

1 ADOPTED: 11/13/18  
2 EFFECTIVE: 11/30/18

3  
4 SNOHOMISH COUNTY COUNCIL  
5 Snohomish County, Washington

6  
7 ORDINANCE NO. 18-062

8  
9 RELATING TO GROWTH MANAGEMENT, AMENDING THE SNOHOMISH  
10 COUNTY COMPREHENSIVE PLAN AND CHAPTERS 30.22 AND 30.31F OF  
11 THE SNOHOMISH COUNTY CODE TO REVISE RURAL BUSINESS ZONE  
12 POLICIES AND DEVELOPMENT REGULATIONS  
13

14 WHEREAS, counties that are required to plan under the Growth Management Act  
15 (GMA), chapter 36.70A RCW, must ensure that their comprehensive plans and development  
16 regulations are guided by the planning goals of RCW 36.70A.020 and must include a rural  
17 element in their comprehensive plans that provides for a variety of rural densities, uses, and  
18 rural governmental services that help preserve rural-based economies and traditional rural  
19 lifestyles and enhance the rural sense of community and quality of life; and  
20

21 WHEREAS, the central Puget Sound region’s Multicounty Planning Policies (MPPs),  
22 adopted by the Puget Sound Regional Council, call for development in rural areas to be rural in  
23 character and focused into communities and activity areas, while providing a wide range of  
24 building and community types to serve the needs of a diverse population; and  
25

26 WHEREAS, the Countywide Planning Policies (CPPs) for Snohomish County encourage  
27 the County and cities to adopt comprehensive plan policies and implementing development  
28 regulations that establish low intensities of development and uses and limit commercial and  
29 industrial development in the rural area; and  
30

31 WHEREAS, Snohomish County (“County”) is required to plan for growth under the GMA;  
32 and  
33

34 WHEREAS, as part of this planning requirement, the County has adopted a  
35 comprehensive plan containing all elements required by the GMA; and  
36

37 WHEREAS, a component of the County’s comprehensive plan is the General Policy  
38 Plan (GPP) which, among other goals, encourages protecting and enhancing the character,  
39 quality, and identity of rural areas; and  
40

41 WHEREAS, the Land Use Chapter of the GPP calls for the County to facilitate, through  
42 rural business development regulations, small-scale retail and service uses at appropriate  
43 locations within rural residential areas that minimize impacts to residential areas, resource  
44 lands, and critical areas (LU Policy 6.E.2); and  
45

46 WHEREAS, on June 20, 2018, the Snohomish County Council (“County Council”)  
47 approved, by Motion No. 18-203, a revised list of county-initiated comprehensive plan  
48 amendments for consideration and final action in 2018, including the GPP18-9 – Churches in

1 the Rural Business zone proposal, consistent with chapter 30.73 Snohomish County Code  
2 (SCC); and  
3

4 WHEREAS, on June 20, 2018, the County Council referred, by Motion No. 18-202, a set  
5 of proposed comprehensive plan and code amendments to the Snohomish County Planning  
6 Commission (“Planning Commission”) for consideration and a recommendation back to the  
7 County Council; and  
8

9 WHEREAS, the Planning Commission was provided a briefing on July 24, 2018, on the  
10 comprehensive plan and code amendments referred by the County Council; and  
11

12 WHEREAS, the Planning Commission held a public hearing on August 28, 2018, and  
13 received public testimony on the proposed comprehensive plan and code amendments  
14 contained in this ordinance referred by the County Council; and  
15

16 WHEREAS, at the conclusion of the Planning Commission’s public hearing, the Planning  
17 Commission deliberated and voted to recommend approval of the code amendments referred  
18 by the County Council with the addition of a reference note or other provision in code that would  
19 require a conditional use permit to change the use of any site with a building footprint over 4,000  
20 square feet and/or more than 50% impervious surface coverage when the proposed use is not  
21 allowed in the R-5 zone, as set forth in its recommendation letter dated August 28, 2018; and  
22

23 WHEREAS, on September 19, 2018, at the hour of 6:30 p.m., October, 31, 2018, at the  
24 hour of 10:30 a.m., and November 13, 2018, at the hour of 9:00 a.m., the County Council held a  
25 public hearing, after proper notice, and considered public comment and the entire record related  
26 to the code and comprehensive plan amendments contained in this ordinance;  
27

28 NOW, THEREFORE, BE IT ORDAINED:  
29

30 Section 1. The County Council adopts the following findings:  
31

- 32 A. The foregoing recitals are adopted as findings as if set forth in full herein.  
33  
34 B. The proposed amendments to the General Policy Plan (GPP) of the Snohomish County  
35 Comprehensive Plan include:  
36  
37 1. Revising LU Objective 6.E to clarify that community facilities that support the immediate  
38 rural population should be provided for within rural residential areas.  
39  
40 2. Revising LU Policy 6.E.2 to clarify that Rural Business zoning and development  
41 standards should provide for community facilities for the surrounding rural population in  
42 addition to small-scale retail and service uses.  
43  
44 3. Revising LU Policy 6.E.3 to clarify that restrictions on building size and areas of  
45 impervious surfaces provided by LU Objective 6.E and its associated policies do not  
46 apply to churches.  
47  
48 4. Revising LU Policy 6.E.4 to use terminology that is consistent with related policies.  
49

- 1 5. Revising LU Policy 6.E.5 to correct an erroneous policy reference.
- 2
- 3 6. Deleting Policy LU 6.E.6 because commercial zones within rural areas and outside the
- 4 Rural Commercial and Rural Freeway Service designations have already been rezoned
- 5 to Rural Business, making the policy moot.
- 6
- 7 7. Revising LU Policy 6.E.8 to clarify that restrictions on areas of impervious surfaces do
- 8 not apply to churches.
- 9

10 C. The intent of LU Objective 6.E is to allow a limited amount of small-scale commercial  
11 development in rural areas. The intent is not to prohibit or limit other non-commercial uses  
12 that are consistent with rural character. The County Council finds that churches are  
13 consistent with the county's rural character.

14  
15 D. The comprehensive plan requires development regulations for the Rural Business zone to  
16 restrict development in terms of building size, height, and setback; the size, location, and  
17 type of uses; and the areas of impervious surfaces in order to maintain the character of  
18 surrounding rural residential areas. Churches that exceed the size and impervious surface  
19 limits in the Rural Business zone performance standards already are allowed throughout the  
20 rural residential area – the only exception being the rural business zone. The County  
21 Council finds that it is logical to locate churches that primarily serve rural residents within  
22 compact and community-oriented rural business nodes rather than compelling these  
23 facilities to scatter elsewhere in the rural area. The proposed amendments to the GPP  
24 would exempt churches from the limitations on building size and areas of impervious  
25 surfaces provided by LU Objective 6.E and its associated policies (Amended LU Policy  
26 6.E.3). The County Council finds exempting churches as provided in Amended LU Policy  
27 6.E.3 is consistent with how churches are treated in other rural zones and does not interfere  
28 with policies that allow limited commercial development in the Rural Business zone.

29  
30 E. The proposed amendments to Title 30 SCC include:

- 31 1. Exempting churches from the Rural Business zone performance standards of SCC
- 32 30.31F.110 (1) and (2).
- 33
- 34
- 35 2. Reducing the potential for confusion by eliminating as allowed uses in the Rural and
- 36 Resource Use Matrix (SCC 30.22.110) the following uses, which are inconsistent with
- 37 the Rural Business zone performance standard in SCC 30.31F.110, which limit the
- 38 maximum area for each building footprint on site to no more than 4,000 square feet:
- 39
- 40 (a) Detached Private Accessory Garage 4,001 sq ft and Greater.
- 41
- 42 (b) Accessory Storage Structure 4,001 sq ft and Greater.
- 43

44 Farm Product Processing Over 5,000 sq ft uses are subject to the 4,000 square foot  
45 limitation for each building footprint on site but because such a use may include  
46 processing areas which do not consist of buildings, this use is retained as is in the Rural  
47 and Resource Use Matrix.

- 1       3. Adding a provision to SCC 30.31F.110 to require a conditional use permit to change the
- 2       use of any site in a Rural Business zone that does not meet the performance standards
- 3       of SCC 30.31F.110 (1) when the proposed use is allowed in the RB zone but is not
- 4       allowed in the R-5 zone. This provision is added to address a potential scenario in
- 5       which, for example, a church larger than 4,000 sq. ft. is built, ceases operations, and
- 6       then transitions to a commercial use that is allowed in the Rural Business zone. The
- 7       intent of this provision is to allow use of the vacated structure, while ensuring through
- 8       the conditional use permit application process that the new use of the structure is
- 9       compatible with the surrounding rural character. If a new use is allowed in the R-5
- 10      zone, a conditional use permit will be required only if so mandated by SCC 30.22.110.
- 11
- 12      4. Adding a new section that allows an applicant with a complete development application
- 13      for a church within or partially within the Rural Business zone that was determined to be
- 14      complete between January 1, 2017, and the effective date of this ordinance to opt in to
- 15      the provisions in this ordinance.
- 16
- 17    F. The code and comprehensive plan amendments are consistent with the requirements of the
- 18      GMA and are guided by and supportive of the GMA planning goals found in RCW
- 19      36.70A.020 including the goal of reducing sprawl (RCW 36.70A.020 (2)) – the code and
- 20      comprehensive plan amendments will facilitate the locating of churches that serve rural
- 21      populations within compact and community-oriented rural business nodes rather than
- 22      compelling these facilities to scatter elsewhere in the rural area.
- 23
- 24    G. The code and comprehensive plan amendments are consistent with and supportive of the
- 25      region’s Multicounty Planning Policies. Specific goals and policies relevant to and
- 26      supported by this ordinance include the following:
- 27
- 28      1. “The region will promote the efficient use of land, prevent urbanization of rural and
- 29      resource lands, and provide for the efficient delivery of services within the designated
- 30      urban growth area.” (Development Patterns goal-Urban Lands)
- 31
- 32      2. “Provide a wide range of building and community types to serve the needs of a diverse
- 33      population.” (MPP-DP-36)
- 34
- 35      3. “Sustain and enhance arts and cultural institutions to foster an active and vibrant
- 36      community life in every part of the region.” (MPP-EC-14)
- 37
- 38    H. While the Multicounty Planning Policies call for locating schools, institutions, and other
- 39      community facilities serving rural residents in neighboring cities and towns (MPP-PS-22), the
- 40      County Council finds that in many cases the county’s rural business nodes function as
- 41      important gathering places for the surrounding rural area, and creating excessive separation
- 42      between community facilities, such as churches, and the rural residences they serve can
- 43      negatively impact an area’s sense of place and sense of community, and hinder goals to
- 44      reduce vehicle miles traveled.
- 45
- 46    I. The code and comprehensive plan amendments are consistent with the Countywide
- 47      Planning Policies. CPP-DP-7, for instance, calls for city and county comprehensive plans to
- 48      locate employment areas and living areas in close proximity to minimize vehicle miles

1 traveled. This concept could reasonably be extended to locating churches in close proximity  
2 to living areas to minimize vehicle miles travelled.

3  
4 J. The comprehensive plan amendments are internally consistent with the Snohomish County  
5 Comprehensive Plan. The code amendments are consistent with the Snohomish County  
6 Comprehensive Plan as amended by this ordinance, including with the following GPP  
7 policies:

- 8  
9 1. "The county shall develop Rural Business zoning and development standards that  
10 provide for community facilities for the surrounding rural population and facilitate small-  
11 scale retail and service uses at appropriate locations within rural residential areas and  
12 minimize impacts to residential areas, resource lands, and critical areas." (Amended LU  
13 Policy 6.E.2)  
14  
15 2. "Development in the Rural Business zone shall be limited to development that can be  
16 supported by services typically delivered at rural levels of service. These services may  
17 include domestic water, septic systems, and transportation facilities." (Amended LU  
18 Policy 6.E.4)

19  
20 K. Procedural requirements.

