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SNOHOMISH COUNTY COUNCIL

ORDINANCE 81-101
 AMENDING SNOHOMISH COUNTY CODE
 CHAPTER 2, PERTAINING TO HEARING EXAMINER'S APPEAL
 FEE; TITLE 18, INCORPORATING RECENT MOBILE HOME
 REGULATIONS; TITLE 19, INCORPORATING STATE LAW
 REQUIREMENTS FOR SUBDIVISIONS

W.T. _____ J.C. _____
 D.L. _____ J.D. _____
 D.J. _____

BE IT ORDAINED:

Section 1. Snohomish County Code, Chapter 2, subsection 2.02.170, last amended by Ordinance No. 80-115 adopted December 29, 1980, is amended as follows:

2.02.170. Appeal from examiner's decision.

(1) A decision of the examiner shall be final and conclusive unless appealed as set forth in the ordinance governing the applicable permit. Where the examiner's decision is appealable to the council, the examiner's decision shall be final and conclusive unless within ten (10) calendar days following the rendering of such decision an appeal therefrom is filed with the department of community affairs by the applicant, a department of the county or other interested person or agency. Appeals filed with the department of community affairs shall be in writing, shall contain a brief statement of the reason why error is assigned to the examiner's decision, and shall be accompanied by a fee of ~~twenty-five dollars (\$25.00)~~ fifty dollars (\$50.00); PROVIDED, that such appeal fee shall not be charged to a department of the county or to other than the first appellant.

(2) If the appeal is to the council, the timely filing of an appeal shall stay the effective date of the examiner's decision until such time as the appeal is adjudicated or withdrawn.

(3) Within seven (7) calendar days following the timely filing of an appeal with the department of community affairs, notice thereof and of the date, time and place for council consideration shall be mailed by the examiner's office to the applicant and to all other parties of record. Such notice shall additionally indicate the deadline for submittal of written comments as prescribed in Section 2.02.180.

(4) Where the examiner's decision is final and conclusive, unless appealed to court, the procedures for appeal are as set out in the underlying ordinance or statute governing the land use permit or other quasi-judicial hearing.

Section 2. Snohomish County Code, Title 18, Subsection 18.18.020, last amended by Ordinance 81-076 adopted July 29, 1981, is amended as follows:

18.18.020 Permitted uses. The following uses are permitted in an RR 8400 zone:

- (1) Single family dwellings;
- (2) Home occupations, provided that the following conditions are met:
 - (A) Not more than one person outside the family being engaged in the same,
 - (B) The occupation is secondary to the use of the dwelling for dwelling purposes,
 - (C) There is no external display of merchandise. No sales or fees for the use of merchandise shall be made in the dwelling or on the premises, except that produced by the inhabitants,
 - (D) The occupation does not employ the use of mechanical equipment with a cumulative horsepower greater than five horsepower,

(E) The use does not involve more than one-fourth the total square footage of the dwelling,

(F) Signs in connection with the use shall be permitted provided that the signs shall be unlighted, shall not exceed two square feet, and shall be attached flat to the main building,

(G) The home occupation shall in no way affect the appearance of the principal building as a residence;

(3) Fallout shelters as accessory or principal uses;

(4) Off-street parking and private garages;

(5) Conservatories, greenhouses and structures for plants and flowers not in conjunction with a commercial use;

(6) Rooming and boarding of not over two persons;

(7) Installation of transmission facilities for use in connection with a public or private utility;

(8) Swimming and wading pools for the sole use of occupants and guests; provided, that the pool complies with the following conditions:

(A) No part of the pool shall project more than one foot above the adjoining ground level in a required front yard or side yard,

(B) The pool shall be no closer than five feet to any side, front, or rear yard line,

(C) The pool shall be enclosed with a fence of sufficient design and strength to keep out children. Such fence shall be no less than four feet high;

(9) Parks, publicly owned and operated, provided:

(A) No bleachers are permitted if the site is less than five acres,

(B) All lighting shall be shielded so as not to produce glare which would be unduly annoying to adjoining uses,

