



CO00019388

SNOHOMISH COUNTY COUNCIL  
SNOHOMISH COUNTY, WASHINGTON

AMENDED ORDINANCE NO. 99-030

AMENDING SNOHOMISH COUNTY CODE TITLE 18 RELATING  
TO ESTABLISHMENT OF A RURAL RESOURCE TRANSITION -10 ACRE ZONE  
CLASSIFICATION, USES AND DEVELOPMENT STANDARDS AND TITLE 32  
RELATING TO RURAL CLUSTER SUBDIVISIONS

WHEREAS, the GMA requires the county to adopt development regulations that are consistent with the county's adopted GMA Comprehensive Plan; and

WHEREAS, amendments to the county's adopted GMA Comprehensive Plan enacted by Ordinance 99-031 require the adoption of implementing development regulations in the county's Zoning and Growth Management Codes; and

WHEREAS, the proposed amendments are consistent with the county's adopted GMA Comprehensive Plan and plan amendments enacted by Ordinance No. 99-031; and

WHEREAS, the Snohomish County Planning Commission held a public hearing on October 27, 1998, December 15, 1998 and February 16, 1999 to consider the draft code amendments; and

WHEREAS, the Snohomish County Council held a public hearing on June 28, 1999 and July 21, 1999 to consider the Planning Commission's recommendations.

NOW, THEREFORE, BE IT ORDAINED:

**Section 1.** Snohomish County Code Section 18.12, last amended by Amended Ordinance 98-121, on December 16, 1998, is amended to read:

18.12.030 Intent of zones.

(1) Residential Zones. The intent and function of the residential zones is to provide, consistent with the comprehensive plan, zoning classifications for predominantly single family residential development that achieves a minimum net density of 4 dwelling units per acre in unincorporated urban growth areas and to act as holding zones for properties within a UGA that are designated Urban Medium Density Residential, Urban High Density Residential, Urban Commercial, Urban Industrial, or Other Land Uses in the comprehensive plan. The comprehensive plan establishes

guidelines to determine compatibility and location of residential zones. Single Family Residential zones consist of the following:

- (a) Residential 7,200 sq. ft. (R-7,200).
- (b) Residential 8,400 sq. ft. (R-8,400).
- (c) Residential 9,600 sq. ft. (R-9,600).
- (d) Residential 12,500 sq. ft. (R-12,500).
- (e) Residential 20,000 sq. ft. (R-20,000).
- (f) Waterfront Beach (WFB).

(2) Multiple Family Zones. The intent and function of the multiple family zones is to provide, consistent with the comprehensive plan, zoning classifications for predominantly apartment and townhouse development in designated medium and high density residential locations in unincorporated urban growth areas. The comprehensive plan establishes guidelines to determine compatibility and location of multiple family zones. Multiple family zones consist of the following:

(a) Townhouse (T). The intent and function of this zone is:

(i) to provide for single-family dwellings, both attached and detached, or different styles, sizes, and prices in locations specifically designated by the county comprehensive plan for the townhouse zone with its urban densities greater than those for strictly single-family detached development, but less than multiple family development;

(ii) to provide a flexible tool for development of physically suitable skipped-over or under-used lands in urban areas without adversely affecting adjacent development; and

(iii) to provide design standards and review which recognize the special characteristics of townhouses, to insure the development of well-planned communities and to insure the compatibility of such housing developments with adjacent existing and planned uses. Townhouses are intended to serve the housing needs of a variety of housing consumers and producers. Therefore, townhouses may be built for renter occupancy of units on a site under single ownership, owner agreements pursuant to Chapters 64.32 or 64.34 RCW, or owner or renter occupancy of separately conveyed units on individual lots created through formal subdivision pursuant to Chapter 58.17 RCW.

(b) Low Density Multiple Residential (LDMR).

(c) Multiple Residential (MR).

(3) Rural Zones. The intent and function of the rural zones is to provide, consistent with the comprehensive plan, zoning classifications for lands located outside urban growth areas, and not designated as agricultural or forest lands of long-term commercial significance, with existing or planned rural services and facilities such as domestic water systems (generally systems without fire flow), and rural fire and police protection services. Rural zones also act as holding zones for properties that are primarily a transition area within UGAs on steep slopes adjacent to non-UGA lands

designated rural or agriculture. The comprehensive plan establishes guidelines to determine compatibility and location of rural zones. Rural zones consist of the following:

(a) Suburban Agriculture-1 Acre (SA-1).

(b) Rural-5 Acre (R-5).

(c) Rural Conservation (RC). The intent and function of this zone is to provide for those areas of less than prime agricultural soils unsuited to intensive development, because of its relative isolation, lack of public utilities and/or services, steep slopes or other natural conditions. Large lot areas shall be required with the intent of preserving a rural lifestyle as well as for the protection and enhancement of deltas, wetlands, steep gradients, aquifers, watersheds, shorelines and other natural features of major significance.

(d) Rural Diversification (RD). The intent and function of this zone is to provide for the orderly use and development of the most isolated, outlying rural areas of the county and at the same time allow sufficient flexibility so that traditional rural land uses and activities can continue. These areas characteristically have only rudimentary public services and facilities, steep slopes and other natural conditions which discourage intense development, and a resident population which forms an extremely rural and undeveloped environment. The resident population of these areas is small and highly dispersed. The zone is intended to protect, maintain and encourage traditional and appropriate rural land uses, particularly those which allow residents to earn a satisfactory living on their own land.

(i) a minimum of restrictions shall be placed on traditional and appropriate rural land uses;

(ii) the rural character of these outlying areas will be protected by carefully regulating the size, location, design and timing of large-scale, intensive land use development; and

(iii) large residential lots shall be required with the intent of preserving a desirable rural lifestyle as well as preventing intensive urban and suburban density development, while also protecting the quality of ground and surface water supplies and other natural resources.

(e) Rural Resource Transition-10 Acre (RRT-10). The intent and function of this zone is to implement the Rural Residential-10 (Resource Transition) designation in the comprehensive plan, which identified, and designated, rural lands with forestry resource values as a transition between designated forest lands and rural lands.

(4) Natural Resource Zones. The intent and function of the natural resource zones is to provide zoning classifications that conserve and protect lands useful for agricultural, forestry or mineral extraction or lands which have long-term commercial significance for these uses, consistent with the comprehensive plan. The comprehensive plan establishes guidelines to determine compatibility and location of natural resource zones. Natural resource zones consist of the following:

(a) Forestry and Recreation (F&R). The intent and function of the forestry and recreation zone is to provide for the development and use of forest land for the

production of forest products as well as certain other compatible uses such as recreation and to protect publicly owned parks in UGAs.

(b) Forestry (F).

(c) Agriculture-10 Acre (A-10).

(d) Mineral Conservation (MC). The intent and function of the mineral conservation zone is to comprehensively regulate excavations within Snohomish County. The zone is designed to accomplish the following:

(i) preserve certain areas of the county which contain minerals of commercial quality and quantity for mineral conservation purposes and to prevent incompatible land use development prior to the extraction of such minerals and materials and to prevent loss forever of such natural resources;

(ii) preserve the goals and objectives of the comprehensive plan by setting certain guidelines and standards for location of zones and under temporary small scale conditions to permit other locations by conditional use permit;

(iii) permit the necessary processing and conversion of such material and minerals to marketable products;

(iv) provide for protection of surrounding neighborhood, ecological and aesthetic values, by enforcing controls for buffering and for manner and method of operation; and

(v) preserve the ultimate suitability of the land from which natural deposits are extracted for rezones and land usages consistent with the goals and objectives of the comprehensive plan.

(5) Commercial Zones. The intent and function of the commercial zones is to provide, consistent with the comprehensive plan, zoning classifications for neighborhood, community and urban center commercial and mixed use developments that provide a range of retail, office, personal service and wholesale uses. The comprehensive plan establishes guidelines to determine compatibility and location of commercial zones. Commercial zones consist of the following:

(a) Neighborhood Business (NB).

(b) Planned Neighborhood Shopping Center (PNSC).

Vacant/underdeveloped land which is currently zoned PNSC shall be developed pursuant to planned community business (PCB) zone regulations (Chapter 18.60 SCC). Areas designated planned neighborhood shopping center (PNSC) by Snohomish County comprehensive plans shall be zoned either "NB" with a contract or "PCB" zoning. Sites containing less than five acres will only be eligible for "NB with contract" zoning.

(c) Planned Community Business (PCB). The intent and function of the planned community business zone is to permit community business enterprises in areas desirable for business but having highly sensitive elements of vehicular circulation, land use or natural site and environmental conditions while minimizing impacts upon these elements through the establishment of performance criteria. Performance criteria for this zone are intended to control external as well as internal

effects of commercial development. It is the goal of this zone to discourage "piecemeal" and strip development by encouraging development under unified control.

(d) Community Business (CB).

(e) General Commercial (GC).

(f) Business Park (BP). The intent and function of the business park zone is to provide for those business/industrial uses of a professional office, wholesale, and manufacturing nature which are capable of being constructed, maintained and operated in a manner uniquely designed to be compatible with adjoining residential, retail commercial or other less intensive land uses, existing or planned. Strict zoning controls must be applied in conjunction with private covenants and unified control of land; many business/industrial uses otherwise provided for in the zoning code will not be suited to the BP zone due to an inability to comply with its provisions and achieve compatibility with surrounding uses. This zone may be applied to any area designated for any industrial or general commercial zone on an adopted county comprehensive plan.

(g) Freeway Service (FS). The intent and function of the freeway service zone is to permit the location of needed freeway commercial facilities in the vicinity of on/off ramp frontages and access roads of limited access highways with a minimum of traffic congestion in the vicinity of the ramp. Permitted uses are limited to commercial establishments dependent upon by highway uses. Certain performance standards, subject to hearing examiner review, are contained in Chapter 18.56 SCC to protect freeway design.

(6) Industrial Zones. The intent and function of the industrial zones is to provide, consistent with the comprehensive plan, zoning classifications for a range of industrial and manufacturing uses and limited commercial and other non-industrial uses necessary for the convenience of industrial activities. The comprehensive plan establishes guidelines to determine compatibility and location of industrial zones. Industrial zones consist of the following:

(a) Light Industrial (LI).

(b) Heavy Industrial (HI).

