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SNOHOMISH COUNTY COUNCIL

ORDINANCE 81-056
AMENDMENTS TO SNOHOMISH COUNTY CODE
TITLES 18 AND 19, DELETING REDUNDANT DEFINITIONS
AMENDING FREEWAY SERVICE ZONE,
and PROCEDURAL CHANGES RESULTING FROM
RECENT COUNTY COUNCIL ACTIONS

W.T. _____ T.C. _____
G.H. _____ J.D. _____
S.R. _____ D.J. _____

BE IT ORDAINED:

Section 1. Snohomish County Code, Title 18, subsection 18.08.290 General commercial zone, adopted by resolution January 31, 1966, is deleted.

Section 2. Snohomish County Code, Title 18, subsection 18.08.325 Heavy industrial zone, adopted by resolution January 31, 1966, is deleted.

Section 3. Snohomish County Code, Title 18, subsection 18.08.385 Landing field zone, adopted by resolution January 31, 1966, is deleted.

Section 4. Snohomish County Code, Title 18, subsection 18.08.390 Light industry zone, adopted by resolution January 31, 1966, is deleted.

Section 5. Snohomish County Code, Title 18, subsection 18.08.465 Multiple residence zone, adopted by resolution January 31, 1966, is deleted.

Section 6. Snohomish County Code, Title 18, subsection 18.08.470 Neighborhood business zone, adopted by resolution January 31, 1966 is deleted.

Section 7. Snohomish County Code, Title 18, subsection 18.08.505 Planned neighborhood shopping center, adopted by resolution January 31, 1966 is deleted.

Section 8. Snohomish County Code, Title 18, subsection 18.08.510 Planned residential zone, adopted by resolution January 31, 1966 is deleted.

Section 9. Snohomish County Code, Title 18, subsection 18.08.530 Rural residential zone, adopted by resolution January 31, 1966 is deleted.

Section 10. Snohomish County Code, Title 18, subsection 18.08.535 Rural use zone, adopted by resolution January 31, 1966 is deleted.

Section 11. Snohomish County Code, Title 18, subsection 18.18.030, last amended by Ord. 80-115 adopted December 29, 1980 is amended to read:

18.18.030 Conditional uses. Because of their size or effect upon the surrounding property, the following uses of land will only be permitted upon issuance of a conditional use permit. The purpose of this section is to better protect the higher uses of land and assist the stabilization of property values, and to further the purpose as set forth in Section 18.04.010.

- (1) Tract offices for the sale of real estate in connection with subdivision;
- (2) Signs advertising new subdivisions other than on the site of the new subdivision;
- (3) Country clubs (private or public);

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(4) Joint fallout shelters by two or more property owners. Side and rear yard requirements may be waived in the joint shelters provided that rear and side property lines are between properties involved in the proposal. A fallout shelter may be used for other purposes provided that the following conditions are met:

A. The function of the shelter is not impaired by the proposed use,

B. The proposed nonshelter use is permitted in the zone where the shelter is located or a conditional use could have been granted regardless of whether the shelter was involved for the nonshelter use;

(5) Golf courses (private and public);

(6) Private or public recreational facilities but not including facilities or uses of a recreational nature which are otherwise specifically provided for in this title, subject to the following conditions:

A. Flood lights should be shielded to reduce glare which would be annoying to neighbors or passing traffic,

B. Other requirements may be imposed at the discretion of the ~~board-of-adjustment~~ hearing examiner,

C. Community clubs may be permitted one (1) single or doublefaced sign which shall not exceed fifty (50) square feet of surface area per side, or 100 square feet per sign, and which shall not be more than twenty-five (25) feet in height. Such sign shall conform to the provisions of Section 18.76.120;

(7) Hospitals, sanitariums, and rest homes provided that:

A. No building shall be closer than thirty feet to the external boundaries of the property,

(8) Public utility and governmental and public buildings or structures, provided that:

A. They must be located twenty feet or more from any other lot in the residential zone,

B. They must be shielded from abutting properties and highways by a sight-obscuring fence or protective strip of trees or shrubs;

(9) Elementary, junior, or senior high, including public, private and parochial schools, but subject to the following conditions:

