail,  
6 marijuana collective gardens, marijuana collective garden dispensaries, and marijuana  
7 access points.

8  
9 Section 13. Snohomish County Code Section 30.28.105, last amended by Amended  
10 Ordinance No. 13-050 on August 28, 2013, is amended to read:

11  
12 **30.28.105 Motocross racetracks--submittal requirements, development standards**  
13 **and operation plan.**

14  
15 (1) Submittal requirements. Conditional use permit applications for a proposed  
16 motocross racetrack are subject to the submittal requirements of SCC 30.70.030 and  
17 shall include the following additional information:

18  
19 (a) A proposed motocross racetrack site plan pursuant to subsection (3) of this  
20 section, which shall be clear, precise, and drawn to scale.

21  
22 (b) A proposed motocross racetrack operations plan pursuant to subsection (4) of  
23 this section.

24  
25 (c) The following maps, which may be submitted separately or included with the  
26 proposed motocross racetrack site plan required by subsection (3) of this section:

27  
28 (i) a vicinity map;

29  
30 (ii) a DNR forest grade map of the property when located on commercial forest  
31 land, if available; and

32  
33 (iii) a map depicting surrounding land uses at a scale no smaller than 50 feet to  
34 one inch. Distances from existing residential dwelling units, bed and breakfast  
35 inns or guesthouses, schools, resorts, and level I and level II health and social  
36 service facilities shall be noted on the site plan. Owners of such properties  
37 located within 2,000 feet of the motocross racetrack boundaries shall be  
38 identified by name and address on a map.

39  
40 (d) A signed statement agreeing to indemnify and hold harmless the county, its  
41 employees, agents, representatives, and elected and appointed officials from any  
42 and all claims made against them arising from the operation or use of the  
43 motocross racetrack. If the motocross racetrack operator designated pursuant to  
44 subsection (4)(a) of this section is a person or an entity other than the applicant for  
45 the motocross racetrack permit, then that person or entity shall also submit a  
46 signed statement agreeing to indemnify and hold harmless the county, its

employees, agents, representatives, and elected and appointed officials from any and all claims made against them arising from the operation or use of the motocross racetrack.

(e) A traffic study providing information on the number of new vehicle trips generated by the racetrack use (both competitive events and daily use), and the distribution and impact of these new vehicle trips on the road system consistent with the requirements of chapter 30.66B SCC.

(2) Development standards. Conditional use permits for motocross racetracks shall require compliance with the site plan and operations plan approved by the hearing examiner pursuant to subsections (3) and (4) of this section, respectively, and shall include conditions that ensure compliance with the following requirements:

(a) Motocross racetracks shall be located so as to minimize impacts to adjacent and nearby properties and other land uses. The development activity areas on motocross racetrack site shall be located no less than 500 feet from the property boundary of any existing residential dwelling unit, bed and breakfast inn or guesthouse, school, resort, or level I or level II health and social service facility, unless the conditional use permit application includes a written affidavit from the current owner of the residence or facility approving of the proposed motocross racetrack.

(b) Motocross racetracks located on commercial forest land shall be planned and designed so as to minimize the disturbance and conversion of commercial forest land. To the greatest extent possible, development activity shall be located on the lowest feasible timber land grade available on the subject property as graded by DNR or other grading system approved by the department.

(c) Motocross racetracks shall provide a minimum 100 feet wide vegetated area surrounding the development activity area of the site. Private access drives to and from private and public roadways may extend through the vegetated area. The vegetated area shall be effective in providing a visual screen from adjacent properties comparable to the Type A perimeter landscaping requirement of SCC 30.25.020(2), except as provided in subsection (2)(d) of this section.

(d) Motocross racetracks located on commercial forest land shall provide a perimeter buffer area with an average width of no less than 1,000 feet; provided, that no buffer shall be less than 500 feet in width. The buffer area need not provide a visual screen, but shall be retained and managed as commercial forest land.