(c) Industrial Park/Planned Industrial Park (IP/PIP). The intent and function of the industrial park and planned industrial park zones 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 in close proximity to residential or other less intensive development. The IP and PIP zones are designed to insure compatibility between industrial uses in industrial centers and thereby maintain the attractiveness of such centers for both existing and potential users and the surrounding community. Vacant/undeveloped land which is currently zoned PIP shall be developed pursuant to industrial park (IP) zone regulations (Chapter 18.60 SCC).

(7) Rural Use (RU). The intent and function of this zone is to provide interim zoning control until such time as permanent zoning categories are applied and to act as a holding zone for properties within UGAs. The rural use zone is not, therefore, intended as the implementing zone for comprehensive plan nor are the provisions of

the comprehensive plan, including development density prescriptions, intended to be superseded by the rural use zone.

**Section 2.** Snohomish County Code Section 18.32.040 last amended by Amended Ordinance 98-121, on December 16, 1998, is amended to read:

18.32.040 Use matrix.

(A) The following key applies to the use matrix. Reference notes are found in SCC 18.32.040(B). Use Matrix Key

- P --- Permitted Use
- C --- Conditional Use
- T --- Temporary Use

	F	F&R	A	R-5	RRT-10	RCA	RD	SA-1	RU	R	R	R	R	R	WFB	T	LDMR	MR	FS	NB	PCB	CB	OC	JP	BP	LI	H	MC	RB	RFS	RI
			10			FR				20,000	12,600	9,800	8,400	7,200									80	80							
Accessory Apartment	06	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P						P	P	
Attached and Detached																															
Adult Entertainment																								P		P	P				
Business/Use	71																														
Agriculture		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Airport		C			C	C	C	C	C	C	C	C	C	C	C	C							P	P	P	P	P				
Stage 1 Utility 1																															
All Others																								P	P	P	P				
Amusement Facility	44																				P	P	P	P		P	P				
Antique Shop				46			C		46											P		P	P			P	P			83	
Art Gallery	44			C			C	C	C	P	C	C	C	C	C	C					P	P	P	P	P	P	P			83	
Asphalt Batch Plant & Concrete Mix Asphalt Plant																								P			P	P			
Auto Repair: Major																							P	P	P	P	P				
Minor																					P	P	P	P	P	P	P			82	
Auto Towing				C			C																			P	P				
Auto Wrecking Yard																										47	47				
Bakery																					73									82	
Bed and Breakfast		C	C	P	C		C	C	C	C	C	C	C	C	C	C															P
Guesthouse	62																														
Bed and Breakfast Inn	62	C	C	C	C		C	C																							P
Billboards	49																						P			P	P				
Boat Launch: Commercial	33				C																	C	C			C	C				
Non Commercial	33	C	C		C		C	C	C	C	C	C	C	C	C	C						C	C			C	C				C
Boat Sales																							P			P	P				
Building Contractor																							P	P	P	P	P			84.00	
P - Permitted Use	Note: Reference numbers within matrix indicate special conditions apply. See chapter 18.32 SCC.																														
C - Conditional Use																															
T - Temporary Use																															

	F	F&R	A-10	R-5	RRT-10	RC&RR	RD	SA-1	RU	R	R	R	R	R	WFB	T	LDMR	MR	FS	NB	PCB	CB	GC	IP	BP	LI	HI	MC	RB	RFS	RI		
										20,000	12,500	9,800	8,400	7,200										80	80								
Campground			34																														
Caretaker's Quarters																								P	P	P	P	P			P		
Carport	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Cemetery, Columbarium, Crematorium, Mausoleum				C		C	P	C	C	C	C	C	C	C	C	C	C	C					P	P	P	P	P						
Church	44			C		C	P	C	P	C	C	C	C	C	C	C	P	P		P	P	P	P	P	P	P	P			C			
Cleaning Establishment																					P	P	P	P	P	P	P						
Clinic	31																C	C		P	P	P	P	P	P	P	P						
Club																	C	C		C	P	P	P	P	P	P	P						
Cold Storage																							P	P	P	P					P		
Commercial Vehicle: Home Basing				35																													
Storage Facility																								P	P	P	P	P		C	P		
Community Club				C		C	P	C	P	C	C	C	C	C	C	C	C	C		C			P	P	P	P	P	P			P		
Country Club				C		C	C	C	C	C	C	C	C	C	C	C								P	P	P	P					P	
Craft Shop	23																						P	P	P	P	P					P	
Dams & Power Plants, Associated Uses		P																															
Day Care Center	2			C		C	P	C	P	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P			P	P	
Department Store																						P	P	P			P	P					
Distillation of Alcohol			38	38		38	38		38															P	P	P	P						
Distillation of Wood, Coal, Bones or Manufacturing of Their by-products			C	C		C	C		C															P			P						
Dock & Boathouse, Private, Non-commercial	3,44	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P						
Drug Store																																	
Dwelling: Single Family		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P					
P - Permitted Use C - Conditional Use T - Temporary Use	Note: Reference numbers within matrix indicate special conditions apply. See chapter 18.32 SCC.																																

	F	F&R	A-10	R-5	RRT-10	RC&RR	RD	SA-1	RU	R-20,000	R-12,500	R-9,900	R-8,400	R-7,200	WFB	T	LDNR	MR	FS	NB	PCB	CB	GC	IP-80	BP-80	LI	HI	MC	RB	RFS	RI	
Mobile Home	P	P	P	P	P	P	P	P	8	P	8	8	8	8	8	8	P	P		6		6	6						P	P		
Duplex	P		P	P	P	P	P	P	45	P	45	45	45	45	45	P	P	P		P		P	P									
Townhouse												5	5	5	5	5	P			P	P	P	P									
Multiple Family																	P	P		P	P	P	P									
Equestrian Center	76	C	P	74	C	C	C	P																								
Evacuation & Processing Minerals	30	C	C	C	C	C	C	C	C	C	C	C	C	C	C		C	C		C		C	C	C	C	C	C	C	C		C	
Explosives Storage	P	C		C	C	C	C		C															P			P	C			C	
Manufacturing																								P			P					
Extinction of Animal or Fish Fat or Oil																								P			P					
Fabrication Shop																							P	P	P	P	P				P	
Fairgrounds																							P	P	P	P	P					
Falout Shelter: Individual	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Joint	7	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Family Care Home	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P								P	
Family Day Care Home	8	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P								P	
Family Rehabilitation Home				C		C	C	C	C	C	C	C	C	C	C		C	C				P	P								P	
Farm Product Processing			39	39		39	39		39															P	P	P					P	
Farm Stand	9	P	P	P	P	P	P	P	P	P	P	P	P	P	P														P	P	P	P
Farm Workers Dwelling			10																													
Financial Institutions																					P	P	P	P	P	P	P					
Fish Farm	P	P	P	P	P	P	P	P	P															P	P	P	P					
Fix-it Shop																							P	P	P	P	P			82		P
Forestry	P	P	P	P	P	P	P	P	P															P	P	P	P					P
P - Permitted Use C - Conditional Use T - Temporary Use	Note: Reference numbers within matrix indicate special conditions apply. See chapter 18.32 SCC.																															



	F	F&R	A-10	R-5	RRT-10	RC&RR	RD	SA-1	RU	R	R	R	R	R	WFB	T	LDMR	MR	FS	NB	PCB	CB	GC	IP	BP	LI	HI	MC	RB	RFS	RI
										20,000	12,500	9,900	8,400	7,200									80	80							
Forestry Industry Storage & Maintenance Facility	P	P			P		32																							P	
Forge, Foundry, Blast																								P			P				
Furnace of Melting of Ore																															
Foster Home	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P							P	
Fuel & Coal Yard																							P	P	P	P	P				
Garage, Private	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Garage, Public																							P	P	P	P					
Golf Course and Driving Range			78	C		C	C	C	C	C	C	C	C	C	C								P	P	P	P	P				
Government Structures & Facilities	C	C		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	C	C	C
Greenhouse, Lathhouse, Nurseries	P		P	P	P	P	P	P	P	C											P	P	P			P	P	P		P	
Retail																															
Wholesale	P		P	P	P	P	P	P	P	C											P	P	P	P	P	P	P	P	P	P	
Grocery Store																				24	P	P	P	P			P	P	B4	B4	
Group Care Facility	37			C		C	C										C	C				C	C								
Guesthouse	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P						P		
Gym																						P	P	P	P	P	P				
Hardware Store																					P	P	P	P			P	P	B4		
Hazardous Waste Storage & Treatment Facilities	P	P					P													P	P	P	P	P	P	P	P	P	P	P	
Onsite	69																														
Offsite	70																							C	C	C	C				
Home Improvement Center																					P	P	P	P			P	P	B4		
Home Occupation	11	68	68	68	68	68	68	68	P	P	P	P	P	P	P	P	P	P	P	P	P	P						68	68		
Homestead Parcel	43			C	C		C	C																					P	P	
Hospital	31,44			C		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	C	P					
F - Permitted Use	Note: Reference numbers within matrix indicate special conditions apply. See chapter 18.32 SCC.																														
C - Conditional Use																															
T - Temporary Use																															

	F	F&R	A-10	R-5	RRT-10	RC&RR	RD	SA-1	RU	R	R	R	R	R	WFB	T	LDMR	MR	FS	NB	PCB	CB	GC	IP	BP	LI	HI	MC	RB	RFS	RI			
										20,000	12,500	9,000	8,400	7,200									60	80										
Hotel/Motel																	C	C	P		P	P	P							P	P			
Institution, Educational				C		C	C	C	C	C	C	C	C	C	C		C	C					P	P	P	P	P							
Junkyard																										47	47							
Kennel Commercial	P		C	P	P	C	P	C	P	C	C	C	C	C	C								P	P	P	P	P							
Exhibitor/Breeding	57	P	C	P	P	C	P	C	P	C	C	C	C	C	C	C	C	C	P		P	P	P	P	P	P	P							
Private	13	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P												P		
Laboratory																							P	P	P	P								
Library	44			C		C	C	C	P	C	C	C	C	C	C		C	C		C	P	P	P	P	P	P	P					P		
Licensed Practitioner	31,44																C	C		P	P	P	P	P	P	P	P					83		
Livestock Auction Facility			51	51		51	51		51															P		P	P					P		
Locksmith																																	P	
Log Scaling Station	P	P	P	C	C	C	C																										P	
Lumber Yard																								P	P	P	P							P
Manufacturing of:																								P										
Acid																																		
Animal Black/Bone Black																								P										
Cement or Lime																								P										
Chlorine																								P										
Creosote																								P										
Fertilizer																								P										
Glue or Gelatin																								P										
Potash																								P										
Pulp																								P										
All other forms of Manu. not specifically listed																								P	P	P	P					C	C	
Massage Parlor																								P	P	P	P							
Metal Working Shop																																		P

P - Permitted Use  
C - Conditional Use  
T - Temporary Use

Note: Reference numbers within matrix indicate special conditions apply. See chapter 18.32 SCC.