A. Buildings must be located thirty-five feet or more from external property lines with a minimum building line setback of seventy-five feet from the center line or forty-five feet from the edge of any public right-of-way, whichever is greater,

B. An abutting area of at least one-fourth of an acre devoted exclusively for playfield purposes;

(10) Cemeteries, including mausoleums and crematoriums:

A. No building shall be closer than fifty feet to external boundaries of the property,

B. The minimum area shall be twenty-five compact and contiguous acres;

(11) Railroad rights-of-way, but not including passenger shelter stations, switching, storage, freight yards or sidings;

(12) Commercial kennels on five or more acres, provided that any building primarily devoted to such use and the animal runs shall not be closer than thirty feet to any boundary property line of the premises, nor closer than thirty feet to any building containing a dwelling unit on the same premises;

(13) Mink, fox, nutria, rabbits, pigs, sheep, goats, chickens, turkeys, guinea hens and similar small animals and fowl not being raised for the primary consumption or use by the occupants of the premises, subject to the following:

A. They must be located on five acres or more,

B. Any building having animals and yards or runways shall be no closer than fifty feet to any external property line;

(14) Churches, subject to the following conditions;

A. Must be at least twenty-five feet from any other lot in a residential zone,

(15) Art galleries, libraries, and museums subject to the following conditions:

A. They must be located twenty feet or more from any other lot in a residential zone,

B. They must be shielded from abutting properties by a greenbelt or sight obscuring fence;

(16) Airports designed primarily for the use of small private planes and not for commercial use subject to all regulations of the Federal Aviation Agency and additional regulations or conditions as may be imposed by the board-of-adjustment hearing examiner;

(17) Excavations and processing of minerals or materials together with necessary temporary structures in undeveloped areas where not unduly detrimental to the existing, developing or projected use of the surrounding land and provided that such operations comply with the provisions of Chapter 18.70, mineral conservation (MC) zone;

(18) Sanitary landfills or any landfill operations for disposal of garbage within Snohomish County and areas over which the county has jurisdiction shall be permitted upon the issuance of a conditional use permit. The garbage shall refer to any refuse, rubbish, effluent, sewage, sludge, offal, dead animals, or waste products of any nature or description. This section does not include or allow under any circumstances open dumps or any other similar open type methods for garbage disposal;

(19) Day care center, subject to the following conditions:

A. Shall only be permitted as an accessory use to a school facility or place of worship,

B. Adequate noise buffering of outdoor play areas to be provided for protection of adjoining residences.

C. Outdoor play areas shall be fenced or otherwise controlled;

(20) Noncommercial boat launch facilities. Considerations may include, but not be limited to, required launching depth, lengths of existing docks and piers, surface area of water covered, interference with public navigation and other water uses, lighting, screening, roadway surfacing, nuisance and safety factors, and provided that: (Sec. 6 of Ord. 80-115 adopted December 29, 1980)

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

B. A level vehicle-maneuvering space measuring at least fifty (50) feet square be provided,

C. Where it is deemed necessary in the interest of public safety, pedestrian access to the water separate from the boat launching lane or lanes may be required,

D. Safety buoys are installed and maintained separating boating activities from other water-oriented recreation and uses where this is reasonably required for public safety, welfare and health,

E. All site improvements for boat launch facilities comply with the requirements of the zone in which located;

(21) Family rehabilitative home. (Sec. 6 of Ord. 80-115 adopted December 29, 1980)

(22) Accessory buildings normally incidental to uses permitted in Section 18.18.020, exceeding one thousand (1,000) square feet in gross building area and located on a parcel of land less than one (1) acre in size, subject to the following conditions:

A. The building shall be sited and designed so that its height, size, appearance, and proposed use shall not unduly detract from the value of surrounding properties or alter the character of the neighborhood in which it is located.