- 21  
22 1. State Environmental Policy Act (SEPA), chapter 43.21C RCW, requirements with  
23 respect to this non-project action have been satisfied through the completion of an  
24 environmental checklist and the issuance of a determination of non-significance on  
25 August 27, 2018.  
26  
27 2. The proposal is a Type 3 legislative action pursuant to SCC 30.73.010(3).  
28  
29 3. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance was  
30 transmitted to the Washington State Department of Commerce for distribution to state  
31 agencies on August 7, 2018.  
32  
33 4. The public participation process used in the adoption of this ordinance has complied with  
34 all applicable requirements, including but not limited to, RCW 36.70A.035 and .140,  
35 chapter 30.73 SCC, and the Snohomish County Charter. This process provided for early  
36 and continuous public participation in the development of the code amendments  
37 proposed by this ordinance.  
38  
39 5. The Washington State Attorney General last issued an advisory memorandum, as  
40 required by RCW 36.70A.370, in December 2015, entitled "Advisory Memorandum and  
41 Recommended Process for Evaluating Proposed Regulatory or Administrative Actions to  
42 Avoid Unconstitutional Takings of Private Property" to help local governments avoid the  
43 unconstitutional taking of private property. The process outlined in the State Attorney  
44 General's 2015 advisory memorandum was used by Snohomish County in objectively  
45 evaluating the regulatory changes proposed by this ordinance.

46  
47 Section 2. The County Council makes the following conclusions:

48  
49 A. The proposal complies with all requirements of Washington State law and the County Code.

- 1  
2 B. The proposal is consistent with the Multicounty Planning Policies.  
3  
4 C. The proposal is consistent with the Countywide Planning Policies.  
5  
6 D. The proposal is consistent with the goals, objectives, and policies of the Snohomish County  
7 Comprehensive Plan.  
8  
9 E. The County complied with all SEPA requirements in respect to this non-project action.  
10  
11 F. The regulations proposed by this ordinance do not result in an unconstitutional taking of  
12 private property for public purposes.  
13  
14 G. The County complied with state and local public participation requirements under the GMA  
15 and chapter 30.73 SCC.  
16

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

22 Section 4. The Land Use chapter of the General Policy Plan of the Snohomish County  
23 Comprehensive Plan, last amended by Ordinance No.17-050 on October 4, 2017, is amended  
24 as indicated in Exhibit A, which is attached hereto and incorporated by reference into this  
25 ordinance.  
26

27 Section 5. Snohomish County Code Section 30.22.110, last amended by Amended  
28 Ordinance No. 18-011 on March 21, 2018, is amended to read:  
29  
30

**30.22.110 Rural and Resource Zone Categories Use Matrix.**

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB <sup>26</sup>	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, Major							P				
Auto Repair, Minor				P	P	P	P				
Auto Towing	C		C								
Auto Wrecking and Junkyards							A <sup>44</sup>				
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	
Bed and Breakfast Inn <sup>58</sup>	C		C <sup>115</sup>	P				C	C	C	

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB <sup>26</sup>	CRC	RFS	RI	F	F&R	A-10	MC
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				P
Cemetery and Funeral Home	P		C <sup>115</sup>								
Church <sup>41, 129</sup>	P		C <sup>115</sup>	C <sup>36</sup>	P						
Clubhouse	C		C <sup>115</sup>	P	P <sup>133</sup>						
Commercial Vehicle Home Basing			C <sup>33</sup>								
Commercial Vehicle Storage Facility				P	P	P	P				
Community Facilities for Juveniles <sup>103</sup>											
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>							
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	
Dwelling, Duplex	P	P	P					P		P	
Dwelling, Mobile Home	P	P	P		P <sup>6</sup>			P	P	P	P
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
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											
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	
Farm Workers Dwelling										P <sup>10</sup>	

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB <sup>26</sup>	CRC	RFS	RI	F	F&R	A-10	MC
Farmers Market <sup>93</sup>	P	P	P <sup>101</sup> A <sup>101, 115</sup>	P	P	P	P			P	
Farmland Enterprises <sup>95</sup>		A	A <sup>115</sup>							A	
Fish Farm	P	P	P <sup>115</sup>					P	P	P	
Forestry	P	P	P				P	P	P	P	P
Forestry Industry Storage & Maintenance Facility	P <sup>30</sup>	P					P	P	P		
Foster Home	P	P	P	P				P		P	
Fuel Yard <sup>43</sup>							P				
Garage, Detached Private Accessory <sup>60</sup>											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P		P
2,401 - 4,000 sq ft on More than 3 Acres <sup>41, 59</sup>	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
4,001 sq ft and Greater <sup>41, 59</sup>	C	C	C	((C))	C	C	C	C	C		C
Garage, Detached Private Non-accessory <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
Golf Course, Driving Range and Country Club	C		C <sup>115</sup>	P						C <sup>74</sup>	
Government Structures & Facilities <sup>27, 41</sup>	C	C	C <sup>115</sup>	C	P		C	C	C		C
Greenhouse, Lath House, Nurseries	P	P	P <sup>115</sup>	P	P		P	P		P	
Guesthouse <sup>85</sup>	P	P	P	P				P	P	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 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	
Kennel, <sup>41</sup> Private-Non-Breeding <sup>13</sup>	P	P	P	P				P		P	



TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB <sup>26</sup>	CRC	RFS	RI	F	F&R	A-10	MC
Kitchen, farm	P	P	P	P			P			P	
Laboratory				P			P				
Library <sup>41</sup>	C		C <sup>115</sup>	P							
Livestock Auction Facility	C <sup>48</sup>		C <sup>48, 115</sup>		P		P			C <sup>48</sup>	
Lumber Mill	C <sup>26</sup>	C <sup>26</sup>	C <sup>26, 115</sup>				P	P	P		
Lumberyard							P				
Manufacturing - All Other Forms Not Specifically Listed <sup>83</sup>				C			C				
Marijuana Processing <sup>124, 131</sup>							P			P	
Marijuana Production <sup>124, 131</sup>							P			P	
Marijuana Retail <sup>131, 132</sup>				C							
Mini-equestrian Center <sup>41, 72</sup>	P	P	P <sup>115</sup>	P			P	P	P	P <sup>71</sup>	
Mini Self-Storage				P		P	P				
Model Hobby Park <sup>75, 130</sup>			A <sup>115</sup>							A	
Model House/Sales Office	P	P	P <sup>115</sup>					P	P		
Motocross Racetrack <sup>129</sup>			C <sup>113</sup>						C <sup>113</sup>		
Museum <sup>41, 130</sup>	C		C <sup>115</sup>	P						C <sup>61</sup>	
Neighborhood Services				P	P <sup>133</sup>						
Office and Banking				P	P <sup>133</sup>						
Off-road vehicle use area, private									C <sup>109</sup>		
Park, Public <sup>14, 130</sup>	P	P	P	P	P		P	P	P	P	P
Park-and-Pool Lot				P	P	P	P				
Park-and-Ride Lot	C	C	C	P		P		C	C		
Personal Wireless Service Facilities <sup>27, 41, 104, 106, 130</sup>	C	C	C	C	C	C	C	C	C	C	C
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 <sup>127</sup>	A, C <sup>127</sup>	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					
Retail, General				P	P <sup>133</sup>	P <sup>80</sup>					
Rural Industries <sup>41</sup>	P <sup>25</sup>										
Sanitary Landfill <sup>129</sup>	C	C	C <sup>115</sup>					C			C
Schools											
K-12 & Preschool <sup>41, 68, 129</sup>	C		C <sup>115</sup>	P							

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB <sup>26</sup>	CRC	RFS	RI	F	F&R	A-10	MC
College <sup>41, 68</sup>	C		C <sup>115</sup>								
Other <sup>41, 68</sup>				C			C				
Service Station <sup>41</sup>				P	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>
Small Animal Husbandry <sup>41</sup>	P		P		P			P	P	P	P
Small Workshop				P			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>											
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>								
Supervised Drug Consumption Facility											
Swimming/Wading Pool <sup>17, 41</sup>	P	P	P					P	P	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>								
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

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB <sup>26</sup>	CRC	RFS	RI	F	F&R	A-10	MC
Vehicle, Vessel and Equipment Sales and Rental					P <sup>23</sup>						
Veterinary Clinic	P		C <sup>115</sup>	P	P					C	
Warehouse							P				
Wedding Facility <sup>87, 130</sup>		P	P <sup>115</sup>							P	
Woodwaste Recycling and Woodwaste Storage	A <sup>63</sup>	C <sup>57</sup>	C <sup>57</sup>				A <sup>63</sup>	A <sup>63</sup>			
<b>P - Permitted Use</b>	<p>A blank box indicates a use is not allowed in a specific zone.  Note: Reference numbers within matrix indicate special conditions apply; see SCC 30.22.130.  Check other matrices in this chapter if your use is not listed above.</p>										
<b>A - Administrative</b>											
<b>Conditional Use</b>											
<b>C - Conditional Use</b>											
<b>S - Special Use</b>											

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Section 6. Snohomish County Code Section 30.22.130, last amended by Amended Ordinance No. 18-011 on March 21, 2018, is amended to read:

**30.22.130 Reference notes for use matrices.**

- (1) Airport, Stage 1 Utility.
  - (a) Not for commercial use and for use of small private planes;
  - (b) In the RU zone, they shall be primarily for the use of the resident property owner; and
  - (c) When the airport is included in an airpark, the disclosure requirements of SCC 30.28.005 shall apply.
- (2) *Day Care Center*.
  - (a) In WFB, R-7,200, R-8,400, R-9,600, R-12,500, R-20,000, and SA-1 zones, shall only be permitted in connection with and secondary to a school facility or place of worship; and
  - (b) Outdoor play areas shall be fenced or otherwise controlled, and noise buffering provided to protect adjoining residences.
- (3) *Dock and Boathouse, Private, Non-commercial*. The following standards apply outside of shoreline jurisdiction only. If located within shoreline jurisdiction, the standards in SCC 30.67.515 apply instead.
  - (a) The height of any covered over-water structure shall not exceed 12 feet as measured from the line of ordinary high water;
  - (b) The total roof area of covered, over-water structures shall not exceed 1,000 square feet;
  - (c) The entirety of such structures shall have a width no greater than 50 percent of the width of the lot at the natural shoreline upon which it is located;
  - (d) No over-water structure shall extend beyond the mean low water mark a distance greater than the average length of all preexisting over-water structures along the same shoreline within 300 feet of either side of the parcel on which the structure is proposed. Where no such preexisting structures exist within 300 feet, the pier length shall not exceed 50 feet;
  - (e) Structures permitted hereunder shall not be used as a dwelling, nor shall any boat moored at any wharf be used as a dwelling while so moored; and

