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SNOHOMISH COUNTY COUNCIL

ORDINANCE NO. 82- 137

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AMENDMENTS TO SNOHOMISH COUNTY CODE, TITLE 18,
CHAPTERS 18.48 GENERAL COMMERCIAL (GC) ZONE,
18.55 BUSINESS PARK (BP) ZONE,
REPEAL OF OLD CHAPTER 18.56 and ENACTMENT OF NEW
CHAPTER 18.56 INDUSTRIAL PARK (IP) ZONE

BE IT ORDAINED:

Section 1. That Snohomish County Code, Title 18, subsection 18.48.020, last amended by Sec. 6 of Ord. 81-101 adopted October 7, 1981, is amended to read:

18.48.020 Permitted uses.

(12) ~~Automobile~~ Mobile home, travel trailer, motor vehicle and equipment sales;

Section 2. That a new section is added to Snohomish County Code, Title 18, to read as follows:

18.55.107 County initiated rezone alternative procedures.

When recommended by the county comprehensive plan, Snohomish County may initiate rezoning to business park as part of the comprehensive plan implementation process. When this alternative is exercised, the provisions of this chapter requiring preliminary plan submittal and approval concurrent with rezone to BP shall be waived; and, provided further that Section 18.55.030(1), and that portion of Section 18.55.030(2) requiring unified control over all contiguously zoned BP property, and that portion of Section 18.55.030(4) requiring public sewers shall also be waived. Prior to development of the BP site, the developer shall submit a preliminary development plan, and fees as required by Section 18.92.140, SCC, for hearing examiner review and approval and otherwise comply with all provisions of this chapter.

Section 3. That Snohomish County Code, Title 18, subsection 18.55.120(9)D(3), last amended by Sec. 21 of Ord. 81-023 adopted March 23, 1981, is amended to read:

(3) Except where specifically prohibited by the hearing examiner, the office of community planning hearing-examiner concurrently with action on the preliminary final plan, may waive or modify the requirements of 18.55.120(9)D(1) or (2) where it can be demonstrated that abutting residential uses will not be adversely affected, and where existing physical improvements, physiographic features, or imminent changes in abutting land uses will render full compliance with said requirements ineffective. If the requirements of 18.55.120(1)D(2) are waived, or the width of the buffer reduced, the office of community planning hearing examiner shall establish the minimum side and rear yard building setbacks from residentially zoned or designated property.

Section 4. That Snohomish County Code, Title 18, subsection 18.55.150, last amended by D-23(part) adopted March 31, 1980, is amended to read:

18.55.150 Setback. The minimum building setback from all road rights-of-way and private access roads shall be adequate to provide a park-like atmosphere, and in no case less than one-half of the right-of-way of private road easement plus 30 feet, as measured from the centerline of the adjoining right-of-way or easement. Where abutting property is zoned or designated by the adopted comprehensive plan for residential use, the minimum side and rear yard building setbacks shall be 25 feet, unless modified

by-the-beard in accordance with 18.55.120(9)D(3). The provisions of the Uniform Building Code, as adopted by Snohomish County, shall govern side and rear yard setbacks from lot lines which do not abut residential zones or areas designated for residential uses by the adopted comprehensive plan.

Section 5. That Snohomish County Code, Title 18, Chapter 18.56 Industrial Park (IP) Zone is repealed and a new Chapter 18.56 Industrial Park (IP) Zone is enacted to read as follows:

Chapter 18.56

INDUSTRIAL PARK (IP) ZONE

Sections:

- 18.56.010 Declaration of purpose.
- 18.56.020 Permitted uses.
- 18.56.030 Conditional uses.
- 18.56.040 Lot coverage.
- 18.56.050 Height.
- 18.56.060 Yards.
- 18.56.070 Minimum zoning criteria.
- 18.56.080 Preliminary plan.
- 18.56.090 Requirements of the final plan.
- 18.56.100 Final plan filing fee.
- 18.56.110 Approval of the final plan.
- 18.56.120 Disputes.
- 18.56.130 Alternative procedure - concurrent rezone, preliminary plat, and final plan.
- 18.56.140 County initiated rezone alternative procedures.
- 18.56.150 Performance standards.

18.56.010 Declaration of purpose. The purpose and function of this chapter is to provide for heavy and light industrial development under controls to protect the higher uses of land and to stabilize property values primarily in those areas either marginal for industrial zoning due to close proximity to residential or other less intensive development, or to insure compatibility between industrial uses in developing industrial centers and thereby maintain the attractiveness of such centers for both existing and potential users and the surrounding community.