	F	F&R	A-10	R-S	RRT-10	RC&RR	RD	SA-1	RJ	R	R	R	R	R	R	WFB	T	LDMR	MR	FS	NB	PCB	CB	GC	IP	BP	LI	HI	MC	RB	RFS	R		
										20,000	12,500	9,800	8,400	7,200											80	80								
Mini-equestrian Center	76	P	P	75	P	P	P																											
Mini Self-Storage	44																					P	P	P	P	P	P							
Mobile Home Park	41																	C	C				C	C										
Mobile Home & Travel Trailer Sales																								P	38		P	P						
Model Hobby Park	79			P	P																					P	P	P						
Model House/Sales Office		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P									
Motor Vehicle & Equipment Sales																							25	P			P	P						
Mortuary																		C	C				P	P	P	P	P	P						
Museum			85	C		C	C	C	P	C	C	C	C	C	C	C	C	C	C		C	P	P	P	P	P	P	P	P		P			
Nursing Home	44							C		C	C	C	C	C	C	C	C	C					P	P										
Office, General																						P	P	P	P	P	P	P	P		P			
Park, Public	14	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Personal Services Shop																						P	P	P	P	52	52	P	P		83			
Park-and-Pool Lot, Small										C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Park-and-Ride Lot		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Petroleum Products & Gas Storage - Bulk									46															46	P	46	46	46					46	P
Petroleum Refining	44																								P									
Photo Processing Shop																						P	P	P	P	P	P	P						
Printing Plant																							P	P	P	P	P	P						
Printshop																							P	P	P	P	P	P				P		
Racetrack	26,44			C		C			C																C	P	P	P						
Railroad Right-of-way		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Recreational Facility Not Otherwise Listed				C		C	C	C	P	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P					83	P
Rendering of Fat, Tallow or Lard																								P			P							
Resort		C																																
P - Permitted Use C - Conditional Use T - Temporary Use	Note: Reference numbers within matrix indicate special conditions apply. See chapter 18.32 SCC.																																	

	F	F&R	A-10	R-S	RRT-10	RC&RR	RD	SA-1	RU	R	R	R	R	R	WFB	T	LDMR	MR	FS	NB	PCB	CB	GC	IP	BP	LI	HI	MC	RB	RFS	RI
Restaurant																			P	P	P	P	P	52	52	P	P		84	P	
Retail Store																				P	P	P	P		56	P	P		84		
Retirement Apartments																P	P	P		P	P	P	P								
Retirement Housing																P	P	P		P	P	P	P								
Rolling or Blooming Mills																								P			P				
Rooming & Boarding house	15		15	15	15	15	15	15	15	15	15	15	15	15	15		P	P					P	P							
Rural Industries	44							27																							
Sanitary Landfill	C		C	C	C	C	C	C	C	C	C	C	C	C	C								C	C	C	C	C	C			
Sawmill	P	P	28	28			28	28																P	P	P	P				P
Schools	44,72		C			C	C	C	C	C	C	C	C	C	C		C	C					P	P	P	P	P	P		P	
K-12 & Preschool																															
Other																	C	C					P	P	P	P	P	P	C	C	
Second Hand Store																							P	P			P	P	82		
Service Station																			P	P	P	P	P			P	P	P	P	P	
Shake & Shingle Mill	P		28	28			28	28																P	P	P	P				P
Shooting Range	C		C	C	C	C	C	C																P	P	P	P				
Sludge Utilization	42	C	C	C	C	C	C	C	C	C	60	60	60	60	60	60	60	60					60	60	60	60	53	60			
Small Animal Husbandry	44	P	P	P	P		P	P	P	P	40	40	40	40	40	40			P		P	P	P	P	P	P	P	P			
Social Services Center	17		C			C	C		C								C	C					P	P	P	P	P				
Specialty Store																				P	P	P	P			P	P		82		
Stables	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	
Stockyard or Slaughter House								51																P			P			51	
P - Permitted Use C - Conditional Use T - Temporary Use	Note: Reference numbers within matrix indicate special conditions apply. See chapter 18.32 SCC.																														

	F	F&R	A-10	R-5	RRT-10	RC&RR	RD	SA-1	RU	R-20,000	R-12,500	R-9,000	R-8,400	R-7,200	WFB	T	LDMR	MR	FS	NB	PCB	CB	GC	IP-80	BP-80	LI	HI	MC	RB	RFS	RI
Storage/Retail Sales			P	58		58																P	P		P	P		P		P	
Livestock Feed			P			P																									
Storage Structure over 1,000 sq.ft., on less than three acres	C	C	C	C	C	C	C	C	P	C	C	C	84	84	C	C	C	C	C	P	P	P	P	P	P	P	P	P	83	82	
Studio	44			81		81	81	81	P	81	81	81	81	81	81	81	81	81	81	P	P	P	P	P	P	P	P				
Swimming Pool	18,44	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Tannery																								P			P				
Tar Distillation or Manufacturing																								P			P				
Tavern	44																				P	P	P			P	P	P			
Television/Radio Stations																										P	P				
Temporary Logging Crew Quarters	P	P																													
Temporary Emergency Use	20	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	
Temporary Use, Residential Sales Coach	77			T		T	T	T	T	T	T	T	T	T	T	T															
Temporary Use Dwelling: During Construction		T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	
For Relative	19	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	
Woodwaste Recycling	67	T					T																			T	T			T	
Woodwaste Storage	67	T					T																			T	T				
Tire Store																					P	P	P	P		P	P				
Tool Sales & Rental																							P	P		P	P				
Transit Center		C	C	C	C	C	C	C	C	C	C	C	C	C			C	C	P	P	P	P	P	P	P	P	P	P	P	P	
Travel Trailers	21	P	P	P	P	P	P	P	P																						
P - Permitted Use C - Conditional Use T - Temporary Use	Note: Reference numbers within matrix indicate special conditions apply. See chapter 18.32 SCC.																														

	F	F&R	A-10	R-5	RRT-10	RC&RR	RD	SA-1	RU	R	R	R	R	R	WFB	T	LDMR	MR	FS	NB	PCB	CB	GC	IP	BP	LI	HI	MC	RB	RFS	RI	
										20,000	12,500	9,800	8,400	7,200										80	80							
Travel Trailer Court		C																														
Ultralight Airpark	22	C		C	C	C	C																	P	P	P	P					
Utility Facilities:		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	C	C	C	P
Electromagnetic Transmission & Receiving Fac.	29																															
Transmission Wires or Pipes & Supports	20	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
All Other Structures	20,44	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	C	C	C	P
Veterinary Clinic			C	C		C	P	C	P							C	C		P	P	P	P	P	P	P	P	P		P			
Warehousing																								P	P	P	P					
Wholesale Establishment																						P	P	P	P	P	P					
Woodwaste Recycling	61	C		C	C		C																				C	C			C	
Storage	61	C		C	C		C																				C	C			C	
Yacht/Boat Club															C									P	P	P	P		P		P	
All other uses not otherwise mentioned																								P	P	P	P					
P - Permitted Use C - Conditional Use T - Temporary Use	Note: Reference numbers within matrix indicate special conditions apply. See chapter 18.32 SCC.																															

(B) Reference notes for use matrix.

(1) Airport, Stage 1 Utility:

(a) Not for commercial use and for use of small private planes, and

(b) In the RU zone, they shall be primarily for the use of the resident property owner.

(2) Day Care Center:

(a) In WFB, R 7200, R 8400, R 9600, 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) Private, Noncommercial Docks and Boathouses:

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

(b) The total roof area of covered, overwater 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 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 300 feet of the parcel on which 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

(f) Covered structures are subject to a minimum setback of three 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.

(4) Single Family Dwelling: In PCB zones, shall be allowed only if included within the same structure as a commercial establishment.

(5) Townhouse dwellings shall be:

(a) Subject to all conditions of the chapter 18.53 SCC;

(b) Subject to the maximum density allowed by the appropriate implementing zone for the comprehensive plan designation applied to the site;

(c) A permitted use when placed on individual lots created by the formal subdivision process;

(d) A conditional use when located on individual lots not created through the formal subdivision process.

(6) Mobile Home:

(a) Shall be multi-sectioned by original design, with a width of 20 feet or greater along its entire body length,

(b) Shall be constructed with a non-metallic type, pitched roof,  
(c) Except where the base of the mobile home is flush to ground level shall be installed either with:  
(i) skirting material which is compatible with the siding of the mobile home, or  
(ii) a perimeter masonry foundation,  
(d) Shall have the wheels and tongue removed, and  
(e) In the RU zone the above only applies if the permitted lot size is less than 20,000 square feet.

(7) Joint Fallout Shelter, by two or more property owners:

(a) Side and rear yard requirements may be waived by the department of planning and development services along the boundaries lying between the properties involved with the proposal, and zone PROVIDED That its function as a shelter is not impaired.

(8) Family Day Care Home:

(a) No play yards or equipment shall be located in any required setback from a street, and

(b) Outdoor play areas shall be fenced or otherwise controlled.

(9) Farm Stand:

(a) There shall be only one stand on each lot,

(b) The maximum size in the A-10 zone shall be 500 square feet,

(c) The maximum size in all other zones shall be 300 square feet, and

(d) At least 75 percent (by value) of the products sold must be grown or raised in Snohomish County.