- 1 (f) Covered structures are subject to a minimum setback of three feet from any side lot line  
2 or extension thereof. No side yard setback shall be required for uncovered structures. No  
3 rear yard setback shall be required for any structure permitted hereunder.
- 4 (4) *Dwelling, Single Family.* In the MHP zone, single family detached dwellings are limited to  
5 one per existing single legal lot of record.
- 6 (5) See chapter 30.31E SCC for rezoning to Townhouse zone, and chapter 30.23A SCC for  
7 design standards applicable to single family attached dwelling, mixed townhouse, and  
8 townhouse development.
- 9 (6) *Dwelling, Mobile Home.*
- 10 (a) Shall be multi-sectioned by original design, with a width of 20 feet or greater along its  
11 entire body length;
- 12 (b) Shall be constructed with a non-metallic type, pitched roof;
- 13 (c) Except where the base of the mobile home is flush to ground level, shall be installed  
14 either with:
- 15 (i) skirting material which is compatible with the siding of the mobile home; or  
16 (ii) a perimeter masonry foundation;
- 17 (d) Shall have the wheels and tongue removed; and
- 18 (e) In the RU zone the above only applies if the permitted lot size is less than 20,000  
19 square feet.
- 20 (7) RESERVED for future use.
- 21 (8) *Family Day Care Home.*
- 22 (a) No play yards or equipment shall be located in any required setback from a street; and  
23 (b) Outdoor play areas shall be fenced or otherwise controlled.
- 24 (9) *Farm Stand.*
- 25 (a) There shall be only one stand on each lot; and  
26 (b) At least 50 percent by farm product unit of the products sold shall be grown, raised or  
27 harvested in Snohomish County, and 75 percent by farm product unit of the products sold  
28 shall be grown, raised or harvested in the state of Washington.
- 29 (10) *Farm Worker Dwelling.*
- 30 (a) At least one person residing in each farm worker dwelling unit shall be employed full  
31 time in the farm operation;
- 32 (b) An agricultural farm worker dwelling unit affidavit must be signed and recorded with the  
33 county attesting to the need for such dwellings to continue the farm operation;
- 34 (c) The number of farm worker dwellings shall be limited to one per each 40 acres under  
35 single contiguous ownership to a maximum of six total dwellings, with 40 acres being  
36 required to construct the first accessory dwelling unit. Construction of the maximum number  
37 of dwelling units permitted shall be interpreted as exhausting all residential potential of the  
38 land until such time as the property is legally subdivided; and
- 39 (d) All farm worker dwellings must be clustered on the farm within a 10-acre farmstead  
40 which includes the main dwelling. The farmstead's boundaries shall be designated with a  
41 legal description by the property owner with the intent of allowing maximum flexibility while  
42 minimizing interference with productive farm operation. Farm worker dwellings may be  
43 located other than as provided for in this subsection only if environmental or physical  
44 constraints preclude meeting these conditions.
- 45 (11) *Home Occupation.* See SCC 30.28.050.
- 46 (12) *Kennel, Commercial.* There shall be a five-acre minimum lot area; except in the R-5 and  
47 RD zones, where 200,000 square feet shall be the minimum lot area.
- 48 (13) *Kennel, Private-breeding, and Kennel, Private Non-breeding.* Where the animals  
49 comprising the kennel are housed within the dwelling, the yard or some portion thereof shall be

- 1 fenced and maintained in good repair or to contain or to confine the animals upon the property  
2 and restrict the entrance of other animals.
- 3 (14) *Parks, Publicly-owned and Operated.*
- 4 (a) No bleachers are permitted if the site is less than five acres in size;  
5 (b) All lighting shall be shielded to protect adjacent properties; and  
6 (c) No amusement devices for hire are permitted.
- 7 (15) *Boarding House.* There shall be accommodations for no more than two persons.
- 8 (16) RESERVED for future use (Social Service Center – DELETED by Amended Ord. 04-010  
9 effective March 15, 2004)
- 10 (17) *Swimming/Wading Pool (not to include hot tubs and spas): For the sole use of occupants*  
11 *and guests.*
- 12 (a) No part of the pool shall project more than one foot above the adjoining ground level in  
13 a required setback; and  
14 (b) The pool shall be enclosed with a fence not less than four feet high, of sufficient design  
15 and strength to keep out children.
- 16 (18) *Temporary Dwelling for a Relative.*
- 17 (a) The dwelling shall be occupied only by a relative, by blood or marriage, of the  
18 occupant(s) of the permanent dwelling;  
19 (b) The relative must receive from, or administer to, the occupant of the other dwelling  
20 continuous care and assistance necessitated by advanced age or infirmity;  
21 (c) The need for such continuous care and assistance shall be attested to in writing by a  
22 licensed physician;  
23 (d) The temporary dwelling shall be occupied by not more than two persons;  
24 (e) Use as a commercial rental unit shall be prohibited;  
25 (f) The temporary dwelling shall be situated not less than 20 feet from the permanent  
26 dwelling on the same lot and shall not be located in any required yard of the principal  
27 dwelling;  
28 (g) A land use permit binder shall be executed by the landowner, recorded with the  
29 Snohomish County auditor and a copy of the recorded document submitted to the  
30 department for inclusion in the permit file;  
31 (h) Adequate screening, landscaping, or other measures shall be provided pursuant to  
32 SCC 30.25.028 to protect surrounding property values and ensure compatibility with the  
33 immediate neighborhood;  
34 (i) An annual renewal of the temporary dwelling permit, together with recertification of  
35 need, shall be accomplished by the applicant through the department in the same month of  
36 each year in which the initial mobile home/building permit was issued;  
37 (j) An agreement to terminate such temporary use at such time as the need no longer  
38 exists shall be executed by the applicant and recorded with the Snohomish County auditor;  
39 and  
40 (k) Only one temporary dwelling may be established on a lot. The temporary dwelling shall  
41 not be located on a lot on which a detached accessory apartment is located.
- 42 (19) *Recreational Vehicle.*
- 43 (a) There shall be no more than one per lot;  
44 (b) Shall not be placed on a single site for more than 180 days in any 12-month period;  
45 and  
46 (c) Shall be limited in the floodways to day use only (dawn to dusk) during the flood  
47 season (October 1st through March 30th) with the following exceptions:  
48 (i) Recreational vehicle use associated with a legally occupied dwelling to  
49 accommodate overnight guests for no more than a 21-day period;

1 (ii) Temporary overnight use by farm workers on the farm where they are employed  
2 subject to subsections (19)(a) and (19)(b) of this section; and  
3 (iii) Subject to subsections (19)(a) and (19)(b) of this section and SCC 30.22.120,  
4 temporary overnight use in a mobile home park, which has been in existence  
5 continuously since 1970 or before, that provides septic or sewer service, water and  
6 other utilities, and that has an RV flood evacuation plan that has been approved and is  
7 on file with the department of emergency management and department of planning and  
8 development services.

9 (20) *Ultralight Airpark.*

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

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

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

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

22 (ii) occur between sunset and sunrise;

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

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

27 (21) RESERVED for future use.

28 (22) *General Retail.* In the FS zone, there shall be a 5,000-square foot floor area limitation.

29 (23) *Vehicle, Vessel and Equipment Sales and Rental.* In the CB and CRC zone, all display,  
30 storage, and sales activities shall be conducted within a structure enclosed by walls on at least  
31 two sides.

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

34 (25) *Rural Industry.*

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

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

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

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

44 (26) (~~RESERVED for future use~~) See SCC 30.31F.110 for performance standards specific to  
45 the Rural Business zone.

46 (27) *Government Structures and Facilities, Utility Structures and Facilities, and Personal*  
47 *Wireless Service Facilities.* Special lot area requirements for these uses are contained in SCC  
48 30.23.200.

49 (28) *Excavation and Processing of Minerals.*

- 1 (a) This use, as described in SCC 30.31D.010(2), is allowed in the identified zones only  
2 where these zones coincide with the mineral lands designation in the comprehensive plan  
3 (mineral resource overlay or MRO), except for the MC zone where mineral lands  
4 designation is not required.
- 5 (b) An Administrative Conditional Use Permit or a Conditional Use Permit is required  
6 pursuant to SCC 30.31D.030.
- 7 (c) Excavation and processing of minerals exclusively in conjunction with forest practices  
8 regulated pursuant to chapter 76.09 RCW is permitted outright in the Forestry zone.
- 9 (29) *Medical Clinic, Licensed Practitioner.* A prescription pharmacy may be permitted when  
10 located within the main building containing licensed practitioner(s).
- 11 (30) Forest Industry Storage & Maintenance Facility (except harvesting) adjacent to property  
12 lines in the RU zone shall provide 15-foot wide Type A landscaping as defined in SCC  
13 30.25.017.
- 14 (31) *Boat Launch Facilities, Commercial or Non-commercial.*
- 15 (a) The hearing examiner may regulate, among other factors, required launching depth,  
16 lengths of existing docks and piers;
- 17 (b) Off-street parking shall be provided in an amount suitable to the expected usage of the  
18 facility. When used by the general public, the guideline should be 32 to 40 spaces capable  
19 of accommodating both a car and boat trailer for each ramp lane of boat access to the  
20 water;
- 21 (c) A level vehicle-maneuvering space measuring at least 50 feet square shall be  
22 provided;
- 23 (d) Pedestrian access to the water separate from the boat launching lane or lanes may be  
24 required where it is deemed necessary in the interest of public safety;
- 25 (e) Safety buoys shall be installed and maintained separating boating activities from other  
26 water-oriented recreation and uses where this is reasonably required for public safety,  
27 welfare, and health; and
- 28 (f) All site improvements for boat launch facilities shall comply with all other requirements  
29 of the zone in which it is located.
- 30 (32) *Campground.*
- 31 (a) The maximum overall density shall be seven camp or tent sites per acre in Forestry  
32 and Recreation (F&R) zoning and two camp or tent sites per acre in Forestry (F) zoning;
- 33 (b) The minimum site size shall be 10 acres; and
- 34 (c) Campgrounds in Forestry (F) zoning may not provide utility hookups (e.g. water,  
35 electric, sewage) to individual campsites; such hookups are allowed in campgrounds with  
36 Forestry and Recreation (F&R) zoning.
- 37 (33) *Commercial Vehicle Home Basing.*
- 38 (a) The vehicles may be parked and maintained only on the property wherein resides a  
39 person who uses them in their business;
- 40 (b) Two or more vehicles may be so based; and
- 41 (c) The vehicles shall be in operable condition.
- 42 (34) *Distillation of Alcohol.*
- 43 (a) The distillation shall be from plant products, for the purpose of sale as fuel, and for the  
44 production of methane from animal waste produced on the premises;
- 45 (b) Such distillation shall be only one of several products of normal agricultural activities  
46 occurring on the premises; and
- 47 (c) By-products created in this process shall be used for fuel or fertilizer on the premises.
- 48 (35) RESERVED for future use (Group Care Facility – DELETED by Amended Ord. 04-010  
49 effective March 15, 2004)