18.56.020 Permitted uses. The following uses are permitted in the IP zone:

- (1) All uses permitted outright in Chapter 18.54, together with accessory uses, providing such uses can comply with the performance standards of this chapter; except that wrecking yards and junk yards and retail commercial uses other than those permitted by 18.56.020(2) shall be prohibited; and provided that those uses set forth in 18.56.030 shall be permitted by Conditional use permit only;
- (2) Retail commercial uses, such as restaurants and personal service shops to service principally the constructed industrial park uses;
- (3) 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.

18.56.030 Conditional uses. The following uses, because of the importance of their location in relation to the comprehensive plan or to public convenience and necessity, shall be permitted

only upon issuance of a conditional use permit as outlined in Chapter 18.92:

(1) Any use permitted by Section 18.52.040 upon the same terms and conditions as set forth in that section is permitted as a conditional use in the IP zone, except that auto wrecking yards and junk yards shall be prohibited;

(2) Mobile home sales lots, as a temporary use until business or industrial development consistent with 18.56.010 is timely on the site or on nearby IP designated property, subject to the following minimum conditions:

(A) Property shall directly front upon a principal (primary) or minor (secondary) arterial in order to reduce encroachment into the interior of IP designated areas,

(B) The hearing examiner shall consider the visual and aesthetic characteristics of the use proposal and determine whether nearby business and industrial uses, existing or proposed, would be potentially harmed thereby. A finding of potential incompatibility shall be grounds for denial,

(C) The conditional use permit shall include a condition requiring mandatory review by the hearing examiner at intervals not to exceed five (5) years for the express purpose of evaluating the continued compatibility of the use with other IP uses. The review required herein is in addition to any review which may be held pursuant to SCC 18.88.190,

(D) Such use shall not be deemed to be outside storage for the purposes of Section 18.56.150(7)(E).

18.56.040 Lot coverage. Maximum lot coverage for all structures shall not exceed fifty (50%) percent.

18.56.050 Height. Sixty-five (65) foot maximum building height.

18.56.060 Yards. The minimum building setback from all road rights-of-way and private access roads shall be one-half of the right-of-way width plus thirty (30) feet as measured from the centerline of the adjoining right-of-way or easement. Where abutting property is zoned or designated by the adopted comprehensive plan for residential use, the minimum side and rear yard building setback shall be twenty-five (25) feet, unless modified in accordance with Section 18.56.150(7)(C). The provisions of the Uniform Building Code, as adopted by Snohomish County, shall govern side and rear yard setbacks from lot lines which do not abut residential zones or areas designated for residential uses by the adopted comprehensive plan. Except where the uniform Building Code controls setbacks pursuant to this section, there shall be added one foot additional minimum building setback in all yards for every foot of building height exceeding forty-five (45) feet.

18.56.070 Minimum zoning criteria. An IP zone may be established upon a tract of land in single ownership or under unified control, provided that concurrent with rezone to IP a preliminary development plan for an IP zone has been prepared, submitted and approved in compliance with the regulations and requirements of this chapter, and provided further that:

(1) The requirement for single ownership or unified control shall apply during the preliminary and final plan stage, to ensure continuity of plan development;

(2) The preliminary and final development plan shall have been designed by a team of professionals competent to provide land use planning, landscape architecture, architecture, engineering and other professional services, necessary to accomplish the development in accordance with the provisions of this chapter;

(3) No development permits shall be issued until a final plan has been approved in accordance with the provisions of this chapter.

18.56.080 Preliminary plan. Concurrent with application for rezone to Industrial Park zone, the applicant shall submit a preliminary development plan which rezone and plan shall be processed according to the procedures of Chapter 18.92, and reviewed with respect to its relationship to public health, safety and welfare zoning criteria, including the ability of the proposal to be compatible and blend with the surrounding area. All locational and site design features and their impacts may be considered. The preliminary development plan shall contain at a minimum the following:

- (1) Textual material:
 - (A) Name and address of developer, land surveyor, engineer, architect, planner and other professionals involved,
 - (B) Where there is multiple ownership, a document satisfactorily assuring unified control through the final plan approval stage for the total IP zone,
 - (C) Description of intended type of uses and of operation, including timing, management control, growth prospects, community need, and other pertinent information,
 - (D) Statement of intention to formally subdivide the property, if applicable,
 - (E) Statement of proposed building design, including probable exterior finish,
 - (F) Statement of proposed method to control storm drainage,
 - (G) Any proposed development plan must contain provision for phasing out nonconforming uses and must also show how existing conforming structures will be incorporated into the overall development scheme;

(2) Graphic material. Prints of drawings, the number and scale determined by the planning director, drawn in compliance with the performance standards of Section 18.56.150, showing all the following information:

- (A) A vicinity sketch locating the development,
- (B) Property boundary outline of the development area,
- (C) Topography sufficient to show direction of drainage and site development suitability with contour intervals of from five to twenty feet depending upon slope characteristics, extending not less than one hundred fifty feet beyond the boundaries of the development area. This requirement may be waived by the Planning Director if the site does not warrant such information,
- (D) All existing structures and improvements within the development area which are to remain,
- (E) Existing streets bounding and/or within the development area,
- (F) Tentative traffic and pedestrian circulation pattern within the development area, showing intended street widths,
- (G) Tentative location of building lots and/or building areas and major areas intended for open space,
- (H) Phasing plan depicting development divisions, if applicable,
- (I) General landscape plan showing areas to be landscaped, proposed plant height, treatment of existing vegetation, and maintenance provisions.

18.56.090 Requirements of the final plan. The final plan for an industrial park development may be finalized as a whole or in successive divisions and shall consist of the following for each division:

- (1) A completed application form signed by the developer(s) of the project and by the property owner(s) if other than the developer, together with any attachments required;
- (2) Prints of drawings, the number and scale determined by the planning director, showing all the following information; provided the office of community planning may permit postponement

of submittal of detailed building design information until application for building permits on each lot or site:

(A) Site contours at five (5) foot intervals, both existing and final where different, street layout and identification, size and shape of all building sites and lots, location of buildings, open space areas with any specific open space activity areas indicated,

(B) Final landscape plan including plant locations, species size at planting, together with location and typical side or cross-section view of perimeter fencing or berms, if any,

(C) Plans for signing and lighting, including typical entrance treatment and entrance signs,

(D) Plans for buildings and related improvements to a scale of not less than one (1) inch to fifty (50) feet, showing:

(i) Typical plot plan for each type of building, including location of building entrance, driveway, parking, fencing and site screening

(ii) Typical elevations (side views) of each type of building, including identification of exterior building materials

(E) Typical street and walkway cross-sections,

(F) Plans for open space area improvements, if any;

(3) Restrictive covenants as required, together with a statement from a private attorney as to their adequacy to fulfill the requirements of this chapter;

(4) A bond and/or performance schedule as may be required by the county;

(5) To insure conformity, a preliminary plat, if required, shall be filed simultaneously with final plans. Final plan approval shall occur only after preliminary plat approval;

(6) Detailed drainage plans shall be filed with the department of public works, in accordance with the provisions of Title 24, simultaneously with the submittal of final plans to the office of community planning. Final plan approval shall occur only after the department of public works has approved said drainage plans.

18.56.100 Final plan filing fee. To cover the administrative review costs for the final plan or phased division thereof, a filing fee of forty (40) dollars per acre, rounded to the next highest acre, shall be paid to the office of community planning.

18.56.110 Approval of the final plan. The final plan or phased divisions thereof shall be submitted to the planning director for his final approval or disapproval. The director shall submit copies of the final plan to appropriate departments for their review and comment. Any reviewing department may request changes, provided they are consistent with the approved preliminary plan. Upon review and comment, the planning director shall approve the final plan in writing when found to be in conformance with the approved preliminary plan and this chapter. The planning director may permit modification from the general design elements of the preliminary plan so long as it is found that impacts on adjoining properties are not significantly changed and major environmental protection features of the preliminary plan are maintained. Upon approval, the final plan shall become a binding site development plan upon the land and applicable to the applicant, property owner and all successors and assignees.

18.56.120 Disputes. Where the applicant and planning director or other departments are not able to reach agreement on the provisions of the final plan, the plan shall be submitted to the hearing examiner for review at public hearing. The hearing examiner's decision shall be final unless appealed to the council pursuant to Section 2.02.170, Snohomish County Code.

18.56.130 Alternative procedure - concurrent rezone, preliminary plat, and final plan. Concurrent applications for rezone, preliminary plat and final plans may be made, provided that all the items required by 18.56.080 and 18.56.090 are submitted for the entirety of the rezone site at the time application is made for industrial park zoning. The rezone application, preliminary plat, and final plans shall be processed as a master application in accordance with the procedures set forth in 2.02.120 SCC.

18.56.140 County initiated rezone alternative procedure. When recommended by the county comprehensive plan, Snohomish County may initiate rezoning to industrial park as part of the comprehensive plan implementation process. When this alternative is exercised, the provisions of this chapter requiring preliminary plan submittal and approval concurrent with rezone to IP shall be waived; and provided that portion of Section 18.56.070(1) requiring unified control over all contiguously zoned IP property shall be waived. Prior to development of the IP site, the developer shall submit a preliminary development plan as specified in 18.56.080, and fees as required by Section 18.92.140, SCC, for hearing examiner review and approval at public hearing and otherwise comply with all provisions of this chapter.