(e) Motocross racetracks shall not exceed the maximum sound levels at the site's property boundaries as specified in chapter 10.01 SCC. The applicant for a motocross racetrack shall submit a noise study prepared by a qualified professional that identifies projected noise levels at the site's property boundaries. The projected noise levels in the study shall be based upon the worst-case noise

1 generation scenario for the racetrack use. When projected noise levels exceed  
2 maximum levels permitted by county code, noise mitigation measures shall be  
3 included in the proposal to reduce noise levels to acceptable levels. Noise  
4 mitigation berms may be used to reduce noise levels. Noise mitigation berms may  
5 be placed in the perimeter vegetated area required by subsection (2)(c) of this  
6 section. The county may request third party verification of the noise study results at  
7 the expense of the applicant.

8  
9 (f) Parking shall only be allowed in approved parking areas or in campgrounds, and  
10 shall not be permitted in the rights-of-way of county access roads. The number of  
11 parking spaces to be required for all types of vehicles shall be determined pursuant  
12 to SCC 30.26.035.

13  
14 (g) Signage shall be allowed pursuant to SCC 30.27.060(5).

15  
16 (h) Campgrounds may be located within a motocross racetrack boundary.  
17 Campground design shall be considered in conjunction with a motocross racetrack  
18 conditional use permit review subject to all applicable regulations including but not  
19 limited to SCC 30.22.130(32) and chapter 7.24 SCC.

20  
21 (i) Conditional use permit contact information, indemnification documentation, and  
22 required affidavits shall be kept current. Within two weeks of any transfer of  
23 ownership or responsibility, the contact information, indemnification  
24 documentation, including the agency name, contact name, address, and telephone  
25 and fax numbers, shall be submitted to the department referencing the conditional  
26 use permit file number.

27  
28 (3) Motocross racetrack site plan. Site plans submitted for a proposed motocross  
29 racetrack pursuant to subsection (1) of this section shall be approved by the hearing  
30 examiner, consistent with motocross racetrack permit conditions imposed pursuant to  
31 subsection (2) of this section. A motocross racetrack site plan must include the  
32 following:

33  
34 (a) One or more maps showing:

35  
36 (i) the area and dimension of the proposed motocross racetrack components  
37 and perimeter vegetated areas.

38  
39 (ii) all adjoining rights-of-way and access points.

40  
41 (iii) the location of all existing and proposed uses, access drives and  
42 connections to public and private roads, and perimeter setbacks required by  
43 SCC 30.32A.120, as well as the dimensions of any existing or proposed  
44 structure, parking area, camping area, or special activity area.

(iv) critical areas located on the subject property pursuant to the requirements of chapters 30.62A, 30.62B and 30.62C SCC.

(v) the location of all signage, including boundary, interpretative, regulatory, safety and directional signage.

(vi) the location of all required on-site waste collection facilities.

(vii) the location and directional orientation of all lights.

(b) Narrative text addressing each of the following:

(i) the name of the applicant and contact person(s).

(ii) the location of the proposed motocross racetrack site and the physical characteristics of the site.

(iii) if the proposed motocross racetrack is to be developed in phases, a description of each project phase, and a timetable for completion.

(iv) the name of the proposed motocross racetrack.

(v) the name of the property/track owner and operator, with address and phone numbers.

(vi) a legal description of the proposed motocross racetrack site.

(vii) the name, address and telephone number of the firm that prepared the site plan.

(4) Motocross racetrack operations plan. Operations plans submitted for a proposed motocross racetrack pursuant to subsection (1) of this section shall be approved by the hearing examiner, consistent with permit conditions imposed pursuant to subsection (2) of this section. A motocross racetrack operations plan must address the following:

(a) The name, address and phone number of the property owner, or an entity authorized by the property owner, that will be responsible for operation of the proposed motocross racetrack.

(b) The type and number of annual motocross competitive events that will occur at the motocross racetrack, including the anticipated number of riders and spectators at a typical competitive event.

(c) A description of the daily use of the motocross racetrack when competitive events are not scheduled.