- 1 (36) (~~RESERVED for future use~~) Churches are exempt from the Rural Business zone  
2 performance standards in SCC 30.31F.110(1) and (2).
- 3 (37) *Small Animal Husbandry*. There shall be a five-acre minimum site size.
- 4 (38) *Mobile Home Park*. Such development must fulfill the requirements of chapter 30.42E  
5 SCC.
- 6 (39) *Sludge Utilization*. See SCC 30.28.085.
- 7 (40) *Homestead Parcel*. See SCC 30.28.055.
- 8 (41) Special Setback Requirements for this use are contained in SCC 30.23.110(26) or SCC  
9 30.67.595 if within shoreline jurisdiction.
- 10 (42) In the R-12,500 and WFB zones, the minimum lot size for duplexes shall be one and one-  
11 half times the minimum lot size for single family dwellings.
- 12 (43) *Petroleum Products and Gas, Bulk Storage*.
- 13 (a) All above ground storage tanks shall be set back from all property lines in accordance  
14 with requirements in the International Fire Code (IFC); and
- 15 (b) Storage tanks below ground shall be set back no closer to the property line than a  
16 distance equal to the greatest dimensions (diameter, length or height) of the buried tank.
- 17 (44) *Auto Wrecking Yards and Junkyards*. A sight-obscuring fence a minimum of seven feet  
18 high shall be established and maintained to the interior side of the required perimeter  
19 landscaping area in the LI and RI zones. For perimeter landscaping requirements for this use in  
20 all zones, see SCC 30.25.020.
- 21 (45) *Antique Shops*. When established as a home occupation as regulated by SCC  
22 30.28.050(1); provided further that all merchandise sold or offered for sale shall be  
23 predominantly "antique" and antique-related objects.
- 24 (46) *Billboards*. See SCC 30.27.080 for specific requirements.
- 25 (47) RESERVED for future use.
- 26 (48) *Stockyard and Livestock Auction Facility*. The minimum lot size is 10 acres.
- 27 (49) *Restaurants and Personal Service Shops*. Located to service principally the constructed  
28 industrial park uses.
- 29 (50) *Sludge Utilization*. A conditional use permit is required for manufacture of materials by a  
30 non-governmental agency containing stabilized or digested sludge for a public utilization.
- 31 (51) RESERVED for future use.
- 32 (52) RESERVED for future use.
- 33 (53) *Retail Store*. See SCC 30.31A.120 for specific requirements for retail stores in the BP  
34 zone.
- 35 (54) Retail Sales of Hay, Grain, and Other Livestock Feed are permitted on site in conjunction  
36 with a livestock auction facility.
- 37 (55) Noise of Machines and Operations in the LI and HI zones shall comply with chapter 10.01  
38 SCC and machines and operations shall be muffled so as not to become objectionable due to  
39 intermittence, beat frequency, or shrillness.
- 40 (56) *Sludge Utilization*. Only at a completed sanitary landfill or on a completed cell within a  
41 sanitary landfill, subject to the provision of SCC 30.28.085.
- 42 (57) *Woodwaste Recycling and Woodwaste Storage Facility*. See SCC 30.28.095.
- 43 (58) *Bed and Breakfast Guesthouses and Bed and Breakfast Inns*. See SCC 30.28.020.
- 44 (59) *Detached Accessory or Non-Accessory Private Garages and Storage Structures*. Subject  
45 to the following requirements:
- 46 (a) Special setback requirements for these uses are contained in SCC 30.23.110(20);
- 47 (b) Artificial lighting shall be hooded or shaded so that direct outside lighting, if any, will not  
48 result in glare when viewed from the surrounding property or rights-of-way;
- 49 (c) The following compatibility standards shall apply:



- 1 (i) proposals for development in existing neighborhoods with a well-defined character  
2 should be compatible with or complement the highest quality features, architectural  
3 character and siting pattern of neighboring buildings. Where there is no discernable  
4 pattern, the buildings shall complement the neighborhood. Development of detached  
5 private garages and storage structures shall not interrupt the streetscape or dwarf the  
6 scale of existing buildings of existing neighborhoods. Applicants may refer to the  
7 Residential Development Handbook for Snohomish County Communities to review  
8 techniques recommended to achieve neighborhood compatibility;
- 9 (ii) building plans for all proposals larger than 2,400 square feet in the Waterfront  
10 Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and rural cluster subdivisions  
11 shall document the use of building materials compatible and consistent with existing  
12 on-site residential development exterior finishes;
- 13 (iii) in the Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and rural  
14 cluster subdivisions, no portion of a detached accessory private garage or storage  
15 structure shall extend beyond the building front of the existing single family dwelling,  
16 unless screening, landscaping, or other measures are provided to ensure compatibility  
17 with adjacent properties; and
- 18 (iv) in the Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and rural  
19 cluster subdivisions, no portion of a detached non-accessory private garage or storage  
20 structure shall extend beyond the building front of existing single family dwellings on  
21 adjacent lots where the adjacent dwellings are located within 10 feet of the subject  
22 property line. When a detached non-accessory private garage or storage structure is  
23 proposed, the location of existing dwellings on adjacent properties located within 10  
24 feet of the subject site property lines shall be shown on the site plan;
- 25 (d) All detached accessory or non-accessory private garages and storage structures  
26 proposed with building footprints larger than 2,400 square feet shall provide screening or  
27 landscaping from adjacent properties pursuant to chapter 30.25 SCC;
- 28 (e) On lots less than 10 acres in size having no established residential use, only one non-  
29 accessory private garage and one storage structure shall be allowed. On lots 10 acres or  
30 larger without a residence where the cumulative square footage of all existing and proposed  
31 non-accessory private garages and storage structures is 6,000 square feet or larger, a  
32 conditional use permit shall be required.
- 33 (f) Where permitted, separation between multiple private garages or storage structures  
34 shall be regulated pursuant to subtitle 30.5 SCC.
- 35 (60) The cumulative square footage of all detached accessory and non-accessory private  
36 garages and storage structures shall not exceed 6,000 square feet on any lot less than five  
37 acres, except this provision shall not apply in the LDMR, MR, T, NB, GC, PCB, CB, FS, BP, IP,  
38 LI, HI, RB, RFS, CRC and RI zones.
- 39 (61) *Museums*. Museums within the agriculture A-10 zone are permitted only in structures  
40 which were legally existing on October 31, 1991.
- 41 (62) *Accessory Apartments*. See SCC 30.28.010.
- 42 (63) *Temporary Woodwaste Recycling and Temporary Woodwaste Storage Facilities*. See  
43 SCC 30.28.090.
- 44 (64) RESERVED for future use.
- 45 (65) *On-Site Hazardous Waste Treatment and Storage Facilities*. Allowed only as an incidental  
46 use to any use generating hazardous waste which is otherwise allowed; provided that such  
47 facilities demonstrate compliance with the state siting criteria for dangerous waste management  
48 facilities pursuant to RCW 70.105.210 and WAC 173-303-282, as now written or hereafter  
49 amended.

- 1 (66) An application for a conditional use permit to allow an off-site hazardous waste treatment  
2 and storage facility shall demonstrate compliance with the state siting criteria for dangerous  
3 waste management facilities pursuant to RCW 70.105.210 and WAC 173-303-282 as now  
4 written or hereafter amended.
- 5 (67) *Adult Entertainment Uses*. See SCC 30.28.015.
- 6 (68) Special Building Height provisions for this use are contained in SCC 30.23.050(2)(d).
- 7 (69) RESERVED for future use.
- 8 (70) *Equestrian Centers*. Allowed with a conditional use permit on all lands zoned A-10 except  
9 in that portion of the special flood hazard area of the lower Snohomish and Stillaguamish rivers  
10 designated density fringe as described in chapter 30.65 SCC.
- 11 (71) Mini-Equestrian Centers are allowed as a permitted use on all lands zoned A-10 except in  
12 that portion of the special flood hazard area of the lower Snohomish and Stillaguamish rivers  
13 designated density fringe as described in chapter 30.65 SCC.
- 14 (72) Equestrian Centers and Mini-equestrian Centers require the following:
- 15 (a) Five-acre minimum site size for a mini-equestrian center;
- 16 (b) Covered riding arenas shall not exceed 15,000 square feet for a mini-equestrian  
17 center; provided that stabling areas, whether attached or detached, shall not be included in  
18 this calculation;
- 19 (c) Any lighting of an outdoor or covered arena shall be shielded so as not to glare on  
20 surrounding properties or rights-of-way;
- 21 (d) On sites located in RC and R-5 zones, Type A landscaping as defined in SCC  
22 30.25.017 is required to screen any outside storage, including animal waste storage, and  
23 parking areas from adjacent properties;
- 24 (e) Riding lessons, rentals, or shows shall only occur between 8:00 a.m. and 9:00 p.m.;
- 25 (f) Outside storage, including animal waste storage, and parking areas shall be set back at  
26 least 30 feet from any adjacent property line. All structures shall be set back as required in  
27 SCC 30.23.110(8); and
- 28 (g) The facility shall comply with all applicable county building, health, and fire code  
29 requirements.
- 30 (73) *Temporary Residential Sales Coach (TRSC)*.
- 31 (a) The commercial coach shall be installed in accordance with all applicable provisions  
32 within chapter 30.54A SCC;
- 33 (b) The TRSC shall be set back a minimum of 20 feet from all existing and proposed road  
34 rights-of-way and five feet from proposed and existing property lines;
- 35 (c) Vehicular access to the temporary residential sales coach shall be approved by the  
36 county or state; and
- 37 (d) Temporary residential sales coaches may be permitted in approved preliminary plats,  
38 prior to final plat approval, when the following additional conditions have been met:
- 39 (i) plat construction plans have been approved;
- 40 (ii) the fire marshal has approved the TRSC proposal;
- 41 (iii) proposed lot lines for the subject lot are marked on site; and
- 42 (iv) the site has been inspected for TRSC installation to verify compliance with all  
43 applicable regulations and plat conditions, and to assure that land disturbing activity,  
44 drainage, utilities infrastructure, and native growth protection areas are not adversely  
45 affected.
- 46 (74) *Golf Course and Driving Range*. In the A-10 zone, artificial lighting of the golf course or  
47 driving range shall not be allowed. Land disturbing activity shall be limited in order to preserve  
48 prime farmland. At least 75 percent of prime farmland on site shall remain undisturbed.
- 49 (75) *Model Hobby Park*. SCC 30.28.060.

- 1 (76) *Commercial Retail Uses*. Not allowed in the Light Industrial and Industrial Park zones  
2 when said zones are located in the Maltby UGA of the comprehensive plan, and where such  
3 properties are, or can be served by railway spur lines.
- 4 (77) *Studio*. Studio uses may require the imposition of special conditions to ensure  
5 compatibility with adjacent residential, multiple family, or rural-zoned properties. The hearing  
6 examiner may impose such conditions when deemed necessary pursuant to the provisions of  
7 chapter 30.42C SCC. The following criteria are provided for hearing examiner consideration  
8 when specific circumstances necessitate the imposition of conditions:
- 9 (a) The number of nonresident artists and professionals permitted to use a studio at the  
10 same time may be limited to no more than 10 for any lot 200,000 square feet or larger in  
11 size, and limited to five for any lot less than 200,000 square feet in size;
- 12 (b) The hours of facility operation may be limited; and
- 13 (c) Landscape buffers may be required to visually screen facility structures or outdoor  
14 storage areas when the structures or outdoor storage areas are proposed within 100 feet of  
15 adjacent residential, multiple family, and rural-zoned properties. The buffer shall be an  
16 effective site obscuring screen consistent with Type A landscaping as defined in SCC  
17 30.25.017.
- 18 (78) RESERVED for future use.
- 19 (79) The gross floor area of the use shall not exceed 2,000 square feet.
- 20 (80) The gross floor area of the use shall not exceed 4,000 square feet.
- 21 (81) The construction contracting use in the Rural Business zone shall be subject to the  
22 following requirements:
- 23 (a) The use complies with all of the performance standards required by SCC 30.31F.100  
24 and 30.31F.110;
- 25 (b) Not more than 1,000 square feet of outdoor storage of materials shall be allowed and  
26 shall be screened in accordance with SCC 30.25.024;
- 27 (c) In addition to the provisions of subsection (81)(b) of this section, not more than five  
28 commercial vehicles or construction machines shall be stored outdoors and shall be  
29 screened in accordance with SCC 30.25.020 and 30.25.032;
- 30 (d) The on-site fueling of vehicles shall be prohibited; and
- 31 (e) The storage of inoperable vehicles and hazardous or earth materials shall be  
32 prohibited.
- 33 (82) *Manufacturing, Heavy includes the following uses*. Distillation of wood, coal, bones, or the  
34 manufacture of their by-products; explosives manufacturing; manufacture of fertilizer; extraction  
35 of animal or fish fat or oil; forge, foundry, blast furnace or melting of ore; manufacturing of acid,  
36 animal black/black bone, cement or lime, chlorine, creosote, fertilizer, glue or gelatin, potash,  
37 pulp; rendering of fat, tallow and lard, rolling or booming mills; tannery; or tar distillation and  
38 manufacturing. See SCC 30.91M.028.
- 39 (83) "All other forms of manufacture not specifically listed" is a category which uses  
40 manufacturing workers, as described under the Dictionary of Occupational Titles, published by  
41 the U.S. Department of Labor, to produce, assemble or create products and which the director  
42 finds consistent with generally accepted practices and performance standards for the industrial  
43 zone where the use is proposed. See SCC 30.91M.024 and 30.91M.026.
- 44 (84) RESERVED for future use.
- 45 (85) A single family dwelling may have only one guesthouse.
- 46 (86) Outdoor display or storage of goods and products is prohibited on site.
- 47 (87) *Wedding Facility*.
- 48 (a) Such use is permitted only:
- 49 (i) on vacant and undeveloped land;