Section 12. Snohomish County Code, Title 18, subsection 18.33.020, last amended by Ord. 80-118 adopted December 29, 1980 is amended to read:

18.33.020 Permitted uses:

(1) Any use permitted by Section 18.18.020, upon the same terms and conditions as set forth in that section, except that duplexes shall be permitted on the minimum lot area for a principal use;

(2) Mobile homes;

~~(3) Duplexes, when located on a lot containing an area not less than 1.5 times the lot area required for a single-family dwelling by Section 18.33.040;~~

(3) Agricultural crops;

(4) Fish Farms;

(5) Greenhouses, lath houses, and nurseries for the raising and/or sale of plants, shrubs, flowers and other horticultural crops, including the sale of soil, bark, fertilizers, plant nutrients, rocks and similar plant husbandry materials when such sales are incidental to the greenhouse, lath house, or nursery. The sale of garden tools and any other hardware or equipment shall be prohibited. There shall be no on-site signs advertising other than the principal use;

(6) The raising of livestock, poultry, and small animals for private or commercial purposes, provided that no building, case or pen housing or feeding such animals shall be located closer than thirty feet to any boundary property line and provided further that sales shall be limited to those products raised or grown on the premises;

(7) The growing and harvesting of forest products,

(8) Signs as follows:

A. One unlighted identification sign not exceeding two square feet in area containing the name of the occupant of the premises;

B. One sign not exceeding twelve square feet in area for identification of premises, or advertising products sold upon the premises, provided the sign shall not be located in any required yard on the premises;

C. Signs shall conform to the regulations as stated in Section 18.76.120.

Section 13. Snohomish County Code, Title 18, subsection 18.60.030, last amended by resolution May 17, 1971 is amended to read:

18.60.030 Permitted uses: The following are permitted uses in an FS zone:

(1) Motels, motor hotels, travel trailer courts and other temporary lodging facilities for the highway traveler;

(2) Facilities for highway vehicle servicing and maintenance;

(3) Restaurants and drive-in restaurants;

(4) Commuter park and ride lots;

(5) Day care centers, subject to the conditions set forth in Section 18.25.030(7).

Section 14. Snohomish County Code, Title 18, subsection 18.60.040, last amended by resolution September 5, 1978 is amended to read:

18.60.040 Accessory uses: Uses permitted only in conjunction with appropriate principal uses, subject to gross floor area limitations in furtherance of the policies of this chapter are as follows:

(1) Facilities for emergency vehicle repair, when conducted entirely within a building;

(2) Confectionery, Delicatessen, drug store, and candy-store food store, subject to a maximum five thousand (5,000) square foot floor area.

- (3) Gift, curio and novelty shops;
- (4) Ice storage and dispensing structure, not more than five tons capacity;
- (5) Cocktail lounges when accessory to a restaurant;
- (6) Signs, for each business establishment when identified and approved by the original site plan or by separate application, subject to the following limitations:

(A) One sign identifying the business conducted therein attached to the principal building may be permitted. The sign must be solely supported by the attachment and the uppermost portion shall not extend more than five feet higher than the principal building at its highest point, subject further to the overall height regulation of this zone. Such sign may be an attached, single-face sign or a back-to-back, double-face sign and shall have a surface area not to exceed one hundred fifty square feet per face,

(B) One additional business identification sign, having a surface area not in excess of fifty square feet, may be permitted when attached flat to one wall of the principal building, but not to extend above the exterior wall top plate line to which attached,

(C) One freestanding sign for business identification may be permitted in place of the sign provided in subparagraph (6)(A) only if it can be proven that such sign attached to the building cannot be made visible to any motorist approaching the interchange on the limited access highway,

D. Applications for approval of a freestanding sign shall be submitted to the hearing examiner, who may regulate type, size and location subject to the following conditions:

(i) Where a sign attached to the building would be concealed by natural vegetation, the freestanding sign structure may be permitted only if the applicant agrees in writing to preserve, in full, such vegetation and replace it if destroyed. In such case, the applicant shall submit a drawing showing the location, height and diameter of each tree comprising the natural buffer,

(ii) Where permitted, the uppermost portion of the freestanding sign shall be a height not greater than thirty-five feet above the ground as measured from the average finished grade at the front face of the principal building,

(iii) Such freestanding sign shall be located no further than one hundred feet from the principal building,