(C) No amusement devices for hire are permitted;

(10) Private kennels. In all cases where the animals comprising the private kennel are housed within the dwelling unit located on the lot, there shall be a requirement that the yard or some portion thereof be fenced and maintained in good repair so as to protect the animals comprising the private kennel from injury and to contain or to confine the animals upon the property and to restrict the entrance of other animals. When an animal run or a separate structure is provided to house the adult dog or cat it shall not be located closer than thirty (30) feet to the property line or closer than thirty (30) feet to any dwelling unit on the same premises;

(11) Agriculture, except operation, public or private, involving the disposal of garbage, sewage, rubbish by feeding same to animals and except those uses outlined in Section 18.18.030(13), provided no animal or fowl, other than household pets, be housed within thirty (30) feet of any building used for human habitation and not closer than thirty (30) feet from any side or rear lot line or fifty (50) feet from a front lot line;

(12) Temporary stands for the sale of agricultural products grown on the premises subject to the following conditions:

(A) The stand shall be located no closer than ten feet to any right-of-way,

(B) Floor area of stand shall not exceed twenty-five percent of the level buildable area excluding other buildings,

(C) Only one stand shall be allowed with a size of not over three hundred square feet;

(13) Accessory uses and buildings normally incidental to the above permitted uses; provided, that any accessory building exceeding one thousand square feet in gross building area shall be permitted on a parcel of land less than one acre in size only upon the granting of a conditional use permit pursuant to Section 18.18.030(23);

(15) Mobile homes when located in a district within any residential zone which is indicated on the zoning map for this purpose and is signified by adding the suffix "X" to the zone designation. "X" zones may apply to areas where at least twenty

percent (20%) of the existing housing units are mobile homes on individual lots. Prefabricated housing units that are certified as factory built units by the State Department of Labor and Industries are permitted outright in single family residential zones.

(16) Private, noncommercial piers, wharves, and boathouses on lots bordering bodies of water, streams or rivers subject to the following conditions:

(A) Covered structures are subject to a minimum setback of three (3) feet from any side lot line or extension thereof. No side yard setback shall be required for uncovered structures. No rear yard setback shall be required for any structure permitted hereunder,

(B) The height of any covered overwater structure shall not exceed twelve (12) feet as measured from the line of ordinary high water,

(C) The total roof area of covered, overwater structures shall not exceed one thousand (1,000) square feet,

(D) The entirety of such structures shall have a width no greater than fifty percent (50%) of the width of the lot at the natural shoreline upon which it is located,

(E) No overwater structure shall extend beyond the mean low water mark a distance greater than the average length of all preexisting overwater structures along the same shoreline and within three hundred (300) feet of the parcel on which proposed. Where no such preexisting structures exist within three hundred (300) feet, the pier length shall not exceed fifty (50) feet,

(F) 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,

(G) Any structure permitted hereunder shall comply with all applicable state or local regulations;

(17) Family day care home, subject to the following conditions:

(A) No play yards or equipment shall be located in any required side or front yard,

(B) Outdoor play areas shall be fenced in or otherwise controlled;

(18) Foster home;

(19) Family care home;

(20) Duplexes, subject to the following conditions:

(A) They shall be located on a lot having not less than 1.5 times the minimum lot area for a single family dwelling;

(B) A site plan shall be submitted, for approval by the office of community development, which presents a building design, parking and landscaping plan compatible with the character of the neighborhood.

Section 3. Snohomish County Code, Title 18, Subsection 18.18.030, last amended by Ordinance 81-056 adopted June 23, 1981; is amended as follows:

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);

(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,

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 or private 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;

(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 4. Snohomish County Code, Title 18, Subsection 18.38.030, last amended by Ordinance 81-076 adopted July 29, 1981, is amended as follows:

18.38.030. Required conditions. Before approval of the plans by the hearing examiner, it shall be determined that the following conditions shall be met: (Sec. 9 of Ord. 81-023 adopted March 23, 1981)

(1) The maximum number of dwelling units permissible in a planned residential development shall be one hundred twenty percent of the maximum computed density of the underlying zone, derived as follows:

(A) Determine Gross Development Land Area. Subtract from gross area (i) unbuildable land, (ii) publicly owned community facility land, and (iii) commercial or industrial land area,

(B) Determine Net Development Area. Subtract from gross development area the actual percentage of gross development area devoted to circulation system; except that whenever the circulation system accounts for more than twenty percent of the gross development area, the net development area shall be eighty percent of the gross development area,

(C) Divide net development area by the minimum lot area per dwelling unit permitted in the underlying zone,

(D) Multiply the resulting number of units by 1.20; (2) Twenty percent (20%) of the net development area shall be established as open space and community recreational facilities. Upon approval of the hearing examiner, some unbuildable land may be included in the open space land upon a showing that such land can and will be utilized in a specific recreational use;

(3) Unless specifically modified by this chapter, all requirements of the underlying residential zone shall apply within the planned residential development;

(4) Except for townhouse lots, the minimum lot width shall be sixty (60) feet and corner lots shall not be less than sixty-five (65) feet. There shall be no minimum lot width for townhouse lots;

(5) The minimum lot size for single family detached and duplex residences shall be six thousand square feet;

(A) The minimum front yard building setback of single family detached and duplex residences shall be one-half the width of planned rights-of-way or easements as measured from the centerline of the right-of-way plus fifteen feet,

(B) The sum of side yards of single family detached and duplex residences shall be not less than ten (10) feet. If the side yard adjoins public open space, these yard requirements may be reduced by an amount equal to the distance from the property line to the centerline of the open space. A modified setback shall be endorsed upon the approved site plan. No portion of a building or appurtenance shall be constructed as to project into any commonly owned open space. No structure or portion thereof shall be closer than five (5) feet to any structure on an adjacent lot,

(C) Rear yards of single family detached and duplex residences shall be a minimum of five (5) feet. If the rear yard adjoins public open space, the minimum rear yard requirements may be reduced by an amount equal to the distance from the rear lot line to the centerline of the open space. Such modified setback shall be endorsed upon the approved site plan. No portion of any building or appurtenance shall be constructed as to project into any commonly owned open space;

(6) The minimum lot size of a townhouse shall be two thousand square feet per unit;

(A) Each townhouse unit shall have a minimum of four hundred twenty-five compact contiguous square feet of usable outdoor living space, wholly located within one of the yards, front, back or side,

(B) Access from indoor living areas to the outdoor living space shall be at ground level,

(C) Front yard, rear yard, and, if applicable, side yard requirements for single family detached units shall apply to townhouses;

(7) Multifamily dwelling unit structures other than townhouse structures shall also be allowed in any planned residential unit development, provided the following requirements are met:

(A) The maximum lot coverage shall be thirty-five percent,

(B) There will be no minimum lot size,

(C) There will be no maximum height,

(D) Front yards and side yards facing streets shall be set back not less than one-half of the width of planned rights-of-way or easements as measured from the centerline of the right-of-way plus twenty-five feet,

(E) The sum of the side yards shall be not less than ten (10) feet with one side yard not less than five (5) feet for single story structures,

(F) The rear yard shall be not less than twenty-five feet ~~from~~ for single-story structures,

(G) The side and rear yard setbacks of paragraphs (E) and (F) of this subsection may be modified as follows:

(i) If the yard adjoins a public open space, then each applicable minimum yard requirement may be reduced by an amount equal to the distance from the property line to the centerline of the open space

(ii) The resultant requirement shall then be endorsed upon the approved site plan as a base yard requirement

(iii) In the case of multistory structures, the base yard requirement of subsection (ii) above for such structures is thereby increased for each story or fraction thereof by an amount equal to four feet for the sum of the side yards and two feet each for the minimum width side yard, designated rear yard and designated front yard,

(H) No portion of any building or appurtenance shall be constructed as to project into any commonly owned open space,

(8) Mobile homes shall be allowed in a planned residential development zone with the suffix designation (mobile) which indicates only mobile homes are permitted.