(10) Farm Worker Dwelling:

(a) At least one person residing in each farm worker dwelling unit shall be employed full time in the farm operation,

(b) An agricultural farm worker dwelling unit affidavit must be signed and recorded with the county attesting to the need for such dwellings to continue the farm operation,

(c) The number of farm worker dwellings shall be limited to one per each 40 acres under single contiguous ownership to a maximum of six total dwellings, with 40 acres being required to construct the first accessory dwelling unit. Construction of the maximum number of dwelling units permitted shall be interpreted as exhausting all residential potential of the land until such time as the property is legally subdivided, and

(d) All farm worker dwellings must be clustered on the farm within a 10-acre farmstead which includes the main dwelling. The farmstead's boundaries shall be designated with a legal description by the property owner with the intent of allowing maximum flexibility while minimizing interference with productive farm operation. Farm worker dwellings may be located other than as provided for in this subsection only if environmental or physical constraints preclude meeting these conditions.

(11) Home Occupation:



- (a) Not more than one person outside the family shall be employed;
  - (b) The occupation shall be secondary to the use of the dwelling for dwelling purposes;
  - (c) There shall be no external display of merchandise. No sales or fees for the use of merchandise except that produced by the inhabitants shall be made in the dwelling or on the premises;
  - (d) The maximum nameplate horsepower rating of any single piece of mechanical equipment used in the home occupation shall be five horsepower, and no equipment shall be three-phase motors. The electrical service for the home occupation shall not exceed 200 amps;
  - (e) Not more than one-fourth of the total square footage of the dwelling may be used in the occupation;
  - (f) Signs in connection with the occupation shall be unlighted, shall not exceed two square feet, and shall be attached flat to the building;
  - (g) The home occupation shall in no way affect the appearance of the building as a residence; and
  - (h) The home occupation shall be fully enclosed within the residence with no outside storage of equipment or materials.
- (12) Kennel, commercial: There shall be a five acre minimum lot size.
- (13) Kennel, private: Where the animals comprising the kennel are housed within the dwelling, the yard or some portion thereof shall be fenced and maintained in good repair or to contain or to confine the animals upon the property and restrict the entrance of other animals.
- (14) Parks, publicly owned and operated:
- (a) No bleachers are permitted if the site is less than five acres in size,
  - (b) All lighting shall be shielded so as not to produce glare which would be unduly annoying to adjoining uses, and
  - (c) No amusement devices for hire are permitted.
- (15) Rooming and Boarding House: There shall be accommodations for no more than two persons,
- (16) Riding Academies:
- (a) Shall be operated in such a manner so as not to cause offense to adjoining properties by reason of dust or odor,
  - (b) Lighting shall be shielded or directed away from adjoining properties or rights-of-way, and
  - (c) Landscaping shall be provided consistent with achieving the goal of compatibility with the surrounding area.
- (17) Social Service Center: Hours of operation shall be restricted to that compatible with the neighborhood and proposed usage of the facility.
- (18) Swimming and Wading Pool, not to include hot tubs and spas for the sole use of occupants and guests:

(a) No part of the pool shall project more than one foot above the adjoining ground level in a required setback, and

(b) The pool shall be enclosed with a fence not less than four feet high, of sufficient design and strength to keep out children.

(19) Temporary Dwelling, for a relative:

(a) The dwelling shall be occupied only by a relative, by blood or marriage, of the occupant(s) of the permanent dwelling,

(b) The relative must receive from, or administer to, the occupant of the other dwelling continuous care and assistance necessitated by advanced age or infirmity,

(c) The need for such continuous care and assistance shall be attested to in writing by a licensed physician,

(d) The temporary dwelling shall be occupied by not more than two persons,

(e) Use as a commercial rental unit shall be prohibited,

(f) The temporary dwelling shall be situated not less than 20 feet from the permanent dwelling on the same lot and shall not be located in any required yard of the principal dwelling,

(g) A land use permit binder shall be executed by the landowner, recorded with the Snohomish County auditor and a copy of the recorded document submitted to the department of planning and development services for inclusion in the permit file,

(h) Adequate screening, landscaping or other measures shall be provided to protect surrounding property values and insure compatibility with the immediate neighborhood,

(i) An annual renewal of the temporary dwelling permit, together with recertification of need shall be accomplished by the applicant through the department of planning and development services in the same month of each year in which the initial mobile home/building permit was issued,

(j) An agreement to terminate such temporary use at such time as the need no longer exists shall be executed by the applicant and recorded with the Snohomish County auditor, and

(k) The temporary dwelling shall not be located on a lot on which a detached accessory apartment, as defined in SCC 18.90.018, is located.

(20) Temporary Emergency Use or Structures:

(a) Such approvals shall apply only to uses or structures normally requiring a conditional or special use permit, and

(b) The request shall be approved only where action must be taken immediately, or within a time too short to allow processing of a permit, to avoid imminent danger to public or private property, or to prevent an imminent threat of serious environmental degradation.

(21) Travel Trailer:

- (a) There shall be no more than one per lot, and
- (b) Shall not be placed on a single site for more than 180 days in any 12-month period.

(22) Ultralight Airparks:

- (a) Applicant shall submit a plan for the ultralight airpark showing the location of all buildings, ground circulation and parking areas, common flight patterns, and arrival and departure routes,
- (b) Applicant shall describe in writing the types of activities, events and flight operations which are expected to occur at the airparks, and
- (c) Approval shall be dependent upon a determination by the county hearing examiner that all potential impacts such as noise, safety hazards, sanitation, traffic and parking are compatible with the site and neighboring land uses, particularly those involving residential uses or livestock or small animal husbandry; and further that the proposed use can comply with Federal Aviation Administration regulations (FAR Part 103), which state that ultralight vehicle operations will not:
  - (i) create a hazard for other persons or property,
  - (ii) occur between sunset and sunrise,
  - (iii) occur over any substantially developed area of a city, town, or settlement, particularly over residential areas or over any open air assembly of people,
  - (iv) occur in an airport traffic area, control zone, terminal control area, or positive control area without prior authorization of the airport manager with jurisdiction.

(23) Craft Shop:

- (a) Articles shall not be manufactured by chemical processes,
- (b) No more than three persons shall be employed at any one time in the fabricating, repair, or processing of materials, and
- (c) The aggregate nameplate horsepower rating of all mechanical equipment on the premises shall not exceed two.

(24) Grocery and Drug Stores: In the FS zone, there shall be a 5,000-square foot floor area limitation.

(25) Motor Vehicle and Equipment Sales: In the CB zone, all display, storage, and sales activities shall be conducted indoors.

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

(27) Rural Industry.

- (a) The number of employees shall not exceed 10,
- (b) All operations shall be carried out in a manner so as to avoid the emission or creation of smoke, dust, fumes, odors, heat, glare, vibration, noise, traffic, surface water drainage, sewage, water pollution, or other emissions which are unduly or unreasonably offensive or injurious to properties, residents or improvements in the vicinity,

(c) The owner of the rural industry must reside on the same premises as the rural industry and, in the RD zone, the residence shall be considered as a caretaker's quarters as defined in SCC 18.90.170, and

(d) Outside storage, loading or employee parking in the RD zone shall provide 15 feet of type "II" buffer as defined in SCC 18.43.040.

(28) Sawmill, Shake and Shingle Mill:

(a) Such uses shall not include the manufacture of finished wood products such as furniture and plywood, but shall include lumber manufacturing,

(b) The number of employees shall not exceed 25 during any eight hour work shift,

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

(d) Sawmills and shakemills adjacent to a state highway in the RU zone shall provide 25 feet of type "II" buffer as defined in SCC 18.43.040.

(29) Governmental and Utility Structures and Facilities: Special lot area requirements for this use are contained in SCC 18.42.050.

(30) Excavation and Processing of Minerals:

(a) All such operations shall comply with the provisions of Chapter 18.54 SCC, Mineral Excavation Procedures and Standards, and

(b) The extraction and processing of rock and gravel exclusively for forest practices shall be permitted outright in the F zone,

(c) This use shall allow only the primary reduction, treatment, and processing of minerals and materials, together with any necessary buildings,

(d) At least one of the major mineral or material constituents being exploited shall be from said property,

(e) Allowed uses shall include but not be limited to rock crushers, concrete batching, asphalt mixing, and the manufacturing of terra cotta, tile, brick, and concrete products,

(f) The use shall only be allowed in undeveloped areas and shall not be detrimental to the existing, developing, or projected land uses,

(g) In the A-10 zone, the excavation shall not reduce the area of prime agricultural soils which are located on parcels designated local, uplands, or riverway commercial farmland by the comprehensive plan;

UNLESS all of the following conditions can be demonstrated to the satisfaction of the county:

(i) The prime agricultural soils as defined by SCC 18.90.690 constitute no more than 25 percent of the proposed excavation,

(ii) Excavation of said soils is necessary to the conduct of the excavation on portions overlain by other than prime agricultural soils, and

(iii) It can be demonstrated that the use of the land underlying prime agricultural soils does not threaten other prime agricultural soils beyond the proposed excavation through encroachment or disruptions due to operation of the excavation.

(h) If a property is designated both Rural Residential-10 and Mineral Lands on the General Policy Plan Future Land Use Map, excavation and processing of materials does not require a rezone to MC, but is subject to the requirements for a conditional use permit on sites zoned MC as set forth in chapter 18.54.

(31) Clinic, Hospital, Licensed Practitioner, Hotel/Motel:

(a) Where the abutting property is designated for residential use, type "I" or "II" buffer, as defined in SCC 18.43.040, is required, and

(b) A prescription pharmacy may be permitted when located within the main building containing licensed practitioner(s).

(32) Forest Industries, (except harvesting) adjacent to property lines in the RU zone shall provide a 15-foot type "III" buffer as defined in SCC 18.43.040.

(33) Boat Launch Facilities, commercial or non-commercial:

(a) The examiner may regulate, among other factors, required launching depth, lengths of existing docks and piers,

(b) Off-street parking shall 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,

(c) A level vehicle-maneuvering space measuring at least 50 feet square shall be provided,

(d) Pedestrian access to the water separate from the boat launching lane or lanes may be required where it is deemed necessary in the interest of public safety,

(e) Safety buoys shall be installed and maintained separating boating activities from other water-oriented recreation and uses where this is reasonably required for public safety, welfare and health, and

(f) All site improvements for boat launch facilities shall comply with all other requirements of the zone in which it is located.

(34) Campground:

(a) The maximum overall density shall be seven camp or tent sites per acre, and

(b) The minimum site size shall be 10 acres.

(35) Commercial Vehicle Home Basing:

(a) The vehicles may be parked and maintained only on the property wherein resides a person who uses them in their business,

(b) Two or more vehicles may be so based, and

(c) The vehicles shall be in operable conditions.