(iv) Freestanding, single-face identification signs, or back-to-back, double-face identification signs, shall have a surface area not to exceed one hundred fifty square feet per face. A V-shaped double-face sign with an interior angle of sixty degrees or less shall have a total surface area not to exceed one hundred fifty square feet. All other sign configurations shall have a surface area not to exceed three hundred square feet, with no single face to exceed one hundred square feet,

(v) Any freestanding business identification sign erected under the provisions of this subdivision shall be removed within six months of such time as the state of Washington, or other proper authority, permits specific business identification signs to be placed upon or near limited access highway rights-of-way in such manner as will notify freeway travelers of the business establishments located at succeeding interchanges; provided that Snohomish County shall mail notice to each permittee to the address supplied by him at the time of application or such subsequent address that the applicant shall have submitted, in writing, to the county for the purpose of receipt of such notice,

(E) In addition to the business identification sign, advertising displays or signs pertaining only to the uses or sales on the property where displayed may be permitted subject to the following limitations:

- (i) Such signs shall not identify the business, as such, but shall be limited to advertising the product and/or service offered,
- (ii) The total surface area of all such signs shall not exceed fifty square feet, and no single surface area shall exceed twenty-five square feet,
- (iii) No business shall divide its display into more than four single sign faces or display surfaces,
- (iv) In no case shall the top of any display surface be more than seven feet above the ground as measured from the sign base,
- (v) No advertising sign shall be located as to be readable primarily from a limited access highway,
- (vi) The sign or advertising display shall be located so as to permit an unobstruted site distance for at least three hundred feet along any intersecting right-of-way,
- (F) Any permitted sign may be illuminated, but no rotating sign, flashing beacon or variable intensity light shall be permitted.

Section 15. Snohomish County Code, Title 18, subsection 18.64.030, last amended by Ord. 81-023 adopted March 23, 1981 is amended to read:

18.64.030 Conditional uses. Some uses of land, because of their size or impact upon the surrounding property require a close investigation by the hearing examiner of the interrelationship in the area. Therefore, in order to better protect the higher use of land and assist the stabilization of property values, the following uses shall require the issuance of a conditional use permit: (Sec. 25 of Ord. 81-023 adopted March 23, 1981)

- (1) Golf courses (public and private);
- (2) Cemeteries, crematoriums, and columbariums, subject to conditions outlined in Section 18.18.030;
- (3) The incineration or reduction of garbage, offal, dead animals, and all refuse, to include sanitary land fills;
- (4) Race tracks subject to:
 - (A) A view obscuring fence a minimum of six feet in height must be constructed around the periphery of the establishment,
 - (B) Parking shall be established at the rate of one parking space for each eight feet of bleacher bench,
 - (C) A plot plan showing access and exit points shall be submitted for approval with the application for a conditional use permit.
 - (D) The track shall be no closer than fifty feet to any external property boundaries;
- (5) Schools (public, private, and parochial) subject to conditions outlined in Section 18.18.030;
- (6) Slaughter houses, stockyards, rendering works provided they are established on a minimum of ten acres;
- (7) Excavations and processing of minerals or materials together with necessary temporary structures in undeveloped areas where not unduly detrimental to the existing, developing or projected use of the surrounding land and provided that such operations comply with the provisions of Chapter 18.70, mineral conservation (MC) zone;
- (8) Processing and packing of seasonally grown agricultural products, not including their conversion to manufactured products, provided that:
 - (A) Such a facility must be on a minimum of ten (10) acres,
 - (B) Retail sales of products processed on the premises for off-site consumption may be allowed when incidental to the primary use, and
 - (C) Processing of the following products is expressly prohibited: Grain and other staple crops; poultry and poultry products; dairy products; and meat and meat products;