Section 5. Snohomish County Code, Title 18, Subsection 18.46.020, last amended by resolution adopted July 12, 1976, is amended as follows:

18.46.020 Permitted uses. Any RR, MR and NB zone uses are permitted outright upon the same terms and conditions as set forth in Sections 18.18.020, 18.18.030, 18.26.020, 18.26.030, and 18.44.020, except as otherwise provided in Section 18.46.025; and except that excavations are prohibited. In addition, the following uses are permitted:

(1) Animal hospitals and clinics when structurally enclosed;

(2) Banks;

(3) Beer parlor, bars, taverns, cabarets or any other similar place where alcoholic beverages of any kind are dispensed or sold, provided the use shall not be permitted within five hundred feet of the exterior boundary property line of any public school grounds, public park or playground;

(4) Business or professional offices or studios;

(5) Decorating shops;

(6) Wholesale establishments;

(7) Retail trade shops or shops for custom work or the making of articles not manufactured by chemical processes, using total power not in excess of two horsepower with not more than three persons engaged at any time in the fabricating, repairing or processing of materials;

(8) Sales rooms or store rooms for motor vehicles and other articles of merchandise;

(9) Service stations with pump islands, canopies and advertising signs shall meet the requirements of Section 18.44.020;

(10) Secondhand stores, provided that there shall be no outside storage of merchandise;

(11) Telephone exchanges or telegraph offices;

(12) Theaters, dance halls, bowling alleys and similar indoor uses subject to conditions of any applicable county license requirements and, provided further, that no moving picture theater or any structure for the exhibition of moving pictures shall be permitted within three hundred feet of the property line of any public school grounds, nor shall any dance hall, bowling alley, skating rink, or other commercial amusement place be permitted within five hundred feet of the property line of any park, school or playground. The distance shall in all cases be measured along street margins and the same produced across street intersections by the shortest route;

(13) Tool sales and rentals, when structurally enclosed;

(14) Department stores;

(15) Gymnasiums, public or private, physical culture schools or studios;

(16) Jewelry stores;

(17) Millinery shops;

(18) Pet shops;

(19) Radio, television and other small repair shops;

(20) Off-street parking space and private garages as provided in Chapter 18.72;

(21) Outdoor advertising display or signs. They may have an area not to exceed five hundred square feet and may be divided into not more than six single faced signs;

(22) Accessory uses and buildings normally incidental to the uses permitted in Section 18.46.020;

(23) Print shops;

(24) Mobile homes for residential or business use provided ~~that, when used for residential purposes, the terms and conditions of Chapter 18.24 shall apply;~~

(25) Massage parlors, body painting studios and public bathhouses, as defined in Chapter 6.60, Snohomish County Code.

Section 6. Snohomish County Code, Title 18, Subsection 18.48.020, last amended by resolution March 31, 1980, is amended as follows:

18.48.020 Permitted uses. RR, MR, NB, PCB and CB zone uses are permitted outright upon the same terms and conditions as set forth in Section 18.18.020, 18.18.030, 18.26.020, 18.26.030, 18.44.020, 18.45.020, 18.46.020; except as otherwise provided in Section 18.48.025, and except that excavations are prohibited. In addition, the following uses are permitted:

(1) Cabinet shops;

(2) Electrical and plumbing contractors as well as other building contractors;

(3) Lumber, coal, fuel yards, and feed stores provided that when unhoued they shall be surrounded by a greenbelt or sight-obscuring fence eight feet or more;

(4) Public garages and major auto repair shops;

(5) Sale of sand and gravel products, excluding the establishment of concrete batch plants and manufacture of concrete products;

(6) Public or private and semipublic utilities;

(7) Hotels and auto courts;

(8) Storage garages for the storage of commercial vehicles;

(9) Drive-in theaters and other structures for amusement;

(10) Welding and metal fabricating shops;

(11) Shops producing merchandise to be sold at the premises or shops for repair, alteration, parking, assembling or fabricating of goods, provided that the operations are not obnoxious or

offensive by reason of the emission or production of odors, fumes, dust, smoke, wastes, noise, vibrations which would extend beyond the boundaries of the premises;