(36) Distillation of Alcohol:

(a) The distillation shall be from plant products, for the purpose of sale as fuel, and for the production of methane from animal waste produced on the premises,

(b) Such distillation shall be only one of several products of normal agricultural activities occurring on the premises, and

(c) By-products created in this process shall be used for fuel or fertilizer on the premises.

(37) Group Care Facility:

(a) The number of persons to reside in the facility shall be generally consistent with the maximum allowed residential density in the zone,

(b) The allowing of the proposed use must be found to not adversely affect the surrounding area as to present use or character of future development, and

(c) In other than single family residences, yard requirements shall be as set forth for apartment structures in the allowed zone.

(38) Mobile Home and Travel Trailer Sales:

(a) Property shall directly front upon a principal or minor 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 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 18.72.190,

(d) Such use shall not be deemed to be outside storage for the purpose of SCC 18.43.060, and

(e) Such use shall be temporary until business or industrial development is timely on the site or on nearby IP designated property.

(39) Farm Product Processing:

(a) Where a lot of nonconforming size has been previously developed for residential use and the owner resides therein, farm product processing may be permitted by the hearing examiner when the following criteria are met:

(i) No more than one person outside of immediate family shall be employed full time in farm product processing at any one time.

(ii) Nature of operation and any structures shall not adversely affect adjacent properties. Physical scale and use intensity must be compatible with surrounding neighborhood.

(b) Retail sales of products produced on the premises for off-site consumption may be allowed.

(40) Small Animal Husbandry: There shall be a five acre minimum site size.

(41) Mobile Home Park: Such development must fulfill the requirements of Chapter 18.55 SCC.

(42) Sludge Utilization:

(a) Minimum total project area including setbacks is 20 acres,

(b) Access to the site shall be controlled in an acceptable manner using measures such as fences, gates, posting, etc.,

(c) For the following applications, minimum setbacks between the utilization area and the property boundary shall be observed (unless a lesser setback is agreed to by the adjoining property owner(s) outside of the project boundaries):

(i) Spray application: 500 feet,

(ii) Surface application: 300 feet, and

(iii) Sub-surface injection: 200 feet,

(d) Minimum setbacks from year-round surface waters shall be 200 feet, or greater if deemed necessary to protect water quality,

(e) A joint site inspection shall be arranged by representatives of the Snohomish health district and the Snohomish County department of planning and development services at the time of initial application. The applicant shall provide said agencies with at least 10 days advance notice of such initial application,

(f) The applicant shall submit for approval by the hearing examiner a monitoring schedule suitable to the Snohomish health district, and

(g) Provided that sludge utilization at a completed sanitary landfill or on a completed cell within a sanitary landfill shall not be subject to the minimum area requirement of subsection (a).

(43) Homestead Parcels: Lot area and width requirements may be reduced, PROVIDED That:

(a) The parcel is designated as agricultural land of primary or secondary significance in the Snohomish County agricultural preservation plan or as agriculture in an adopted subarea comprehensive plan,

(b) The resultant non-homestead parcel shall not be less than the minimum lot area permitted in the zone,

(c) A dwelling currently exists on the parcel, and must have existed on the parcel prior to the effective date of this amendment,

(d) The homestead parcel shall include no more than two acres of land, unless soil conditions, topography or other unique circumstances require a greater land area,

(e) Concurrent with application under this section, the applicant shall submit an application under the Snohomish County short subdivision code, Title 20 SCC or Snohomish County boundary line adjustment, Title 29 SCC, where appropriate, and

(f) Approval shall be dependent upon a determination by the hearing examiner that the proposed use is for the purpose of consolidation of existing agricultural lands or operations, minimizes interference with the usual and normal farm

practices on adjacent agricultural lands, and further that the following conditions are imposed:

(i) a declaration shall be recorded with the homestead parcel which states that the homestead parcel is located in an agricultural area which experiences activities customarily associated with agricultural practices,

(ii) the non-homestead parcel created by subdivision shall not be subdivided further for a period of 10 years following creation of the initial homestead parcel, except as provided for herein,

(iii) no dwelling shall be constructed on the non-homestead parcel created by subdivision for a period of 10 years from approval of the conditional use permit except for farm worker dwellings.

(44) Special setback requirements for this use are contained in SCC 18.42.100.

(45) Minimum lot size for duplexes shall be one and one half times the minimum lot size for single-family dwellings. In the RU zone, this provision only applies when the minimum lot size for single-family dwellings is 12,500 square feet or less.

(46) Bulk Storage of Petroleum Products and Gas:

(a) All above ground storage tanks shall be located 150 feet from all property lines, and

(b) 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.

(47) Auto Wrecking Yards and Junk Yards: A sight-obscuring fence a minimum of seven feet high shall be established and maintained in the LI zone. For landscaping requirements for these uses, SCC 18.43.050 and 18.43.070 apply.

(48) Antique shops when established as a home occupation as regulated by SCC 18.32.040 (B)(11); PROVIDED FURTHER, That all merchandise sold or offered for sale shall be predominantly "antique" as defined in SCC 18.90.060, and antique related objects.

(49) See SCC 18.44.090 for specific requirements for billboards.

(50) Wholesale Nursery: In R-20,000 zone, a wholesale nursery is permitted on three acres or more; a conditional use permit is required on less than three acres.

(51) Stockyard and Livestock Auction Facility: The minimum lot size is 10 acres.

(52) Restaurants and Personal Service Shops: Located to service principally the constructed industrial park uses.

(53) Sludge Utilization: A conditional use permit is required for manufacture of materials by a non-governmental agency containing stabilized or digested sludge for a public utilization.

(54) Single family dwellings are a prohibited use, except that such dwellings that are nonconforming as a result of a county-initiated rezone to BP may make improvements or additions provided such improvements are consistent with the bulk regulations contained in Chapter 18.42 SCC; and PROVIDED FURTHER, That such improvements do not increase the ground area covered by the structural portion of the



nonconforming use by more than 100 percent of that existing at the existing date of the nonconformance.

(55) Greenhouses, lath houses, and nurseries:

(a) Incidental sale of soil, bark, fertilizers, plant nutrients, rocks and similar plant husbandry materials is permitted,

(b) The sale of garden tools and any other hardware or equipment shall be prohibited,

(c) There shall be no on-site signs advertising other than the principal use.

(56) See SCC 18.60.130 for specific requirements for retail stores in the BP zone.

(57) Kennel, exhibitor/breeding: Where the animals comprising the kennel are housed within the dwelling, the yard or some portion thereof shall be fenced and maintained in good repair or to contain or to confine the animals upon the property and restrict the entrance of other animals. Where the number of animals kept is 10 or more, a five acre minimum lot size and a conditional use permit are required.

(58) Retail sales of hay, grain, and other livestock feed are permitted on-site in conjunction with a livestock auction facility.

(59) Noise of machines and operations in the LI and HI zones shall comply with Chapter 10.01 SCC, Noise Control, and machines and operations shall be muffled so as not to become objectionable due to intermittence, beat frequency, or shrillness.

(60) Sludge utilization only at a completed sanitary landfill or on a completed cell within a sanitary landfill, subject to the provision of subsection 18.32.040(B)(42).

(61) Woodwaste Recycling and Woodwaste Storage Facilities: These two uses are subject to the following minimum requirements except when incidental to a primary use allowed in the applicable zone:

(a) Siting Criteria. Woodwaste recycling and woodwaste storage shall be located in compliance with the following:

(i) The minimum site size shall be 10 acres.

(ii) Outside storage, recycling and processing activity areas, parking areas and other outside activity areas shall be located at least 100 feet from adjacent properties used, zoned or designated for residential purposes and at least 200 feet from any stream or wetland or land designated as an environmentally sensitive area by the Snohomish County comprehensive land use plan; PROVIDED, HOWEVER, That where such activities are fully enclosed within a structure, the minimum 200-foot setback shall be reduced to 50 feet. The character of the minimum setback area and the potential need for a greater setback shall be determined by the hearing examiner in accordance with adopted county plans and policies, including the applicable area comprehensive plan.

(b) Submittal Requirements to accompany a conditional use application: An application for a conditional use permit to allow a woodwaste recycling or woodwaste storage facility shall include the following submittals:

(i) A site development plan showing all woodwaste storage areas (active and reserve areas), recycled material storage areas, proposed structures, equipment, parking areas, access drives/fire lanes, delineation of existing vegetation, extent of clearing, buffer widths, on-site sewage disposal areas (if proposed), and existing site structures/facilities that are to remain or be removed.

(ii) A water quality control and monitoring plan. The applicant shall prepare a water quality control plan which demonstrates adequate protections for surface and groundwater quality consistent with the requirements of Snohomish health district regulation, EHD 8-30, "regulations governing solid waste handling"; contains provisions for minimizing stormwater runoff contact with woodwaste and recycled materials; and includes an independently-produced hydrogeologic report which analyzes the potential for surface water contamination, groundwater infiltration, or other types of water degradation (on-site or off-site) resulting from leachate produced by the proposal and recommends preventative measures if such contamination is anticipated.

(iii) An operational plan which contains the following elements:

(A) a fire prevention and protection plan which contains adequate provisions for the prevention of on-site fires and includes specific measures to prevent the spread of fires and protect adjacent properties. Approval of said plan shall be obtained from the county fire marshal prior to conditional use approval.

(B) a materials inspection plan which will insure control over the type of woodwaste entering the site. This plan shall include provisions for the visual inspection of all materials brought to the site during placement in the designated storage area and procedures for the immediate removal of waste material other than woodwaste and demolition or construction debris as defined by this title. The operator shall be responsible for insuring that such material does not enter the site.

(C) for woodwaste recycling, a requirement for use of specific equipment (crushers, chippers, etc.) capable of woodwaste processing at a rate in conformance with Snohomish health district regulation, EHD 8-30, "regulations governing solid waste handling", section EHD 8-30-300-3(c)(i).

(D) a landscaping and screening plan which demonstrates maximum retention of natural vegetation around the perimeter of the site and augmentation with planted landscaping materials as necessary to assure site screening capability.

(iv) The applicant shall be required to post a performance bond for site reclamation and other bonds as determined by the hearing examiner, including, but not limited to bonds for facility maintenance, water quality control and monitoring equipment, and recovery of fire extinguishment costs.