- (d) Best management practices for proposed motocross racetrack, including construction and maintenance, as well as forest practices stewardship for perimeter buffer areas when located on designated forest lands.
- (e) Environmental monitoring to evaluate environmental impacts of the proposed motocross racetrack, including noise levels at property boundaries, as well as a description of expected impacts on critical areas, visual resources, cultural sites, wildlife and surrounding land uses.
- (f) Development and management of the proposed motocross racetrack, including required or proposed insurance policies.
- (g) Safety training and education for the proposed motocross racetrack users, to be coordinated with dedicated clubs, associations and user groups.
- (h) Security measures to be implemented for the proposed motocross racetrack during competitive events including fencing (if any), boundary protection, accident reporting procedures, spectator management, and trespassing management plans.
- (i) Motocross competitive event programming and management at the proposed motocross racetrack, including traffic/access control, sanitary facilities, fire protection devices and equipment, and crowd/spectator control, which must comply with the requirements of ~~((chapter 6.37))~~ SCC 30.53A.800 through 30.53A.840 for ~~((public events and assemblies))~~ special events. A separate ~~((public events and assemblies))~~ special events permit is not required for each competitive event when the conditional use permit includes conditions that will satisfy ~~((chapter 6.37))~~ SCC 30.53A.800 through 30.53A.840 requirements, and the applicant can demonstrate that monitoring for compliance of all conditions will be accomplished for each event. Compliance with the provisions of chapter 30.53A SCC, Uniform Fire Code, related to fire safety including, but not limited to, emergency vehicle access and water availability shall be required.
- (j) Rules and regulations for the proposed motocross racetrack, which must be posted at the entrance to the racetrack. At a minimum, the rules and regulations for a motocross racetrack must address the following:
- (i) hours of operation for the proposed motocross racetrack and a prohibition on racetrack use outside of those hours. Hours of operation may be limited by the hearing examiner to ensure compatibility of the facility with adjacent properties.
  - (ii) schedules for facility maintenance, as well as waste collection.
  - (iii) a prohibition on motorcycle use in or upon any waters of any stream, bog, river, creek, wetland, or marsh unless specifically permitted by the motocross racetrack permit.



(iv) a requirement that all lighting be directed away from adjoining properties.

(5) Alterations to approved motocross racetrack site plan or operations plan. Proposed alterations to a site plan or operations plan approved for a motocross racetrack pursuant to this section shall be considered a minor permit revision, provided that the revision would minimize environmental damage or improve safety. All other revisions shall be considered major revisions and shall require approval pursuant to the requirements of this section.

Section 14. Snohomish County Code Section 30.63A.815, adopted by Amended Ordinance No. 10-026 on June 9, 2010, is amended to read:

**30.63A.815 Full stormwater site plan submittal requirements.**

(1) Full stormwater site plans shall address minimum requirements 1 through 9 (SCC 30.63A.400 through 30.63A.605). The full stormwater site plan submittal shall include both the items required by ((SCC 30.63A.440)) volume I, chapter 3 of the Drainage Manual and the full stormwater site plan submittal checklist items adopted by the department pursuant to SCC 30.70.030.

(2) Full stormwater site plan submittal requirements require an accurate set of plans and calculations prepared by a professional engineer licensed in Washington State. The plans shall become part of the construction documents and plans prepared for the development activity. The full stormwater site plan shall clearly indicate the nature and extent of the work proposed and how the system shall be maintained and to whom maintenance responsibility shall be assigned.

Section 15. Snohomish County Code Section 30.86.510, last amended by Amended Ordinance No. 10-086 on October 20, 2010, is amended to read:

**30.86.510 Drainage and land disturbing activity fees.**

(1) This section establishes drainage and land disturbing activity fees that apply when drainage or land disturbing activity review is a required component of a permit application or is a condition of a land use approval. Such fees are in addition to any other fees required by law. Construction applications referenced in this code section include applications for grading permits submitted prior to September 30, 2010, and building, right-of-way and land disturbing activity permit applications.

(2) Fees for plan review and inspection of drainage plans and land disturbing activities are established in SCC Table 30.86.510(2)(A) and (B). SCC Table 30.86.510(2)(A) and (B) includes fees for plan review and inspection of independent activities as well as fees for plan review and inspection of multiple activities. Whenever two or more proposed activities subject to fees in SCC Table 30.86.510(2) are submitted concurrently as part of the same project, the applicant shall only pay one fee; the applicable fee shall be the one associated with the proposed activity that meets the highest threshold level in SCC Table 30.86.510(2)(A) and (B).