- (12) Automobile and equipment sales;
- (13) Bakeries;
- (14) Boat sales;
- (15) Assembly of electrical appliances and components including the manufacture of small parts;
- (16) Advertising signs, including billboards;
- (17) Frozen food or coldstorage lockers;
- (18) Wholesale business and storage;
- (19) Machine shops;
- (20) Laboratories;
- (21) Printing plants;
- (22) Bulk storage of petroleum products and gases provided that all above ground storage tanks shall be located one hundred fifty feet from all property lines. Storage tanks below ground shall be located no closer to the property line than a distance equal to the greatest dimensions (diameter, length or height) of the buried tank;
- (23) Accessory uses and buildings normally incidental to the uses permitted in Section 18.48.020;
- (24) Sawmills;
- (25) Mobile homes for residential or business use; (D-23(part) adopted March 31, 1980).
- (26) Mini-self-storage.

Section 7, Snohomish County Code, Title 18, Subsection 18.56.020, last amended by resolution September 5, 1978, is amended as follows:

18.56.020. Uses permitted outright. The following are permitted outright:

- (1) All uses permitted in Chapter 18.52 and 18.54, together with accessory uses ~~otherwise-except-general-commercial, agricultural, and community-business-uses,~~ providing such use can comply with the performance standards ~~as-hereinafter-set-out~~ of this chapter; ~~except that retail commercial and agricultural uses, other than those permitted by 18.56.020(2) shall be prohibited.~~
- (2) Accessory uses by approval of the hearing examiner, such as motels, banks and restaurants to service principally the industrial park uses only;
- (3) Signs. One freestanding sign, not to exceed one hundred and fifty square feet in area, shall be permitted on a lot. All additional displays for advertising or identifying the business shall be limited by Section 18.76.120. (The highest point of any sign and supporting structure including the freestanding sign above provided, shall not be on an elevation over five feet above the elevation of any building on the lot).
- (4) Petroleum refining; provided that the performance standards set forth in this chapter may be increased to insure the compatibility of this use with surrounding properties, the comprehensive plan, and the public interest.

Section 8. Snohomish County Code, Title 18, Subsection 18.64.030, last amended by Sec. 18 of Ordinance 81-076 adopted July 29, 1981, is amended as follows:

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 hearing examiner, (Sec. 15 of Ord. 81-056 adopted June 23, 1981)

(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.

(23) Signs advertising new subdivisions other than on the site of the new subdivision; (Sec. 18 of Ord. 81-076 adopted July 29, 1981)

(24) Public or private utility and governmental buildings or structures; (Sec. 18 of Ord. 81-076 adopted July 29, 1981)

(25) Railroad rights-of-way.

Section 9. Snohomish County Subdivision Code, Title 19, Subsection 19.08.020, last amended by Ordinance 80-116 adopted 12/29/80, is amended as follows:

19.08.020 Exceptions. The provisions of this title shall not apply to:

(1) Cemeteries and other burial plots while used for that purpose.

(2) Divisions made by testamentary provisions or the laws of descent.

(3) Mobile home parks when established pursuant to the provisions of Chapter 18.80, mobile home park standards of the Snohomish County Zoning Code.

(4) Boundary line adjustment process as set forth in SCC 19.46.

(5) Condominium plats, when prepared and filed in accordance with the horizontal regime act, RCW 64.32.

(6) Assessor's plats, when prepared and filed in accordance with the provisions of RCW 58.18.010; Provided that the provisions of Section 19.16.010(1) and 19.28.060 shall be complied with.

(7) Division of land into lots, tracts or parcels, each of which is one thirty-second (1/32) of a section of land or larger, or twenty (20) acres of land or larger, if not definable as a fraction of a section of land.