(c) Minimum Performance Standards: A conditional use permit shall be subject to the following minimum performance standards:

(i) All woodwaste and demolition and construction debris shall be stored at or above ground level. Natural or artificially created depressions in the earth shall not be used.

(ii) The applicant shall demonstrate that an adequate water supply is available at the site to sustain necessary fire flow pressure for purposes of fire protection as determined by the applicable local fire district in consultant with the county fire marshal.

(iii) The proposed operation shall be carried out so as to avoid the emission of smoke, dust, fumes, odors, heat, glare, vibration, noise, traffic, surface water drainage, sewage, water pollution, or other emissions which are unduly or unreasonably offensive or injurious to properties, residents or improvements in the vicinity.

(iv) The applicant shall provide on-site leachate collection/treatment system designed, constructed and operated in a manner that disposes of the leachate when one or more of the following circumstances exist:

(A) the hydrogeologic report prepared in accordance with SCC 18.32.040 (B)(61)(b)(ii) recommends a leachate collection/ treatment system due to site characteristics of topography, underlying geology and hydrology; or

(B) a treatment/collection system is recommended by the Snohomish health district to satisfy the requirements of Snohomish health district regulation, EHD 8-30, "regulations governing solid waste handling" relating to surface and groundwater protection.

(v) A 30-foot wide, type II buffer as described by SCC 18.43.040(2) is required around the perimeter of the proposed site. All outside activity areas and buildings used in recycling or processing shall be screened from view from the surrounding roadways. Where feasible, natural vegetation shall be used for screening purposes. If the natural buffer is inadequate to provide sight screening, additional landscaping will be required.

(vi) Woodwaste and recycled materials shall be placed in piles, and piles must be stored and recycled in compliance with the Snohomish health district's criteria for waste recycling facilities, as contained in Snohomish health district regulation, EHD 8-30, "regulations governing solid waste handling", section 8-30-300-3(c)(i).

(vii) Woodwaste and recycled material in a pile shall be stored in piles no more than 40 feet high and not more than one-half acre in size. Piles shall be separated by a fire lane with a minimum width of 40 feet.

(viii) For purposes of fire prevention, no more than 40 percent of the designated storage area shall be devoted to active storage at any one time. At least 60 percent of the designated storage area shall be cleared and identified as a reserve storage area at all times.

(ix) Except in the LI and HI zones, a proposed woodwaste storage or woodwaste recycling facility shall be limited to wholesale distribution only, with retail sales of any woodwaste recycled product being prohibited.

(62) Bed and breakfast guesthouses and bed and breakfast inns.

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

(b) Submittal requirements to accompany a conditional use application:

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

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

(A) The applicant shall submit proposed architectural drawings and renderings of the proposed structure, including exterior elevations, which shall project a residential, rather than a commercial appearance. This architectural documentation shall be in sufficient detail to demonstrate discernible compatibility between the new construction and the existing on-site development and structures; PROVIDED FURTHER, That the applicant also shall document a design which, in scale, bulk, siding, and use of materials, is in keeping with existing buildings on adjacent properties and compatible with the surrounding character and neighborhood in which the guesthouse or inn is located.

(B) If an outbuilding or outbuildings are proposed, a grading plan, showing the extent of clearing activity, is required. Site design shall be sensitive to the natural features of the site. The use of manufactured and mobile homes is prohibited.

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

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

(c) Minimum performance standards:

(i) Parking requirements shall be in accordance with subsection SCC 18.45.040(35). No on-street parking shall be allowed.

(ii) Meal service shall be limited to overnight guests of the establishment. Kitchens shall not be allowed in individual guest rooms.

(iii) The owner shall operate the facility and reside on the premises.

(iv) One sign for business identification and advertising shall be permitted in conjunction with the bed and breakfast establishment in accordance with SCC 18.44.070.

(v) The bed and breakfast establishment shall be conducted in such a manner as to give no outward appearance nor manifest any characteristics of a

business, except as to the sign as allowed above, that would be incompatible with the ability of the neighboring residents to enjoy peaceful occupancy of their properties.

(vi) Guests shall be permitted to stay at the establishment for not more than 10 consecutive days at a time.

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

(viii) The applicant shall comply with all applicable county codes for fire, health and building requirements and any applicable food service regulations and on-site sewage disposal requirements of the Snohomish health district. The applicant shall comply with the applicable requirements of Chapter 258-54 WAC, "public water system rules and regulations", as now written or hereafter amended, if a water system is to be developed or connected to an existing public water system.

(ix) If three or more guest rooms are proposed, the applicant shall also meet state requirements for a "transient accommodation license", as required by Chapter 212-52 WAC, as now written or hereafter amended.

(63) Storage structure over 1,000 sq. ft. on less than three acres: This use is subject to the following requirements:

(a) Special setback requirements for this use are contained in SCC 18.42.100.

(b) Artificial lighting shall be hooded or shaded so that direct outside lighting, if any, will not result in glare when viewed from the surrounding property or rights-of-way.

(c) The applicant shall submit building elevations that document a residential appearance through the design and through depiction of appropriate building materials for the exterior finish.

(d) The applicant shall propose a screening plan which will result in a building screened from the view of neighboring property owners. Landscaping will be required on the subject property's boundary line or lines and/or around the building sides, as necessary, to effectively accomplish this objective.

(64) Storage structures over 1,000 sq. ft. in the R-7,200 and R-8,400 zones are limited to 20 feet in building height.

(65) Museums. Museums within the agriculture A-10 zone are permitted only in structures which are legally existing on October 31, 1991.

(66) Accessory apartments — Attached and detached:

(a) An owner-occupant of a single-family dwelling unit may establish only one accessory apartment, which may be either attached to, or detached from, the single-family dwelling. A detached accessory apartment may not be located on a lot on which a temporary dwelling, as defined in SCC 18.90.305, is located.

(b) The single-family dwelling unit to which an attached accessory apartment is to be added, or which is located on the same lot as the detached

accessory apartment, must be owner-occupied on the date of application and remaining owner-occupied for as long as the attached or detached accessory apartment exists.

(c) The minimum floor area for an attached or detached accessory apartment shall be 360 square feet, but in no case shall the original single-family dwelling unit be reduced below 900 square feet. These floor areas shall be exclusive of garages, porches, or unfinished basements. The floor area of an attached accessory apartment shall not exceed the following percentage of the floor area of the single-family dwelling unit to which it is accessory, or the following fixed amount, whichever is applicable:

If the floor area of the single-family dwelling unit is:	the floor area of the attached accessory apartment shall not exceed:
Under 2,000 sq. ft.	40%
2,000 sq. ft. or more, but less than 3,000 sq. ft.	35% or 800 sq. ft. whichever is greater
3,000 sq. ft. or more, but less than 5,000 sq. ft.	30% or 1,050 sq. ft. whichever is greater
over 5,000 sq. ft.	20% or 1,500 sq. ft., whichever is greater

The floor area of a detached accessory apartment shall not exceed 40 percent of the floor area of the single-family dwelling unit to which it is accessory, or 850 square feet, whichever is less.

(d) For an attached accessory apartment, the architectural character of the single-family dwelling shall be preserved. Exterior materials, roof form, and window spacing and proportions shall match that of the existing single-family dwelling. Only one main entrance shall be permitted on the front (street face) of the dwelling. Entrances for the attached accessory apartment shall be on the side or in the rear of the dwelling.

(e) For a detached accessory apartment located within a new structure, the exterior materials, roof form, and window spacing and proportions of the detached accessory apartment structure shall approximate those of the existing single-family dwelling. For a detached accessory apartment located within an existing structure, the structure is not required to approximate the exterior features of the existing single-family dwelling.

(f) In zones categorized as residential, multiple family or commercial, no portion of a detached accessory apartment shall extend beyond the building front of the

existing single-family dwelling, unless screening, landscaping or other measures are provided to insure compatibility with the immediate neighborhood.

(g) An applicant must provide documentation that the water supply is potable and of adequate flow and that the existing or proposed sewage or septic system is capable of handling the additional demand placed upon it by the attached or detached accessory apartment.

(h) One off-street parking space shall be provided and designated for the attached or detached accessory apartment (in addition to the two off-street parking spaces required for the primary single-family dwelling unit). Additional spaces shall be provided to accommodate any additional vehicles owned and/or used by occupants of the attached or detached accessory apartment. Driveways may be counted as one parking space but no parking areas other than driveways shall be created in front yards.

(i) An owner-occupant of a single-family dwelling with an attached or detached accessory apartment shall file, on a form available from the community development department, a declaration of owner occupancy with the community development department prior to issuance of the building permit for the attached or detached accessory apartment and shall renew the declaration annually. The initial declaration of owner occupancy shall be recorded with the county auditor prior to filing the declaration with the community development department.

(j) The owner-occupant(s) may reside in the single-family dwelling unit, the accessory apartment, or both.

(67) Temporary woodwaste recycling and temporary woodwaste storage facilities: These two uses require a temporary use permit and are subject to the following minimum requirements except when incidental to a primary use allowed in the applicable zone:

(a) An application for a temporary use permit to allow a woodwaste recycling and/or woodwaste storage facility shall include the following:

(i) A site development plan showing all woodwaste storage areas (active and reserve areas), recycled material storage areas, equipment, parking areas, access drives/fire lanes, extent of vegetation clearing, buffer widths, on-site sewage disposal areas (if proposed), proposed site structures, existing site structures that are to remain or be removed, natural drainage courses and probable alterations which will be necessary to handle the expected drainage from the site.

(ii) Operational information which demonstrates that:

(A) Adequate fire prevention and protection measures have been incorporated into the proposal. Approval of said measures shall be obtained from the county fire marshal prior to temporary use approval;

(B) Adequate provisions have been incorporated into the proposal which will ensure that the type of woodwaste brought to the site consists only of materials authorized by this title and does not contain wood pieces or particles containing chemical preservatives such as creosote, pentachlorophenol, copper-

chrome-arsenate, paints or stains; the operator shall be responsible for insuring that such material does not enter the site;

(C) The woodwaste material is being stored in conformance with Snohomish health district regulation, EHD 8-30, "regulations governing solid waste handling", section EHD 8-30-300(3)(c)(i);

(b) A temporary use permit shall be subject to the following minimum performance standards:

(i) All woodwaste and demolition and construction debris shall be stored at or above ground level. Natural or artificially created depressions in the earth shall not be used. All woodwaste material shall be limited to temporary storage at a rate in conformance with the Snohomish health district regulation, EHD 8-30-300(3)(c)(i);

(ii) The applicant shall demonstrate that an adequate water supply is available at the site to sustain necessary fire flow pressure for purposes of fire protection as determined by the applicable fire district in consultation with the county fire marshal.