- 1 (ii) on developed land, but entirely outside of any permanent structure;  
2 (iii) partially outside of permanent structures and partially inside of one or more  
3 permanent structures which were legally existing on January 1, 2001; or  
4 (iv) entirely inside of one or more permanent structures which were legally existing on  
5 January 1, 2001;
- 6 (b) The applicant shall demonstrate that the following criteria are met with respect to the  
7 activities related to the use:
- 8 (i) compliance with the noise control provisions of chapter 10.01 SCC;  
9 (ii) adequate vehicular sight distance and safe turning movements exist at the access  
10 to the site consistent with the EDDS as defined in Title 13 SCC; and  
11 (iii) adequate sanitation facilities are provided on site pursuant to chapter 30.50 SCC  
12 and applicable Snohomish Health District provisions;
- 13 (c) Adequate on-site parking shall be provided for the use pursuant to SCC 30.26.035; and  
14 (d) A certificate of occupancy shall be obtained pursuant to chapter 30.52A SCC for the  
15 use of any existing structure. The certificate of occupancy shall be subject to an annual  
16 inspection and renewal pursuant to SCC 30.53A.160 to ensure building and fire code  
17 compliance.
- 18 (88) *Public/Institutional Use Designation (P/IU)*. When applied to land that is (a) included in an  
19 Urban Growth Area and (b) designated P/IU on the Snohomish County Future Land Use Map  
20 concurrent with or prior to its inclusion in a UGA, the R-7,200, R-8,400 and R-9,600 zones shall  
21 allow only the following permitted or conditional uses: churches, and school instructional  
22 facilities. All other uses are prohibited within areas that meet criteria (a) and (b), unless the P/IU  
23 designation is changed.
- 24 (89) *Hotel/Motel Uses*. Permitted in the Light Industrial zone when the following criteria are  
25 met:
- 26 (a) The Light Industrial zone is located within a municipal airport boundary;  
27 (b) The municipal airport boundary includes no less than 1,000 acres of land zoned light  
28 industrial; and  
29 (c) The hotel/motel use is served by both public water and sewer.
- 30 (90) Health and Social Service Facilities regulated under this title do not include secure  
31 community transition facilities (SCTFs) proposed pursuant to chapter 71.09 RCW. See SCC  
32 30.91H.095.
- 33 (a) Snohomish County is preempted from regulation of SCTFs. In accordance with the  
34 requirements of state law the county shall take all reasonable steps permitted by chapter  
35 71.09 RCW to ensure that SCTFs comply with applicable siting criteria of state law. Every  
36 effort shall be made by the county through the available state procedures to ensure strict  
37 compliance with all relevant public safety concerns, such as emergency response time,  
38 minimum distances to be maintained by the SCTF from "risk potential" locations, electronic  
39 monitoring of individual residents, household security measures and program staffing.
- 40 (b) Nothing herein shall be interpreted as to prohibit or otherwise limit the county from  
41 evaluating, commenting on, or proposing public safety measures to the state of Washington  
42 in response to a proposed siting of a SCTF in Snohomish County.
- 43 (c) Nothing herein shall be interpreted to require or authorize the siting of more beds or  
44 facilities in Snohomish County than the county is otherwise required to site for its SCTFs  
45 pursuant to the requirements of state law.
- 46 (91) *Level II Health and Social Service Uses*. Allowed outside the UGA only when the use is  
47 not served by public sewer.

- 1 (92) The area of the shooting range devoted to retail sales of guns, bows, and related  
2 equipment shall not exceed one-third of the gross floor area of the shooting range and shall be  
3 located within a building or structure.
- 4 (93) *Farmers Market*. See SCC 30.28.036.
- 5 (94) *Farm Product Processing and Farm Support Business*. See SCC 30.28.038.
- 6 (95) *Farmland Enterprise*. See SCC 30.28.037.
- 7 (96) *Public Events/Assemblies on Farmland*. Such event or assembly shall:  
8 (a) Comply with the requirements of SCC 30.53A.800; and  
9 (b) Not exceed two events per year. No event shall exceed two weeks in duration.
- 10 (97) *Bakery, Farm*. The gross floor area of the use shall not exceed 1,000 square feet.
- 11 (98) *Recreational Facility Not Otherwise Listed in A-10 zone, Forestry (F), or Forestry and  
12 Recreation (F&R) zones*. See SCC 30.28.076.
- 13 (99) *Farm Stand*. See SCC 30.28.039.
- 14 (100) *Farm Stand*. Allowed as a Permitted Use (P) when sited on land designated riverway  
15 commercial farmland, upland commercial farmland or local commercial farmland in the  
16 comprehensive plan. Allowed as an Administrative Conditional Use (A) when sited on land not  
17 designated riverway commercial farmland, upland commercial farmland or local commercial  
18 farmland in the comprehensive plan.
- 19 (101) *Farmers Market*. Allowed as a Permitted Use (P) when sited on land designated riverway  
20 commercial farmland, upland commercial farmland or local commercial farmland in the  
21 comprehensive plan. Allowed as an Administrative Conditional Use (A) when sited on land not  
22 designated riverway commercial farmland, upland commercial farmland or local commercial  
23 farmland in the comprehensive plan.
- 24 (102) Community Facilities for Juveniles in R-5 zones must be located within one mile of an  
25 active public transportation route at the time of permitting.
- 26 (103) All community facilities for juveniles shall meet the performance standards set forth in  
27 SCC 30.28.025.
- 28 (104) Personal wireless service facilities are subject to development standards in chapter  
29 30.28A SCC, parking standards in SCC 30.26.030, setback requirements in SCC 30.23.110(26)  
30 or SCC 30.67.595 if within shoreline jurisdiction, and landscaping standards in chapter 30.25  
31 SCC.
- 32 (105) RESERVED for future use.
- 33 (106) See SCC 30.28A.050(2) for instances when a personal wireless service facility does not  
34 require a conditional use permit.
- 35 (107) *Agricultural Composting Requirements*.  
36 (a) On-farm site agricultural composting operations that comply with the requirements  
37 established in this section are allowed in the A-10 zone. These composting facilities and  
38 operations shall be constructed and operated in compliance with all applicable federal, state  
39 and local laws, statutes, rules and regulations. The Nutrient Management Plan portion of  
40 the farm's Snohomish Conservation District Farm Plan or any other established nutrient  
41 management plan must be on file with the department when any application for a land use  
42 permit or approval is submitted to the department for the development of an agricultural  
43 composting facility. Farm site agricultural composting operations shall also comply with the  
44 following criteria:  
45 (i) The composting operation shall be limited to 10 percent of the total farm site area;  
46 (ii) At least 50 percent of the composted materials shall be agricultural waste;  
47 (iii) At least 10 percent of the agricultural wastes must be generated on the farm site;  
48 (iv) A maximum of 500 cubic yards of unsuitable incidental materials accumulated in  
49 the agricultural waste such as rock, asphalt, or concrete over three inches in size may

- 1 be stored at the farm composting facility until its proper removal. All incidental materials  
 2 must be removed from the site yearly; and
- 3 (v) A minimum of 10 percent of the total volume of the finished compost produced  
 4 annually shall be spread on the farm site annually.
- 5 (b) In all other zones except A-10 where agriculture is a permitted use, incidental  
 6 agricultural composting of agricultural waste generated on a farm site is permitted. The  
 7 agricultural composting facility shall be constructed and operated in compliance with all  
 8 applicable federal, state and local laws, statutes, rules and regulations. The Nutrient  
 9 Management Plan portion of the farm's Snohomish Conservation District Farm Plan or any  
 10 other established nutrient management plan must be on file with the department when any  
 11 permit application is submitted to the department for the development of an agricultural  
 12 composting facility.
- 13 (108) RESERVED for future use. (Urban Center Demonstration Program projects – DELETED  
 14 by Ord. 09-079)
- 15 (109) Privately operated off-road vehicle (ORV) use areas shall be allowed by conditional use  
 16 permit on Forestry and Recreation (F&R) zoned property designated Forest on the  
 17 comprehensive plan future land use map. These areas shall be identified by an F&R ORV suffix  
 18 on the zoning map. Privately operated ORV use areas are regulated pursuant to SCC 30.28.080  
 19 and 30.28.086 and other applicable county codes.
- 20 (110) RESERVED for future use.
- 21 (111) RESERVED for future use.
- 22 (112) RESERVED for future use. (Transfer of Development Rights receiving area overlay –  
 23 DELETED by Amended Ord. 13-064)
- 24 (113) *Privately Operated Motocross Racetracks*. Allowed by conditional use permit, and are  
 25 regulated pursuant to SCC 30.28.100 and 30.28.105, and other applicable county codes.  
 26 Motocross racetracks are allowed in the Forestry and Recreation (F&R) zone only on  
 27 commercial forest lands.
- 28 (114) New AM Radio Towers are prohibited. AM radio towers either constructed before  
 29 October 13, 2010, or with complete applications for all permits and approvals required for  
 30 construction before October 13, 2010, shall not be considered nonconforming uses and they  
 31 may be repaired, replaced, and reconfigured as to the number and dimensions of towers so  
 32 long as the repair, replacement, or reconfiguration occurs on the parcel where the tower was  
 33 originally constructed or permitted and it does not increase the number of AM radio towers  
 34 constructed on the parcel.
- 35 (115) This use is prohibited in the R-5 zone with the Mineral Resource Overlay (MRO). Public  
 36 park is a permitted use on reclaimed portions of mineral excavation sites with the MRO.
- 37 (116) See cottage housing design standard requirements in chapter 30.41G SCC.
- 38 (117) RESERVED for future use.
- 39 (118) RESERVED for future use.
- 40 (119) Only building mounted personal wireless service facilities or personal wireless service  
 41 facilities located on utility poles, streetlight poles, or traffic signal poles as specified in SCC  
 42 30.28A.055 shall be permitted.
- 43 (120) Allowed as a conditional use only with a Park-and-Pool Lot or a Park-and-Ride Lot.
- 44 (121) Permitted as an incidental use with a permitted use, conditional use or administrative  
 45 conditional use.
- 46 (122) Products or merchandise offered for sale or storage by a business may be located  
 47 outdoors; provided, that:
- 48 (a) The area occupied by the display shall not exceed 500 square feet; and