1 (3) Drainage and land disturbing activity fees shall be based upon the fee table in effect  
2 at the time of payment.

3  
4 (4) For complete applications submitted to the department on or after September 30,  
5 2010, the applicable drainage and land disturbing activity fees in SCC  
6 Table 30.86.510(2)(A) and (B) shall be paid as follows:

7 (a) For applications that require preliminary land use approval or for which site plan  
8 approval is required or requested prior to the submittal of construction applications,  
9 the following percentages of the fees shall be paid as follows:

10 (i) Fifty percent of the fees shall be paid upon submittal of the initial  
11 application(s) for land use or site plan approval;

12 (ii) Twenty-five percent of the fees shall be paid upon submittal of the  
13 construction application(s); and

14 (iii) Twenty-five percent of the fees shall be paid prior to permit issuance;

15 (b) For all other applications, except single-family residential building permit  
16 applications, 75 percent of the fees shall be paid upon submittal of the construction  
17 application(s) and 25 percent of the fees shall be paid prior to permit issuance; and

18 (c) For single-family residential building permit applications, 50 percent of the fees  
19 shall be paid upon submittal of the construction application(s) and 50 percent of  
20 the fees shall be paid prior to permit issuance.

21 (5) When inspection services are requested for complete construction applications  
22 submitted to the department before September 30, 2010, and for which permits or  
23 approvals are issued on or after September 30, 2010, the following percentages of the  
24 applicable fees in SCC Table 30.86.510(2)(A) shall be paid as follows:

25 (a) Fifty percent of the fees shall be paid prior to single-family residential building  
26 permit issuance when the permit application included the submittal of a stormwater  
27 site plan or stormwater pollution prevention plan; and

28 (b) Twenty-five percent of the fees shall be paid prior to permit issuance for all  
29 applications, except as provided above in subsection (5)(a).

Table 30.86.510(2)			
FEES FOR DRAINAGE AND LAND DISTURBING ACTIVITIES			
(A) FEE LEVELS FOR PLAN REVIEW AND INSPECTION <sup>(1)</sup>	DRAINAGE (new, replaced, or new plus replaced ((impervious)) hard surface in square feet)	GRADING (cut or fill in cubic yards, whichever is greater)	FEE
Level 1(a): Drainage only	1 - 1,999		\$ 375
Level 1(b): Grading only		1 - 500	\$ 350
Level 1(a)+(b): Drainage and Grading	1 - 1,999 and 1 - 500		\$ 725
Level 2	2,000 - 4,999 and 0 - 500		\$ 1,575
Level 3	5,000 - 9,999 and/or 501 - 4,999		\$ 2,450
Level 4	10,000 - 39,999 and/or 5,000 - 14,999		\$ 4,800
Level 5	40,000 - 99,999 and/or 15,000 - 69,999		\$ 12,700
Level 6	100,000 or more and/or 70, 000 or more		\$ 34,700
(B) FEE LEVELS FOR PLAN REVIEW AND INSPECTION <sup>(1)</sup>	CLEARING <sup>(2)</sup>		FEE
Level 1	1 - 6,999 sq. ft.		\$ 750
Level 2	7,000 sq. ft. or more		\$ 1,650
Level 3: Conversion only	Converts three-quarters of an acre (32,670 sq. ft.) or more of ((native)) vegetation to lawn/landscaped areas, or converts 2.5 acres (108,900 sq. ft.) or more of native vegetation to pasture.		\$ 2,800
(C) FEES FOR ACTIVITIES NOT OTHERWISE LISTED:			
Pre-application site review		\$ 250	
Subsequent plan review <sup>(3)</sup>		\$ 350	
Field revisions <sup>(4)</sup>		\$ 350	