(iii) The proposed operation shall be carried out in conformance with all applicable provisions of county code and state law and shall avoid the emission of smoke, dust, fumes, odors, heat, glare, vibration, noise, traffic, surface water drainage, sewage, water pollution, or other emissions which are unduly or unreasonably offensive or injurious to properties, residents or improvements in the vicinity.

(iv) A type I buffer as described in SCC 18.43.040(1) is required around the perimeter of all storage, recycling, processing, parking and other outside activity areas. When the subject property is zoned LI or HI, this type I buffer shall supersede the LI and HI buffer requirements described in the landscaping requirements matrix in SCC 18.43.050 for outside storage or waste areas, where the abutting property is designated commercial, or where the abutting property or use is residential.

(v) Woodwaste and recycled material placed in a pile shall be stored in piles no more than 30 feet high and not more than one-half acre in size. Piles shall be separated by a fire lane with a minimum width of 40 feet.

(vi) The combined total storage area for woodwaste and recycled materials shall not exceed two acres.

(vii) Except in the LI and HI zones, a proposed woodwaste storage or woodwaste recycling facility shall be limited to wholesale distribution only, with retail sales of any woodwaste recycled product being prohibited.

(viii) Outside storage, recycling and processing activity areas, parking areas and other outside activity areas shall be setback at least 20 feet from adjacent properties; PROVIDED, That where such activities are adjacent to properties containing an existing residential use, properties where the existing zoning is categorized as residential, multiple family or rural, or adjacent to any stream or wetland designated by Snohomish County, the minimum setback shall be 100 feet; PROVIDED FURTHER, That where such activities are fully enclosed within a structure, the minimum setback may be reduced to 50 feet depending on the sensitivity of the



resource. The character of the minimum setback area shall be determined by the planning director in accordance with adopted county regulations, plans and policies.

(68) Home occupations may be conducted in an accessory building and/or an attached garage in accordance with the following:

(a) The provisions of SCC 18.32.040 (B)(11)(a), (c), (d) and (f) shall be met;

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

(c) The following table identifies the maximum allowable combined accessory building and attached garage area and the minimum required building setback for the garage and/or the accessory building from adjacent residentially zoned properties according to the home occupation lot or parcel size:

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

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

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

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

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

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

(i) A certificate of occupancy shall be obtained from the community development division prior to commencing the home occupation to ensure building and fire code compliance. The certificate of occupancy shall be subject to an annual inspection and renewal pursuant to SCC 16.04.060.

(69) On-site hazardous waste treatment and storage facilities are allowed only as an incidental use to any use generating hazardous waste which is otherwise allowed, PROVIDED, That such facilities demonstrate compliance with the state siting criteria for dangerous waste management facilities pursuant to RCW 70.105.210 and WAC 173-303-282 as now written or hereafter amended.

(70) An application for a conditional use permit to allow an offsite hazardous waste treatment and storage facility shall demonstrate compliance with the state siting

criteria for dangerous waste management facilities pursuant to RCW 70.105.210 and WAC 173-303-282 as now written or hereafter amended.

(71) Adult entertainment uses must meet the following requirements:

(a) Adult entertainment businesses or uses are prohibited within the area circumscribed by a circle which has the radius shown below from any public or private school, preschool, educational institution, church or other religious facility, public or private park, youth oriented facility, establishment serving alcohol by the drink, or from the following zones: R-5, RC, RU, RD, SA-1, R-20,000, R-12,500, R-9,600, R-8,400, R-7,200, A-10, F, F and R, WFB, T, LDMR, and MR.

- (1) Adult entertainment book stores — 330';
- (2) Adult entertainment dance studios — 660';
- (3) Adult entertainment movie theaters — 330';
- (4) Adult hotels — 330';
- (5) Adult tanning salons — 330';
- (6) Escort businesses — 0';
- (7) Nude house cleaning businesses — 0';
- (8) Panoram premises — 660';
- (9) Public bathhouses and hot tub premises — 660';
- (10) All other adult entertainment uses — 660'.

(b) The distances specified in this section shall be measured horizontally by following a straight line from the nearest point of the building in which the proposed adult entertainment use is to be located, to the nearest point of the parcel of property which contains a use from which the proposed adult entertainment use is to be separated, and to the nearest point of a zone listed in subsection (a).

(c) Violation of the use provisions of this section is:

(1) Declared to be a public nuisance per se, which may be abated by the county by way of civil abatement procedures only, and not by criminal prosecution; or

(2) Subject to enforcement in accordance with the provisions of Title 28 SCC but shall not be subject to SCC 28.08.080.

(d) Nothing in this section is intended to authorize, legalize or permit the establishment, operation or maintenance of any business, building or use which violates any Snohomish County ordinance or statute of the State of Washington regarding public nuisances, sexual conduct, lewdness, or obscene or harmful matter or the exhibition or public display thereof.

(72) Special building height provisions for this use are contained in SCC 18.42.030(4).

(73) Bakery: In the NB zone, the gross floor area of the use shall not exceed 1,000 square feet and the bakery business shall be primarily retail in nature.

(74) Equestrian centers are allowed with a conditional use permit on all lands zoned A-10 except in that portion of the special flood hazard area of the lower

Snohomish and Stillaguamish rivers designated density fringe as described in Chapter 27.36 SCC.

(75) Mini-equestrian centers are allowed as a permitted use on all lands zoned A-10 except in that portion of the special flood hazard area of the lower Snohomish and Stillaguamish rivers designated density fringe as described in Chapter 27.36 SCC.

(76) Equestrian centers and mini-equestrian centers require the following:

(a) Ten acre minimum site size for an equestrian center.

(b) Five acre minimum site size for a mini-equestrian center.

(c) Covered riding arenas shall not exceed 15,000 square feet for a mini-equestrian center, provided that stabling areas, whether attached or detached, shall not be included in this calculation.

(d) Any lighting of an outdoor or covered arena shall be shielded so as not to glare on surrounding properties or rights-of-way.

(e) On sites located in RC, and R-5 zones, a type I or II buffer as described in SCC 18.43.040 is required to screen any outside storage, including animal waste storage, and parking areas from adjacent properties.

(f) Riding lessons, rentals or shows shall only occur between 8 a.m. and 9 p.m.

(g) Outside storage, including animal waste storage, and parking areas shall be set back at least 30 feet from any adjacent property line. All structures shall be set back as required in SCC 18.42.100(16).

(h) Dust emissions shall be controlled by an approved dust suppression plan.

(i) The facility shall comply with all applicable county building, health and fire code requirements.

(77) Temporary Residential Sales Coach (TRSC):

(a) The commercial coach shall be installed in accordance with all applicable provisions within Chapter 17.28 SCC.

(b) The TRSC shall be set back a minimum of 20 feet from all existing and proposed road rights-of-way and 5 feet from proposed and existing property lines.

(c) Vehicular access to the temporary residential sales coach shall be approved by the county or state.

(d) Temporary residential sales coaches may be permitted in approved preliminary plats, prior to final plat approval, when the following additional conditions have been met:

(i) plat construction plans have been approved,

(ii) the fire marshal has approved the TRSC proposal,

(iii) proposed lot lines for the subject lot are marked on-site, and

(iv) the site has been inspected for TRSC installation to verify

compliance with all applicable regulations and plat conditions, and to assure that grading, drainage, utilities infrastructure and native growth protection areas are not adversely affected.

(78) Golf Course and Driving Range: In the A-10 zone, artificial lighting of the golf course or driving range shall not be allowed. Grading shall be limited in order to preserve prime agricultural soils. At least 75% of prime agricultural soils on-site shall remain undisturbed.

(79) Model Hobby Park:

(a) An application for a model hobby park shall include the following:

(i) A plan for the model hobby park showing the location of all property lines, ground circulation and parking areas, runways, tracks, pits, overflight areas and other improved or active use areas. The plan shall also depict a non-use area at least 100 feet wide adjacent to and beyond all active use areas, including overflight areas.

(ii) Operational information which demonstrates that the model hobby park will be operated in conformance with all applicable provisions of county code and state law and shall avoid impacts which are unduly or unreasonably offensive or injurious to properties, residents or improvements in the vicinity.

(iii) Documentation that the improved or active use areas and the overflight areas, if any, are authorized for such use, if not fully under the ownership of the applicant.

(b) Runway, track, and pit surfaces shall be limited to natural grass or removable composite matting in the A-10 zone.

(c) Maximum allowable runway size shall be 600 feet by 100 feet, not including buffer overrun areas.

(d) The improved area, including parking, pit, track and runway areas but excluding any overflight area, shall be limited to five acres. In the A-10 zone, parking stalls and aisles shall not be paved.

(e) Minimum size of the site, including any overflight area, shall be 20 acres.

(f) Any site improvements and structures in addition to the runways, tracks and pits shall be incidental to the use of the site as a model hobby park.

(g) Operation of models shall be prohibited within identified non-use areas.

(h) In the A-10 zone, grading shall be limited in order to preserve prime agricultural soils. At least 75% of prime agricultural soils on-site shall remain undisturbed.

(i) A model hobby park permit application shall be processed in accordance with the provisions of SCC 18.72.155.

(80) Commercial retail uses are not allowed in the Light Industrial and Industrial Park zones when said zones are located in the Maltby UGA of the comprehensive plan, and where such properties are, or can be served by railway spur lines.

**Section 3. Snohomish County Code Section 18.42.020 last amended by Ordinance 99-008 , on March 3, 1999, is amended to read:**

**18.42.020 Bulk matrix**

(A) The bulk matrix contains setback, lot coverage, building height and lot dimension regulations for zones in unincorporated Snohomish County. Following is a listing of abbreviations used on the bulk matrix and their meaning:

- (1) UBC --- Uniform Building Code;
- (2) sf --- square feet;
- (3) ft --- feet; and
- (4) r/w --- right-of-way.

Reference notes to the bulk matrix are found in SCC 18.42.020(B). Special setbacks for specific uses are contained in SCC 18.42.100(B).