1 (b) Public sidewalks shall not be enclosed as space for sales or storage by fencing or  
2 other means that effectively limits public use of the sidewalk.  
3 (123) Such uses, except those as provided for in SCC 30.34A.010(4)(d), are permitted only in  
4 structures which are legally existing on May 29, 2010. Such uses, except those as provided for  
5 in SCC 30.34A.010(4)(d), shall also comply with subsection (122) of this section.  
6 (124) The minimum lot size for marijuana related facilities is 100,000 square feet. Marijuana  
7 production and marijuana processing are allowed indoors and outdoors, including in  
8 greenhouses and other structures pursuant to chapter 314-55 WAC. In the A-10 zone,  
9 marijuana uses shall be subject to the same regulations that apply to agricultural uses and not  
10 subject to any more restrictive regulations except as specifically provided in this title and in state  
11 law. Marijuana processing is only allowed when there is a marijuana production facility on site.  
12 Marijuana facilities are subject to special setbacks pursuant to SCC 30.23.110(28).  
13 (125) Marijuana production and processing is permitted indoors only; no outdoor production or  
14 processing is allowed.  
15 (126) RESERVED for future use.  
16 (127) Campgrounds and recreational facilities not otherwise listed are not allowed on land  
17 designated Local Forest in the comprehensive plan.  
18 (128) Development applications for all non-tribally owned, fee-simple properties designated  
19 Reservation Commercial on the Snohomish County Future Land Use Map must include an  
20 archaeology site report pursuant to SCC 30.32D.200(3)(b) or relocate the project to avoid  
21 impacts to any archaeological resources.  
22 (129) Development within an airport compatibility area is subject to the requirements of chapter  
23 30.32E SCC.  
24 (130) On land designated as riverway commercial farmland, upland commercial farmland or  
25 local commercial farmland or land zoned A-10 the following additional requirements apply:  
26 (a) the applicant must demonstrate that the use is incidental to the primary use of the site  
27 for agricultural purposes and supports, promotes or sustains agricultural operations and  
28 production;  
29 (b) the use must be located, designed, and operated so as to not interfere with, and to  
30 support the continuation of, the overall agricultural use of the property and neighboring  
31 properties;  
32 (c) the use and all activities and structures related to the use must be consistent with the  
33 size, scale, and intensity of the existing agricultural use of the property and the existing  
34 buildings on the site;  
35 (d) the use and all activities and structures related to the use must be located within the  
36 general area of the property that is already developed for buildings and residential uses;  
37 (e) where the property is less than 10 acres in size, the use and all structures and  
38 activities related to the use shall not convert more than 10 percent of agricultural land to  
39 nonagricultural uses;  
40 (f) where the property is 10 acres in size or more, the use and all structures and activities  
41 related to the use shall not convert more than one acre of agricultural land to nonagricultural  
42 uses; and  
43 (g) any land disturbing activity required to support the use shall be limited to preserve  
44 prime farmland.  
45 The provisions of subsections (130)(a) through (130)(f) of this section do not apply to any land  
46 under ownership or acquired before May 24, 2015, by any local, county, regional, or state  
47 agency for recreation, public park and/or trail purposes. Any new development, alterations or  
48 reconstruction on these properties shall meet subsection (130)(g) of this section and the  
49 requirements of the A-10 zone. All buildings and parking areas shall be set back a minimum of

1 50 feet from the property boundaries. If the park or trail use produces adverse conditions that  
2 will unduly affect an adjacent agricultural use, the director may impose a larger setback to  
3 alleviate the effects of such adverse conditions, which include but are not limited to noise,  
4 vibration, dust, and light.

5 (131) Marijuana-related facilities are prohibited within the exterior boundaries of the Tulalip  
6 Indian Reservation.

7 (132) *Marijuana Retail*. See SCC 30.28.120.

8 (133) Only the following uses are permitted in the CRC zone: clubhouses, grooming parlors,  
9 personal service shops, offices, tool sales and rental, locksmith, home improvement centers,  
10 retail bakeries, drug stores, grocery stores, hardware stores, general retail, second hand stores,  
11 specialty stores, and tire stores.

12 (134) *Material Recovery Facility*. See SCC 30.28.110.

13 (135) Retail, general uses may be allowed with an administrative conditional use permit only  
14 when part of a new mixed-use development that includes residential dwellings or when  
15 occupying a former residential structure (or portion of a residential structure). The proposed  
16 retail use in the MR zone must meet the following criteria:

17 (a) The retail use has frontage on an arterial road as shown on the Countywide Arterial  
18 Circulation Map;

19 (b) The gross leasable area of retail space may not exceed 6,000 square feet; and

20 (c) Products or merchandise offered for sale or storage by a business may be located  
21 outdoors except that the area occupied by the display may not exceed 500 square feet and  
22 public sidewalks may not be enclosed as space for sales or storage by fencing or other  
23 means that effectively limits public use of the sidewalk.

24 (136) Within the NB zone, this use is only permitted when the Future Land Use Map in the  
25 comprehensive plan designates the site as Urban Village.

26 (137) *Recycling Facility*. See SCC 30.28.112.

27 (138) Licensed practitioners and medical clinics may be conditionally permitted as the sole use  
28 on a site. Cleaning establishments, grooming parlors, and personal service shops may only be  
29 conditionally permitted when part of a development that includes residential dwellings or when  
30 occupying a former residential structure (or portion of a residential structure).

31  
32 Section 7. Snohomish County Code Section 30.31F.110, added by Amended Ordinance  
33 No. 02-064 on December 9, 2002, is amended to read:

34  
35 **30.31F.110 Rural business zone performance standards**

36  
37 (1) In addition to the general performance standards of SCC 30.31F.100, and other applicable  
38 standards of subtitle 30.2 SCC, the following standards apply to development, except churches,  
39 in the RB zone:

40  
41 ~~((1))~~(a) The total impervious surface of all buildings, parking, and other support areas such as  
42 storage, trash containers, etc., shall not exceed 50 percent of the net usable area of the site;  
43 and

44  
45 ~~((2))~~(b) The maximum area for each building footprint on the site shall not exceed 4,000  
46 square feet.



1 (2) A change of use for any existing structure, including related site improvements, that is in a  
2 Rural Business zone and does not meet the performance standards of SCC 30.31F.110 (1)  
3 shall require:

4  
5 (a) A conditional use permit when the proposed use is allowed in the RB zone but prohibited in  
6 the R-5 zone; or

7  
8 (b) The approval type required under SCC 30.22.110 for the RB zone when the proposed use is  
9 allowed in both the RB zone and the R-5 zone.

10  
11  
12 Section 8. A new section is added to chapter 30.31F of the Snohomish County Code to  
13 read:

14  
15 **30.31F.115 Allowing a Complete Development Application to Opt-in to the Provisions of**  
16 **Ordinance No. 18-062.**

17  
18 (1) An applicant with a development application for a church within or partially within the Rural  
19 Business zone, determined to be complete between January 1, 2017, and November 30, 2018,  
20 may voluntarily submit a signed waiver to the department requesting the development  
21 application be reviewed under the provisions in Ordinance No. 18-062. All other development  
22 regulations in effect as of the date the original development application was determined to be  
23 complete shall apply.

24  
25 (2) Applicants submitting a signed waiver shall have 12 months from November 30, 2018, to  
26 submit a revised site plan.

27  
28 (3) This section SCC 30.31F.115 is repealed effective 12 months from November 13, 2018.

29  
30 Section 9. Severability. If any section, sentence, clause or phrase of this ordinance is  
31 held to be invalid by the Growth Management Hearings Board ("Board"), or unconstitutional by a  
32 court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or  
33 constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided,  
34 however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by  
35 the Board or a court of competent jurisdiction, then the section, sentence, clause or phrase in  
36 effect prior to the effective date of this ordinance shall be in full force and effect for that  
37 individual section, sentence, clause or phrase as if this ordinance had never been adopted.

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PASSED this 13th day of November, 2018.

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

Stephanie Wright  
Council Chair

ATTEST:  
[Signature]

Asst. Clerk of the Council

- APPROVED
- EMERGENCY
- VETOED

DATE: 11/24/18  
[Signature]  
County Executive

ATTEST:  
Melissa Geraghty

Approved as to form only:

Jana C. Kuehli 8/31/18  
Deputy Prosecuting Attorney

D-10

**Exhibit A**  
**Ordinance No. 18-062**  
**GPP18-9 – Churches in the Rural Business zone**  
**Amendments to the Land Use Chapter of the GPP**

## **Rural Lands**

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Rural lands are those areas outside of urban growth areas (UGAs), excluding agricultural and forest lands, which are discussed in separate subsections. Mineral resource lands, also discussed in a separate subsection, overlap with a small portion of rural lands. In Snohomish County, rural areas are traditionally used for hobby farms, tree nurseries, greenhousing, agricultural crops, livestock, mineral extraction and processing, timber production, and low-density residential development. The low intensity use of rural land also provides fish and wildlife habitat, open space, and other environmental benefits.

The Growth Management Act requires the county to include a rural element in its comprehensive plan. The county’s rural element consists of the rural land use policies in this subsection of the Land Use chapter as well as other rural-related policies addressing utilities, transportation, housing, open space, parks and recreation, economic development, and natural resources, each discussed in separate sections of the county’s comprehensive plan.

- The utilities element discourages urban development patterns in the rural area by restricting public sewer systems outside designated UGAs.
- The transportation element establishes rural standards and rural levels of service to support low density/low intensity development in rural areas consistent with the rural land use policies.

- The capital facilities plan lists facilities that are “necessary to support rural development” and corresponding minimum levels of service for each facility.
- The housing section promotes provision of a broad range of housing types in urban and rural areas to ensure all segments of the population have the opportunity to obtain safe, sanitary and affordable housing.
- The open space section in the Land Use chapter provides a policy framework linking open space preservation and development of low intensity recreational and residential opportunities in rural areas.
- Policies in the economic development and natural resource sections in the GPP provide a foundation supporting rural and resource-based economic activities in the rural areas.

The countywide planning policies for Rural Land Use and Resource Lands (agricultural, forest, and mineral lands) provide the policy framework for preparing the rural element of the county comprehensive plan. The rural land use policies provide for limited growth in rural areas, strive to be sensitive to existing land uses and development patterns, preserve rural character and lifestyle, and protect the environment and natural resource lands.

Rural land use policies describe and accommodate a wide array of land uses and a variety of residential densities that are compatible with the character of rural areas;

support rural and natural resource-based industries; provide economic opportunities for rural residents; promote low intensity recreational uses consistent with rural surroundings; and preserve the rural lifestyle and traditional rural activities which contribute to the county's overall quality of life.

A major portion of the county's rural planning work was completed as part of the GPP amendments that were adopted and became effective on December 12, 1996, in response to Growth Management Hearings Board decisions. The amendments modified and refined the rural residential plan provisions of the GPP. On December 16, 1998 the county adopted additional plan refinements concerning rural commercial and rural

industrial land uses as directed by the GPP, the countywide planning policies, and amendments to the GMA passed by the state legislature in 1997.

The rural policies were reviewed in 2005 as part of the 10-year update cycle. Rural policies and the resulting rural development patterns were evaluated to ensure that patterns of urban development were not occurring in the rural area; that rural character has been preserved; and that the rural element provides a balanced approach for satisfying the goals of the GMA. Based on this evaluation, policies were updated to strengthen the county's commitment to preservation of rural lifestyle and to reflect completed planning efforts and evolution of the rural planning work program.

**GOAL LU 6                      Protect and enhance the character, quality, and identity of rural areas.**

**Objective LU 6.A              Reduce the rate of growth that results in sprawl in rural and resource areas.**

- LU Policies**
- 6.A.1              To help ensure that the rural population target is not exceeded, rural growth trends shall be monitored using the process and criteria established under Objective PE 2.B. If rural growth trends indicate that the rural population target may be exceeded, the county shall evaluate whether incentive programs or adjustments to planned densities or land uses are necessary to bring rural growth trends back into alignment with the adopted target.
  - 6.A.2              Establish rural infrastructure standards that are consistent with appropriate rural development patterns and densities.
  - 6.A.3              The Warm Beach Health Care Center/Senior Community may be expanded into an area that includes parcels with the following tax account numbers: 183104-1-002, 2-007, 2-008, 2-009, 2-018, and 2-022. Densities within the expansion area may exceed the density allowed by the GPP Future Land Use Map and/or the zoning classification for these parcels but may not exceed 2 dwelling units per acre, provided that a planned residential development (PRD) consistent with this density allowance is approved for the site prior to the issuance of building permits. The official site plan required by

the PRD shall meet applicable requirements of the zoning code. The following additional requirements shall be met:

- (a) no new lots are created;
- (b) housing shall be limited to rental housing units for senior citizens;
- (c) senior housing does not unduly disrupt or alter the visual character of rural uses in the immediate vicinity;
- (d) impacts concerning traffic, sewage disposal, water supply, and nearby wells are mitigated consistent with county code and policies; and
- (e) the development will not lead to more non-rural development.