- (9) Airports subject to conditions of Section 18.18.030;
- (10) Sawmills;
- (11) Bulk storage of petroleum products under the conditions as outlined under Section 18.48.020;
- (12) Day care center, subject to the conditions set forth in Section 18.25.030(7);
- (13) Rifle and pistol ranges and trap and skeet grounds, both indoor and outdoor, when designed to control noise, nuisance and safety hazards;
- (14) Hospitals, provided they are of a nature compatible with the character of the surrounding area, and provided further that:
- (A) No building shall be located closer than thirty (30) feet from the external boundaries of the property,
- (B) Greenbelts shall be provided consistent with achieving the goal of compatibility with the surrounding area;
- (15) Noncommercial boat launch facilities, as defined, providing they meet requirements contained in Section 18.18.030(21);
- (16) Signs for community clubs, subject to the same terms and conditions set forth in Section 18.18.030(6)(D);
- (17) Antique sales, when established as a home occupation; provided the following conditions are met:
- (A) The use is conducted entirely within a normal dwelling complex,
- (B) Not more than one person outside the family shall be engaged in the same;
- (C) The occupation is secondary to the use of the dwelling for dwelling purposes;
- (D) There is no external display of merchandise. All merchandise sold or offered for sale shall be predominantly "antique", as defined in Section 18.08.047, and antique-related objects.
- (E) The occupation does not employ the use of mechanical equipment with a cumulative horsepower greater than five (5) horsepower,
- (F) A sign in connection with the use shall be permitted provided it shall be unlighted and not exceed two (2) square feet,
- (G) The home occupation shall in no way affect the appearance of the principal building as a residence, and
- (H) Any other conditions as may be deemed necessary by the ~~zoning-adjustor-or-board-of-adjustment~~ hearing examiner,
- (18) The storage of explosives, subject to the following conditions:
- (A) All bunkers, powder magazines and structures devoted to the storage of explosives shall be constructed according to all local, state and federal regulations concerning same,
- (B) Distances required by Chapter 70.74.030 RCW for separation from inhabited buildings (Column 2 of Quantity and Distance Table) shall be met;
- (19) Family rehabilitative home, subject to the conditions set forth in Section 18.18.030(22);
- (20) Group care facility, subject to the conditions set forth in Section 18.25.030(10);
- (21) Social services center, subject to the conditions set forth in Section 18.25.030(11);
- (22) Accessory buildings normally incidental to uses permitted in section 18.64.020 exceeding one thousand (1,000) square feet in gross building area and located on a parcel of land less than one (1) acre in size, subject to the following condition:
- A. The building shall be sited and designed so that its height, size, appearance and proposed use shall not unduly detract from the value of surrounding properties or alter the character of the neighborhood in which it is located.

Section 16. Snohomish County Code, Title 18, subsection 18.92.120, last amended by Ord. 80-115 adopted December 19, 1980 is amended to read:

18.92.120 Continuing classification:

(A) The continuance of rezoning classifications shall be dependent on fulfillment of all of the established standards and such special conditions added by the ~~board council, or commission, or hearing examiner~~ at the time of rezoning as are necessary to protect the enjoyment of the use of surrounding property.

(B) After the hearing examiner's or council's final action denying a rezone of property, no further action involving substantially the same property shall be requested to be considered prior to six (6) months after the action has been taken; provided that, if at the time it considers the matter, the examiner or council find that extraordinary circumstances exist, he or it may on its own initiative waive the six (6) month provision. The application fee shall thereupon be waived when rezone application is made within six (6) months of the date of such final action pursuant to the extraordinary circumstances found.

Section 17. Snohomish County Code, Title 19, subsection 19.46.080 adopted by Ord. 80-116 adopted December 29, 1980 is amended to read:

19.46.080 Appeal of the director's decision. The written decision of the planning director shall be final and conclusive unless, within ten (10) days thereof, a written appeal is filed with the ~~county-council~~ hearing examiner. Upon receipt of a timely appeal, the ~~council~~ hearing examiner shall schedule a public hearing in accordance with the requirements of RCW 58.12, the Plat Alteration and Vacation Act.

ORDINANCE 81- 056 amending Snohomish County Codes, Titles 18 and 19, deleting redundant definitions, amending freeway service zone, and procedural changes resulting from recent County Council actions.

Dated this 23rd day of June, 1981.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Donald J. Butler
Chairman

Ellie Snyder
Clerk of the Council

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

DATE 6-30-81

Willis D. Tucker
County Executive

PUBLISHED 7-14-81

Approved as to form:
Julia Gill
5-14-81