18.56.150 Performance standards. Enterprises desiring to locate and operate in the industrial park zone shall conform to reasonable standards of performance as follows:

(1) Noise. Noise levels generated within the development shall not exceed those established in Ch. 10.01 SCC or violate other laws or regulations relating to noise;

(2) Processes and equipment. Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable beyond the boundaries of the lot upon which the use is located by reason of offensive odors, dust, smoke, gas or electronic interference;

(3) Off-street parking. Permanent off-street parking shall be in accordance with terms of Chapter 18.72;

(4) Utilities. All service and distribution lines for utilities shall be located underground;

(5) Building design. Buildings shall be designed to be compatible with their surroundings, both within and adjacent to the IP zone;

(6) Restrictive covenants. Restrictive covenants shall be provided which shall ensure the long-term maintenance and upkeep of landscaping, storm drainage facilities, other private property improvements, and open space areas and facilities. Further said covenants shall reference the binding site development plans and indicate their availability at the office of community planning, and shall preclude the avoidance of performance obligations through lease agreements;

(7) Landscaping, buffering and open space. Landscaping shall be provided, as follows, within all required building setback areas:

(A) Landscaping, consisting of a mix of evergreen and deciduous trees, shrubs, and ground covers, with a minimum width of thirty (30) feet, shall be provided as a visual buffer between public rights-of-way or private access roads and building, parking or storage areas,

(B) Where abutting property is zoned or designated by the adopted comprehensive plan for residential use, a minimum twenty-five (25) foot wide strip of trees and shrubs shall be provided and maintained to visually separate and buffer the dissimilar land uses. Said landscaping strip shall reach a height of six (6) feet within two (2) years after planting, cover the width of the strip, and obscure sight through the barrier,

(C) Except where specifically prohibited by the hearing examiner, the office of community planning concurrently with action on the final plan, may waive or modify the requirements of 18.56.150(7)(A) or (B), where it can be demonstrated that abutting uses will not be adversely affected, and where existing physical improvements, physiographic features, or imminent changes in abutting land uses will render full compliance with said requirements ineffective. If the requirements of 18.56.150(7)(B) are waived, or the width of the buffer reduced, the office of community planning shall establish the minimum side and rear yard building setbacks from residentially zoned or designated property,

(D) Employee and public parking and loading dock areas shall be developed within the overall scheme of landscape treatments. Berms and other means shall be used to minimize the visual impact of these areas,

(E) Outside storage areas shall be fenced with site obscuring fencing in addition to landscaping as may be required by 18.56.150(7)(A) or (B);

(8) Signing. Signs for business identification or advertising of products shall conform to the approved sign design scheme submitted with the final plan. Signing shall be subject to the following limitations:

(A) Each business establishment shall have no more than one (1) business identification sign per building face and in no event more than two (2) identification signs per establishment,

(B) No business identification sign shall have a surface area greater than ninety (90) square feet per face,

(C) Business identification signs shall be attached to the principal building unless otherwise approved by the county in the sign design scheme. The uppermost portion of the sign shall not extend more than five (5) feet higher than the principal building at its highest point, subject further to the overall height regulations of this zone,

(D) 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 where attached to the principal building, provided the total surface area of all such signs shall not exceed fifty (50) square feet, and no single surface area shall exceed twenty-five (25) square feet,

(E) Signs which are an integral part of a window shall occupy no more than twenty-five (25) percent of the total window area,

(F) Signs shall not be animated, audible, or illuminated by any intermittent, flashing or scintillating source of light,

(G) Projecting signs or graphics, and their supportive members, shall project outward no more than four (4) feet from a building and be no lower than eight (8) feet above ground level,

(H) The entire IP zone development may be identified by either one (1) freestanding sign, which sign shall not exceed thirty-five (35) feet in height, nor have a surface area greater than one hundred fifty (150) square feet per face; or one (1) freestanding sign at each road entrance to the IP development, which signs shall not exceed four (4) feet in height, nor have a surface area greater than sixty (60) square feet per face,

(I) Minor signing modifications may be approved by the office of community planning where it is demonstrated that the overall industrial park identification and internal directional needs will be served without reduction to the aesthetic quality of the industrial park or adjoining properties.

Dated this 13th day of December, 1982.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Cliff Bailey
Chairman

Ellie Snyder
Clerk of the Council

() APPROVED

() EMERGENCY

() VETOED

DATE 1-4-83

William D. Tucker
County Executive

PUBLISHED _____

Borden Wiley 10/29/82, DPA

Approved as to form