## **Objective LU 6.B**

**Encourage land use activities and development intensities that protect the character of rural areas, avoid interference with resource land uses, minimize impacts upon critical areas, and allow for future expansion of UGAs. (See the resource sections of the land use element for protection of resource lands and the natural environment element for protection of critical areas.)**

### **LU Policies 6.B.1**

Use of a clustering subdivision technique should be encouraged by the County in rural residential areas to 1) preserve the rural character of Snohomish County; 2) avoid interference with resource land uses; 3) minimize impacts upon critical areas; 4) allow for future expansion of the UGAs, where appropriate, and 5) support the provision of more affordable housing in rural areas. The primary benefit of clustering is the preservation of open space. Modest density incentives should be provided in a manner which encourages use of the technique and maximum preservation of open space and maintenance of rural character. The open space tracts in rural cluster subdivisions shall be preserved in perpetuity, except for those located now or in the future within the Rural/Urban Transition Area. In the Rural/Urban Transition area, open space tracts shall be preserved until such time as the subdivision is included within a UGA, so that it may be used for future urban development. Rural cluster subdivision regulations implementing this policy shall include performance standards to ensure that:

1. The number, location and configuration of lots will constitute compact rural development rather than urban growth. Performance standards shall include the following:
  - (a) Preservation of a substantial percentage of total site area in open space to be held in single ownership and in a separate tract or tracts;

- (b) Provision of a density incentive which is tied to the preservation of open space;
  - (c) Connection of open space tracts with open space tracts on adjacent properties;
  - (d) Density at no greater than the underlying zoning density together with a modest density bonus as an incentive for use of the clustering technique;
  - (e) Allowance of open space uses consistent with the character of the rural area;
  - (f) Division of the development into physically separated clusters with a limitation on the maximum number of lots per cluster;
  - (g) Physical separation between clusters consisting of a buffer of wind resistant vegetation;
  - (h) Design that configures residential lots to the greatest extent possible to maintain rural character by:
    - (i) maximizing visibility of open space tract and minimizing visibility of clusters from adjoining collector roads, arterial roads, or state and federal highways through the placement of lots in the interior of the site and through vegetative buffers; and
    - (ii) placing buildings and lots in a manner which does not intrude on the visual character of the rural landscape, in particular, avoiding placement of houses or buildings on forested ridgelines or other prominent physical features;
  - (i) Submittal of a planting and clearing plan to ensure that any planting or clearing proposed will not interfere with the rural character of the site;
  - (j) Submittal of a site plan to ensure that siting of lots and built areas will not interfere with the rural character of the site and is consistent with the performance standards of the ordinance. The site plan must include:
    - (i) location of clusters, roads and open space;
    - (ii) within clusters, location and placement of buildings, useable building areas, driveways, and drainage systems; and
    - (iii) location of critical areas and all buffers;
2. The development minimizes adverse impacts to large-scale natural resource lands, such as forest lands, agricultural

lands and critical areas. Performance standards shall include the following:

- (a) Minimization of alterations to topography, critical areas, and drainage systems; and
  - (b) Adequate separation between rural buildings and clusters and designated natural resource lands;
3. The development does not thwart the long-term flexibility to expand the UGA. In the Rural/Urban Transition area, open space tracts shall be preserved until such time as the subdivision is included within a UGA, so that the tract may be reserved for future urban development. When an open space tract is added to a UGA and adequate services can be provided, the County may allow redevelopment of the open space tract into additional lots to provide appropriate urban level density.
4. The development has made adequate provision for impacts to transportation systems. Performance standards shall include:
- (a) controls for access to the rural cluster subdivision from public roads;
  - (b) requirements to meet rural concurrency standards; and
  - (c) requirement that the development be located within a rural fire district.
- 6.B.2 The retention of small forest, farming, horse farm and other livestock based farm operations and hobby farms shall be encouraged in rural areas.
- 6.B.3 Resource-based industries that help sustain rural communities, require only rural levels of service, support the conservation of natural resource lands, and complement rural character shall be promoted in rural areas.
- 6.B.4 Resource-dependent tourism and recreation-oriented uses such as commercial horse stables, guide services, golf courses, and group camps should be allowed on a conditional use basis in rural areas provided they do not adversely impact adjoining rural uses.
- 6.B.5 Nonresource-dependent tourism-related uses such as motels and restaurants serving rural and resource areas should be located within commercial zones.
- 6.B.6 Development standards in rural areas shall be consistent with the cultural resources policies in the plan so as to preserve them.
- 6.B.7 Except for athletic facilities located near urban growth areas, campgrounds, parks, recreational facilities, and trails shall consist of

low intensity and density uses and be sited and designed to avoid adverse impacts on residents and the environment.

- 6.B.8 Monitor the rate and pattern of development created by rural cluster subdivisions and report to the county council annually to ensure that a pattern of urban development is not established in rural areas.

**Objective LU 6.C**

**Identify and designate as Rural Resource Transition rural lands with natural resource values between designated resource and rural lands.**

**LU Policies**

- 6.C.1 Designate as Low Density Rural Residential those areas which are currently zoned Forestry requiring 20 acre minimum lot sizes in new subdivisions but are not included in the Forestry designations of the General Policy Plan.
- 6.C.2 The county shall consider the establishment of a Rural Resource Transition designation which would serve as a transition area between rural residential and natural resource lands.
- 6.C.3 The Rural Resource Transition designation should initially incorporate the Low Density Rural Residential and Rural Residential-10 (Resource Transition) designations of the General Policy Plan and may include other lands which provide an appropriate transition between rural and resource lands.
- 6.C.4 The county should work with willing landowners to designate lands as Rural Resource Transition which have productive soils, are surrounded by very low intensity land uses, and have parcel sizes of 10 acres or greater.
- 6.C.5 Through subsequent implementation measures, rural cluster subdivision of Low Density Rural Residential and Rural Resource Transition lands shall be encouraged on tracts 40 acres or larger.
- 6.C.6 Designate as Rural Residential-10 (Resource Transition) those areas outside of the Tulalip Reservation which were formerly included in Forestry designations on pre-GMA subarea plans but not zoned Forestry. These areas shall not be subdivided into lots less than 10 acres except through the use of cluster subdivision or housing demonstration program using PRD provisions at a maximum density of 1 dwelling unit per 5 acres.
- 6.C.7 Designate as Rural Residential-10 (Resource Transition) those fee-simple lands on the Tulalip Reservation which are adjacent or in close proximity to lands designated for forestry or agricultural use by the GPP or the Tulalip Tribes' comprehensive plan and lands adjacent to the estuary of Quilceda Creek. The Rural Residential-10 (Resource Transition) designation will serve as a density transition between 5-



acre rural residential uses and natural resource lands on the Reservation. The Rural Residential-10 (Resource Transition) areas on the Tulalip Reservation shall not be subdivided into lots less than 10 acres except through the use of the rural cluster subdivision technique.

**Objective LU 6.D**      **Designate as Rural Residential-10 those areas outside the Marysville-Arlington Urban Growth Areas east of I-5 to maintain large parcel patterns for small farm and low density rural uses.**

**LU Policies**      6.D.1      Provide that the portion of the Rural Residential-10 area bounded on the south by 108th and on the north by the diagonal railroad line be maintained in rural status and specialty agriculture through cluster provisions and a specialty agriculture priority.

**Objective LU 6.E**      **Within rural residential areas, recognize existing businesses that are an integral part of the rural character and provide for community facilities and small-scale((s)) commercial developments that support the immediate rural population with necessary goods and services.**

**LU Policies**      6.E.1      Within the rural residential designations of the Future Land Use Map, limited commercial uses shall be permitted within a Rural Business zone that provide opportunities for retail sales and services to the surrounding rural population.

6.E.2      The county shall develop Rural Business zoning and development standards that allow community facilities for the surrounding rural population and facilitate small-scale retail and service uses at appropriate locations within rural residential areas and minimize impacts to residential areas, resource lands, and critical areas.

6.E.3      In order to maintain the character of surrounding rural residential areas, development regulations for the Rural Business zone ((development standards)) shall restrict development in terms of ((the)) building size, height, and setback; the size, location, and type of uses; and the areas of impervious surfaces. Churches shall not be subject to restrictions on building size or areas of impervious surfaces provided by LU Objective 6.E and its associated policies.

6.E.4      ((Rural Business development)) Development in the Rural Business zone shall be limited to development that can be supported by services typically delivered at rural levels of service. These services may include domestic water, septic systems, and transportation facilities.

- 6.E.5 Existing small-scale commercial uses within rural residential zones may be zoned Rural Business whether or not they meet the locational criteria listed in Policy LU (~~(6-B-7)~~) 6.E.7 only if they are uses allowed within the Rural Business zone. If existing uses do not meet the locational criteria, no future expansion of the zone shall be allowed. This policy is not intended to preclude legal non-conforming uses from expanding consistent with Snohomish County Code provisions.
- 6.E.6 (~~The county shall rezone existing commercial zones within rural areas and outside the Rural Commercial and Rural Freeway Service designations to the new Rural Business zone.~~) REPEALED BY ORDINANCE NO. 18-\_\_\_.
- 6.E.7 New Rural Business zones may only be approved in Rural Residential plan designations if they meet the following locational criteria:
- (a) A minimum of six hundred residential dwelling units should be located within a two and one-half mile radius of the proposed site.
  - (b) The site is located along a county road or state highway with at least one hundred feet of street frontage or at an intersection of two public roads.
  - (c) No new areas designated or zoned for commercial uses should be located closer than two and one-half miles in the rural area.
  - (d) The total area zoned for Rural Business at any given location should not include more than five acres of net usable area. Net usable area should be the total site area less critical areas and their required buffers, roads, detention/retention areas, and biofiltration swales. Parcels within a Rural Business location should have common boundaries unless separated by public rights-of-way.
  - (e) The size and configuration of the area to be zoned should be capable of accommodating setbacks, buffers, critical area protection, and other site planning and design techniques that permit small-scale, rural commercial development characteristics.
- 6.E.8 Sites within a Rural Business zone should be developed according to development regulations which incorporate the following criteria:
- (a) Existing native vegetation should be retained within required buffers. Screening of parking areas, outdoor storage and mechanical equipment should be provided.
  - (b) Site disruption such as excessive grading, filling, or clearing of vegetation should be minimized through landscaping and buffer requirements.

- (c) Total permitted impervious surfaces of buildings, parking and other support areas such as storage, trash containers, etc., should not exceed fifty percent of the net usable site area, except for churches.
- (d) Stormwater management facilities should be designed and landscaped to integrate them into the overall site design and the landscaped buffers on the site.
- (e) All structures should be set back fifty feet from residentially zoned properties. Structures should be set back one hundred feet from designated agricultural and forest lands.
- (f) Sites should retain all existing trees in all required buffers along side and rear property lines. Sites should retain all existing evergreen trees in all required buffers along property frontage excluding areas for access drives and sign locations, unless tree removal is required to meet Department of Public Works Engineering Design and Development Standards or because of public health and safety concerns.
- (g) Billboards should be prohibited within the Rural Business zone. Signage requirements should be similar to the signage provisions of the Neighborhood Business zone.
- (h) Adequate water supplies should be demonstrated for commercial use and fire protection including fire flow.
- (i) Refuse collection, fuel loading and storage areas, and large truck parking areas should be located at least one hundred feet from residential areas and screened by fence or landscaping.