(8) Divisions of land into lots or tracts classified for industrial or commercial use when the council or hearing examiner has approved a binding site plan for the use of the land in

accordance with Snohomish County Code: PROVIDED, that when a binding site plan authorizes a sale or other transfer of ownership of a lot, parcel, or tract, the binding site plan shall be filed for record in the county auditor's office on each lot, parcel, or tract created pursuant to the binding site plan; PROVIDED FURTHER, that the binding site plan and all of its requirements shall be legally enforceable on the purchaser or other person acquiring ownership of the lot, parcel, or tract; AND PROVIDED FURTHER, that sale or transfer of such a lot, parcel, or tract in violation of the binding site plan, or without obtaining binding site plan approval, shall be considered a violation of Chapter 58.17-RCW and shall be restrained by injunctive action and be illegal as provided in Chapter 58.17-RCW.

Section 10. Snohomish County Subdivision Code, Title 19, Subsection 19.12.055, is added as follows:

19.12.055 Binding site plan. "Binding site plan" means a drawing to a scale specified by local ordinances which:

(A) Identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by Snohomish County Code;

(B) Contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the council or hearing examiner; and

(C) Contains provisions making any development be in conformity with the site plan.

Section 11. Snohomish County Subdivision Code, Title 19, Subsection 19.16.040, last amended by Ordinance 80-116 adopted 12/29/80, is amended as follows:

(1) Notice of the public hearing to be held before the hearing examiner shall be given in each of the following manners not less than fifteen (15) calendar days prior to the hearing:

(a) By the applicant: Posting in at least three conspicuous places on/or adjacent to the land proposed to be subdivided. The office of community planning shall furnish blank posting forms. Such posting shall be evidenced by submittal of a verified statement regarding the date and location of posting. In addition, applicant shall make a reasonable effort to provide written notice on a form provided by the office of community planning to persons actually living within three hundred (300) feet of the proposed subdivision.

(b) By the office of community planning;

(i) Publication of one notice in a newspaper of general circulation within the county;

(ii) Publication in a newspaper of general circulation within the area where the real property which is proposed to be subdivided is located;

~~(iii)~~ iii) Mailed notice to owners of record within three hundred (300) feet of the boundaries of the proposed subdivision;

~~(iv)~~ iv) Mailed notice to any city or town whose municipal boundaries are within one mile of the proposed subdivision; to the State Department of Transportation on every proposed subdivision located adjacent to the right of way of a State Highway; to the State Department of Ecology if the proposed subdivision is wholly or partially situated in a flood control zone, as provided in RCW 86.16; and to any other federal, state or local agency as deemed appropriate by the director.

(2) All hearing notices required by this section shall include the date, time and place of the public hearing, a legal description of the location of the proposed subdivision, in the form of and either a vicinity location sketch or a written description other than a legal description. ~~location-description-in non-legal-language.~~

Section 12. Snohomish County Subdivision Code, Title 19, Subsection 19.20.010, last amended by Ordinance 80-116 adopted December 29, 1980, is amended as follows:

19.20.010 Preliminary plat approval term.

(1) Approval of a preliminary plat shall be effective for three (3) years from the date of approval unless extended as provided for herein. Upon written application therefor by the applicant or his successor, filed at least 30 days prior to the expiration of approval, the director shall extend the approval for not more than one additional one-year period; provided that if, in the opinion of the director, the applicant has attempted in good faith to submit the final plat within the three year period the preliminary plat does not continue to serve the public use and interest or comply with existing zoning or other applicable laws, the director shall set the application for extension or for public hearing before the hearing examiner upon such notice and in accordance with the preliminary plat approval procedures of this title and Chapter 2.02-SCC in accordance with preliminary plat approval procedures of this title and Chapter 2.02 SCC.

(2) Nothing contained herein shall prohibit the applicant, during the effective life of the preliminary plat approval, from developing his subdivision and requesting final approval by divisions; Provided that, no deviation from the general scheme of the preliminary plat as approved may be permitted in any manner other than by the procedures set out herein governing the approval of preliminary plats.

Dated this 15th day of September, 1981.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Ronald J. Britton
Chairman

Ellie Snyder
Clerk of the Council

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

DATE 10-19-81

Willis D. Tucker
County Executive

PUBLISHED 10-7-81

_____, DPA

Approved as to form