Modification, waiver, or reconsideration issued pursuant to SCC 30.63A.830 through 30.63A.842	See SCC 30.86.515
Investigation penalty <sup>(6)</sup>	100% of the applicable drainage and land disturbing activity fee
Dike or levee construction or reconstruction grading plan review and inspection fee when implementing a Snohomish County approved floodplain management plan	\$ 60 per hour
Drainage plan review for mining operations <sup>(5)</sup>	\$ 156 per acre
Monitoring associated with drainage plan review for mining operations	\$ 141 per hour
Consultation pursuant to SCC 30.63B.030(2) or 30.63B.100(2)	
(a) Land Use	(a) \$ 850
(b) Engineering	(b) \$ 975
(a)+(b) Land Use and Engineering Combination	(a)+(b) \$ 1,655
<b>(D) SECURITY DEVICE ADMINISTRATION FEES:</b>	
Performance Security	\$ 19.50 per subdivision or short subdivision lot or \$0.005 per square foot of impervious area for all other permits
Maintenance Security	\$ 15.00 per subdivision or short subdivision lot or \$0.003 per square foot of impervious area for all other permits
<b>REFERENCE NOTES:</b> <p>(1) Drainage and land disturbing activity reviews associated with projects administered by Snohomish Conservation District shall not be subject to plan review and inspection fees.</p> <p>(2) Fee includes drainage plan review and inspection for clearing activity only. When clearing is combined with other land disturbing activities in SCC Table 30.86.510(2)(A), fee levels 1 - 6 for drainage and/or grading plan review and inspection also apply.</p> <p>(3) These fees apply on third and subsequent plan review submittals when an applicant fails to submit required corrections noted on "markup" plans, drawings, or other required submittal documents.</p> <p>(4) These fees apply whenever an applicant proposes changes, additions, or revisions to previously approved plans, drawings, or other required submittal documents.</p> <p>(5) Acreage for drainage plan review for mining operations is based on mined area. Mined area includes all area disturbed in conjunction with the mining operation which shall include, but is not limited to, areas cleared, stock piles, drainage facilities, access roads, utilities, mitigation areas, and all other activity which disturbs the land. Fees for phased mine developments and mining site restoration plans of phased mine developments shall be calculated separately for each phase of mining based upon the area for each phase.</p> <p>(6) Any person who commences any land disturbing activity before obtaining permits shall be subject to an investigation penalty in addition to the required permit fees.</p>	


1  
2 Section 16. Severability and Savings. If any section, sentence, clause or phrase of this  
3 ordinance shall be held to be invalid or unconstitutional by the Growth Management  
4 Hearings Board or a court of competent jurisdiction, such invalidity or unconstitutionality  
5 shall not affect the validity or constitutionality of any other section, sentence, clause, or  
6 phrase of this ordinance. Provided, however, that if any section, sentence, clause, or  
7 phrase of this ordinance is held to be invalid by a court of competent jurisdiction, then  
8 the section, sentence, clause, or phrase in effect prior to the effective date of this  
9 ordinance shall be in full force and effect for that individual section, sentence, clause, or  
10 phrase as if this ordinance had never been adopted.  
11  
12

13 PASSED this 11<sup>th</sup> day of May, 2016.  
14

15 SNOHOMISH COUNTY COUNCIL  
16 Snohomish County, Washington  
17

18  
19   
20 Council Chair

21 ATTEST:  
22

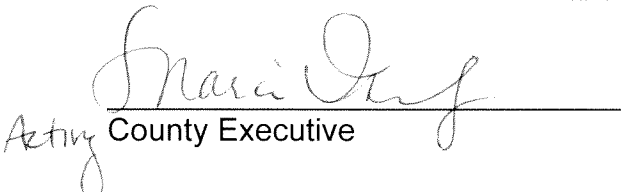
23   
24  
25 Clerk of the Council  
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27  
28 ( ☒ ) APPROVED  
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30 ( ) EMERGENCY  
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32 ( ) VETOED  
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34 DATE: 5.13.16  
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38 Acting County Executive  
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40  
41 ATTEST:   
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43  
44

45 Approved as to form only:  
46

Deputy Prosecuting Attorney

D-11