**Objective LU 6.F**

**Provide areas for small-scale, freeway interchange commercial uses that support both local rural populations and the traveling public with necessary goods and services.**

**LU Policies LU 6.F.1**

Within rural lands outside of urban growth areas (UGAs), and located along Interstate 5 at freeway interchanges, permit limited commercial uses that provide opportunities for retail sales and services to rural populations and the needs of the traveling public.

**LU 6.F.2**

The Rural Freeway Service designation shall apply to areas that are located at the Interstate 5 interchanges north and west of, and outside of, the Arlington/Marysville UGA.

**LU 6.F.3**

REPEALED BY AMENDED ORDINANCE NO. 14-129.

**LU 6.F.4**

Rural Freeway Service zoning and development, site, and locational criteria shall be adopted that facilitate small-scale retail and service

uses at appropriate locations that minimize impacts to rural residential areas, resource lands, and critical areas.

- LU 6.F.5 In order to maintain the rural character of the area, Rural Freeway Service development standards shall restrict the building size, height, and setback, the areas of impervious surfaces, and the size, location, and type of uses.
- LU 6.F.6 Rural Freeway Service development shall be limited to development that can be supported by services typically delivered at rural levels of service. These services may include domestic water, septic systems, and transportation facilities.
- LU 6.F.7 New Rural Freeway Service designations on the Future Land Use map may be approved only in rural areas and if the area meets the following locational criteria:
- (a) Sites should be located near an Interstate 5 interchange and shall abut a frontage or access road.
  - (b) Total land area designated for Rural Freeway Service at any given interchange shall not include more than ten net usable acres. Net usable area shall be the total site area less critical areas and their required buffers, roads, detention/retention areas, and biofiltration swales.
  - (c) Site conditions such as topography, soils, existing vegetation, critical areas, vehicular traffic sight lines and capacity for water, fire protection and septic systems shall be adequate to support Rural Freeway Service development without adverse impacts to adjacent sites or the natural environment.
  - (d) The size and configuration of the area to be designated must be capable of accommodating setbacks, buffers and other site planning and design techniques that permit small-scale, rural commercial development characteristics.
- LU 6.F.8 Sites within a Rural Freeway Service designation shall be developed according to development regulations which incorporate the following criteria:
- (a) Existing native vegetation should be retained within required buffers. Screening of parking areas, outdoor storage and mechanical equipment shall be provided.
  - (b) Site disruption such as excessive grading, filling, or clearing of vegetation shall be minimized through landscaping and buffer requirements.
  - (c) Total permitted impervious surfaces of buildings, parking and other support areas such as storage, trash containers, etc., shall not exceed sixty percent of the net usable site area.

- (d) Storm water detention facilities, such as ponds and grassy swales, shall be designed and landscaped to integrate them into the overall site design and the landscaped buffers on the site.
- (e) All applicable State Highway regulations related to access shall be met.
- (f) All structures shall be set back fifty feet from rural residential zoned properties and from designated farmland. Structures shall be set back one hundred feet from designated forest land.
- (g) Type B landscaping (as defined by the county's landscaping code), which may include native vegetation with an average width of twenty-five feet but not less than ten feet, shall be required along all frontage and access roads abutting the property and between other Rural Freeway Service or Rural Business zoned properties. Type ((H)) A landscaping (as defined by the county's landscaping code), which may include native vegetation with a width of fifty feet, shall be provided along property lines adjacent to rural residential zoned areas.
- (h) Sites shall retain all existing trees of three inch caliper and larger in all required buffers along side and rear property lines. Sites shall retain all existing evergreen trees of three inch caliper and larger in all required buffers along property frontage, excluding areas for access drives and sign locations, unless tree removal is required to meet Department of Public Works Engineering Design and Development Standards or because of public health and safety concerns.
- (i) Billboards shall be prohibited within the Rural Freeway Service zone. Signage requirements shall be similar to the signage provisions of the Freeway Service zone.
- (j) Adequate water supplies shall be demonstrated for commercial use and fire protection including fire flow.
- (k) Refuse collection, fuel loading and storage areas, and large truck parking areas shall be located at least one hundred feet from residential areas and screened by fence or landscaping.

## **Objective LU 6.G**

**Provide for small-scale industrial uses in the rural areas of the county that are primarily dependent on the natural resources derived from the rural and resource areas.**

### **LU Policies LU 6.G.1**

Within rural lands outside of urban growth areas (UGAs), permit limited rural industrial land uses in areas previously designated or

zoned for rural industrial uses and permit limited rural industrial uses in areas which have not been previously designated or zoned for rural industrial uses but contain uses or existing structures previously devoted to rural industry. Provide opportunities for small-scale industrial development that relates to other rural uses and natural resource production, processing and distribution of goods.

- LU 6.G.2 Recognize the existing rural industrial designations and zones in the county that contribute to the economic diversity of the unincorporated areas of the county and provide employment opportunities to nearby rural populations.
- LU 6.G.3 REPEALED BY AMENDED ORDINANCE NO. 14-129.
- LU 6.G.4 Rural industrial areas should be developed in a manner which supports the rural character of the county and protects sensitive natural features of the environment. The scale and character of rural industrial development shall be smaller and less intense than urban industrial development.
- LU 6.G.5 Rural Industrial development shall be limited to development that can be supported by services typically delivered at rural levels of service. These services may include water, septic systems, and transportation facilities.
- LU 6.G.6 Expansions of Rural Industrial designations on the Future Land Use map may be approved only if they meet the following locational criteria:
- (a) Site conditions such as topography, soils, existing vegetation, critical areas, and capacity for water, fire protection and septic systems shall be adequate to support intensive resource-based industrial production without significant adverse environmental impacts.
  - (b) Designation size and configuration shall allow for setbacks, buffers, and other site planning and design techniques that permit small-scale, rural commercial development characteristics.
  - (c) Total land area designated for Rural Industrial at any given location shall not include more than twenty net usable acres. Net usable area shall be the total site area less critical areas and their required buffers, roads, detention/retention areas, and biofiltration swales.
  - (d) Rural industrial development shall not require the construction of long access roads or other transportation improvements such as bridges and roads.

LU 6.G.7

Sites within a Rural Industrial designation shall be developed according to development regulations which incorporate the following criteria:

- (a) Existing native vegetation should be retained within required buffers. Screening of parking areas, outdoor storage and mechanical equipment shall be provided.
- (b) Site disruption such as excessive grading, filling, or clearing of vegetation shall be minimized through landscaping and buffer requirements.
- (c) Total permitted impervious surfaces of buildings, parking and other support areas such as storage, trash containers, etc., shall not exceed sixty percent of the net usable site area.
- (d) Stormwater management facilities shall be designed and landscaped to integrate them into the overall site design and the landscape buffers on site.
- (e) All structures shall be set back one hundred feet from rural residential zoned properties, designated farmland, and designated forest land.
- (f) Type B landscaping (as defined by the county's landscaping code), which may include native vegetation with an average width of twenty-five feet but not less than ten feet shall be required along all frontage and access roads abutting the property and between other Rural Freeway Service or Rural Business zoned properties. Type ((H)) A landscaping (as defined by the county's landscaping code), which may include native vegetation with a width of one hundred feet shall be required along property lines abutting rural residential areas.
- (g) Sites shall retain all existing trees of three inch caliper and larger in all required buffers along side and rear property lines. Sites shall retain all existing evergreen trees of three inch caliper and larger in all required buffers along property frontage excluding areas for access drives and sign locations unless tree removal is required to meet Department of Public Works Engineering Design and Development Standards or because of public health and safety concerns.
- (h) Billboards shall be prohibited within the Rural Industrial zone. Signage requirements shall be similar to the signage provisions of the Neighborhood Business zone.
- (i) Adequate water supplies shall be demonstrated for commercial use and fire protection including fire flow.
- (j) Refuse collection, fuel loading and storage areas, and large truck parking areas shall be located at least one hundred feet from residential areas and screened by fence or landscaping.

- (k) Disruption to adjacent rural residential areas by noise, dust, odors, operating hours, vehicular movement and traffic, or adverse visual alteration of the natural landscape by industrial activities shall be minimized.

**Objective LU 6.H**

**Within the rural Clearview area and along State Route 9, establish two limited areas of more intense rural development within logical outer boundaries that are based on commercial uses in existence as of July 1, 1990, and which permits limited infill, development or redevelopment within existing areas.**

**LU Policies LU 6.H.1**

Recognize the existing commercial and residential settlement pattern in the area of southeast Snohomish County along State Route 9 between 184<sup>th</sup> and 172<sup>nd</sup> Streets SE and at 164<sup>th</sup> Street SE as limited areas of more intense rural development (LAMIRD) that provide retail goods and services to the immediate population and a larger surrounding service area and allow limited infill adjacent to existing commercial development.

LU 6.H.2

Areas with an existing commercial designation or zoning within LAMIRD boundaries shall be designated Clearview Rural Commercial (CRC).

LU 6.H.3

Areas designated Rural Residential within LAMIRD boundaries shall retain the existing Rural Residential designation.

LU 6.H.4

Rural residents should have access to a mix of small scale retail sales, personal services and job opportunities within the CRC designation.

LU 6.H.5

Prevent strip development by minimizing and containing infill and redevelopment within the logical outer boundaries of two distinct commercial nodes in the Clearview area.

LU 6.H.6

The boundaries of the Clearview LAMIRDs are shown on the Future Land Use map. The boundaries are based on those found in the Cathcart-Maltby-Clearview area plan, generally follow parcel lines, and include parcels which meet the following criteria:

- (a) The area does not contain extensive critical areas, and
- (b) The area is developed with a commercial use which was in existence on or before July 1, 1990; or
- (c) The area is zoned Neighborhood Business or Community Business and is a cohesive part of the existing commercial settlement pattern; or
- (d) The remaining area constitutes infill, as it is located between and adjacent to two larger areas meeting criteria b) or c)



above, or is along the boundary edge and its exclusion would create an irregular boundary.

LU 6.H.7 Implement the CRC designation through zoning and development standards which reduce impacts of new infill development or redevelopment to adjacent rural residential areas and rural character:

- (a) Require a twenty-five foot wide sight-obscuring landscape buffer adjacent to the LAMIRD boundaries. The buffer should be designated to preserve native vegetation and existing trees of three-inch caliper or larger; and
- (b) New uses shall be limited primarily to those uses similar to and compatible with uses that existed on July 1, 1990, and which serve the local rural population.

LU 6.H.8 Development within the CRC designation shall be limited to development that can be supported by services typically delivered at rural levels of service. These services may include water, septic systems, and transportation facilities.

**Objective LU 6.I Develop voluntary and incentive-based programs to promote and preserve agricultural activities in rural areas.**

**LU Policies** LU 6.I.1 Allow owners of qualifying rural land to opt into the TDR program and have their land redesignated as resource land consistent with adopted policies for TDR.

LU 6.I.2 Provide informational materials to the public that will help preserve and promote agricultural activities in the rural area. Public education efforts or materials should include:

- (a) Voluntary site planning measures for improving the compatibility between new rural development and agricultural activities;
- (b) A central information distribution site to help local farmers make the public aware of when, where and how to purchase local farm products;
- (c) Support for local efforts to disseminate information about new farming methods, markets and products that can add value to agricultural businesses; and
- (d) The criteria for qualifying for, and the process for enrolling in, property tax reduction programs available for agricultural lands.

LU 6.I.3 All rural areas where changes in zoning increase the maximum allowable number of residential lots or units shall be designated as

TDR receiving areas and all development approvals in those areas shall be consistent with adopted TDR policies in this chapter.