Zone	Lot Dimension (ft)		Setback Requirements From: (ft)							Resource Lands		Water Bodies <sup>(12)</sup>	Maximum Lot Coverage <sup>(9)</sup>
	Max Bldg Hgt (ft)	Minimum Lot Area	Min Lot Width	Min Corner Lot Width	Public Right of Way under 60'	Private Right of Way <sup>(9)</sup>	Commercially Zoned Properties <sup>(11)</sup>	Residentially Zoned Properties <sup>(11)</sup>	Ag	Forest			
F	45 <sup>(6)</sup>	20 ac <sup>(3)</sup>	300	300	130 <sup>(10)(13)</sup>	100 <sup>(13)</sup>	100 <sup>(13)</sup>	100 <sup>(13)</sup>	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25 <sup>(13)</sup>	35%	
F&R	25 <sup>(7)</sup>	200,000 sf <sup>(21)(23)(25)</sup>	100	100	50 <sup>(10)</sup>	20	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%	
A-10	45	10 ac	none	none	50 <sup>(10)</sup>	20	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	none	
RRT-10	45	10ac	225	225	50	20	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%	
R-5	45 <sup>(25)</sup>	200,000 sf <sup>(21)(23)(25)</sup>	165 <sup>(25)</sup>	165 <sup>(25)</sup>	50 <sup>(10)</sup>	20	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%	
RC	35 <sup>(26)</sup>	100,000 sf <sup>(23)(25)</sup>	165 <sup>(25)</sup>	165 <sup>(25)</sup>	50 <sup>(10)</sup>	20	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%	
RD	45	200,000 <sup>(23)</sup>	165	165	50 <sup>(10)</sup>	20	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%	
SA-1	35	1 ac/43,500 sf	150	150	50 <sup>(10)</sup>	20	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%	
RU	35	see 18.42.150	60	65	50 <sup>(10)</sup>	20	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%	
R-20,000	25	20,000 sf	85	90	50 <sup>(10)</sup>	20	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%	
R-12,500	25	12,500 sf	75	80	50 <sup>(10)</sup>	20	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%	
R-9,800	25	9,800 sf <sup>(24)</sup>	70	75	50 <sup>(10)</sup>	20	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%	
R-8,400	25	8,400 sf <sup>(24)</sup>	65	70	50 <sup>(10)</sup>	20	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%	
R-7,200	25	7,200 sf <sup>(24)</sup>	60	65	50 <sup>(10)</sup>	20	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%	
WFB	25	7,200 sf <sup>(24)</sup>	60	65	50 <sup>(10)</sup>	20	5	5	50 <sup>(21)</sup>	100 <sup>(22)</sup>	25	35%	
T	see 18.53	see 18.53	see 18.53	see 18.53	50 <sup>(10)(10)</sup>	20 <sup>(14)</sup>	5 <sup>(14)</sup>	5 <sup>(14)</sup>		100 <sup>(22)</sup>	25 <sup>(14)</sup>	see 18.53	
LDMR	35	7,200 sf <sup>(4)</sup>	60	70	55 <sup>(15)(10)</sup>	25 <sup>(15)</sup>	see 18.42.020(B) <sup>(15)</sup>			100 <sup>(22)</sup>	25 <sup>(15)</sup>	30%	
MR	35	7,200 sf <sup>(5)</sup>	60	70	55 <sup>(15)(10)</sup>	25 <sup>(15)</sup>	see 18.42.020(B) <sup>(15)</sup>			100 <sup>(22)</sup>	25 <sup>(15)</sup>	40%	
FS	35	none	none	none	25 <sup>(25)</sup>	25 <sup>(27)</sup>	5/15 <sup>(16)</sup>	25		100 <sup>(22)</sup>	none	none	
NB <sup>(11)</sup>	25	none	none	none	25 <sup>(26)</sup>	25 <sup>(27)</sup>	none	10		100 <sup>(22)</sup>	none	35%	
PCB <sup>(11)</sup>	40	none <sup>(19)</sup>	none	none	55 <sup>(26)</sup>	25 <sup>(16)(27)</sup>	none	25		100 <sup>(22)</sup>	none	none	
CB <sup>(11)</sup>	35	none	none	none	25 <sup>(26)</sup>	25 <sup>(27)</sup>	none	10		100 <sup>(22)</sup>	none	50%	
GC <sup>(11)</sup>	45	none	none	none	25 <sup>(26)</sup>	25 <sup>(27)</sup>	none	10		100 <sup>(22)</sup>	none	50%	
IP	65	none	none	none	30 <sup>(17)(26)</sup>	25 <sup>(17)(27)</sup>	none <sup>(17)</sup>	25 <sup>(17)</sup>		100 <sup>(22)</sup>	none	50%	
BP	50	none <sup>(18)</sup>	none	none	30 <sup>(26)</sup>	25 <sup>(27)</sup>	none	25		100 <sup>(22)</sup>	none	35%	
LI	50	none	none	none	25 <sup>(26)</sup>	25 <sup>(27)</sup>	none	50		100 <sup>(22)</sup>	none	none	
HI	65	none	none	none	25 <sup>(26)</sup>	25 <sup>(27)</sup>	none	50		100 <sup>(22)</sup>	none	none	
RB	35	none	none	none	55	25	10	50	50 <sup>(21)</sup>	100 <sup>(22)</sup>	none	35%	
RFS	35	none	none	none	55	25	10	50	50 <sup>(21)</sup>	100 <sup>(22)</sup>	none	35%	
RI	50	none	none	none	55	25	50	100	100 <sup>(21)</sup>	100 <sup>(22)</sup>	none	35%	

\* Greater setbacks than those listed may apply to areas subject to Shoreline Management Master Program jurisdiction. Some uses have special setbacks. See 18.42.100 for specifics.

(B) Reference notes for bulk matrix.

(1) LDMR standards shall apply for all residential development permitted in commercial zones, except that MR standards shall apply for all residential development permitted in commercial zones located within Urban Growth Areas pursuant to the county General Policy Plan and Chapter 36.70A RCW.

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

(3) When subdivisionally described, the minimum lot size in the F zone shall be 1/32nd of a section.

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

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

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

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

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

(9) Includes public rights-of-way 60 feet and wider; public rights-of-way under 60 feet in a recorded plat with curbs and gutters; and private roads and easements. These setbacks shall be measured from the edge of the right-of-way.

(10) Applies to public right-of-way under 60 feet. These setbacks shall be measured from the center of the right-of-way.

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

(12) These setbacks shall be measured from the ordinary highwater mark and shall apply only to the rear setback. In the "LDMR" and "MR" zones this setback applies to single-family dwellings only.

(13) The listed setbacks apply where the adjacent property is zoned F. In all other cases, setbacks are the same as in the R-8400 zone. In the F zone, the setbacks for residential structures on 10 acres or less which were legally created prior to being zoned to F shall be the same as in the R-8400 zone.

(14) The listed setbacks apply to single-family detached structures. For townhouse, see Chapter 18.53 SCC.

(15) MR and LDMR Setbacks.

(a) Single-family detached structures shall have the minimum setbacks required in the R-8400 zone.

(b) Other structures shall have minimum side and rear setbacks of five feet (ten feet where abutting residence, rural or resource zones). Building separation shall be a minimum of 15 feet.

(c) Multi-story structures shall increase all setbacks by three feet and building separations by five feet for each additional story over two stories.

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

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

(18) In the PCB zone the setback from private roads and easements is 25 feet.

(19) See SCC 18.60.020(1) and (2) which specifies the minimum area of tract of land necessary for PCB or BP zoning.

(21) See additional setback provisions for dwellings located along the boundaries of designated farmlands contained in SCC 32.14.050.

(22) See additional setback provisions for structures located adjacent to forest lands, and/or on lands designated local forest or commercial forest contained in SCC 32.13.030 and SCC 32.13.040.

(23) The minimum lot size for properties designated Rural Residential (~~RR~~) -10 (Resource Transition) on the comprehensive plan shall be 10 acres. Properties designated Rural Residential - 10 (Resource Transition) and located outside of the Tulalip Reservation shall have a 1/2 lot/unit yield for rural cluster subdivisions or housing demonstration program projects using PRD provisions shall be based on a minimum lot size of 200,000 square feet .

(24) Minimum lot area may be modified within UGAs in accordance with SCC 18.42.085.

(25) In rural cluster subdivisions approved in accordance with the provisions of Chapter 32.30 SCC, the minimum lot area shall be as provided in SCC 18.42.075. The maximum lot area shall not exceed 20,000 square feet when located in rural/urban transition areas.

(26) These setbacks shall be measured from the edge of the right-of-way as determined by the director of the Department of Public Works.

(27) Except where specifically prohibited by the hearing examiner, the director of the department of planning and development services may waive or modify building setback requirements abutting private roads and/or private access easements serving lots within commercial and industrial zones only if such waiver or modification will not have a likely impact upon future right-of-way needs and/or right-of-way improvements.

**Section 4.** Snohomish County Code Section 32.13.020, last amended by Amended Ordinance 95-048 on July 10, 1995, is amended to read:

32.13.020 Subdivision restrictions.

(1) There shall be no subdivision of land designated commercial forest. Subdivision to allow installation of communication and utility facilities may be allowed if all the following requirements are met:

- (a) The facility cannot suitably be located on undesignated land;
- (b) The installation cannot be accomplished without subdivision;
- (c) The facility is to be located on the lowest feasible grade of forest land;

and

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

(2) Land designated local forest shall not be divided into parcels of less than ~~80~~ 20 acres in size except through a rural cluster subdivision as provided under chapter 32.30 SCC.

(3) Any subdivision or short subdivision of rural land adjacent to designated local or commercial forest lands shall only occur through a rural cluster subdivision as provided under chapter 32.30 SCC.

**Section 5.** Snohomish County Code Section 32.30.020, last amended by Ordinance 99-008 on March 3, 1999, is amended to read:

32.30.020 Applicability.

(1) This chapter may be used for development of single-family and/or duplex residences in the following zones subject to the limitations in SCC 32.30.020(2):

- (a) Forestry;
- (b) Forestry and recreation;
- (c) Rural resource transition-10 acre;
- (ed) Rural five-acre
- (de) Rural conservation; and
- (ef) Rural diversification.

(2) The provisions of this chapter shall not be used in the zones listed in SCC 32.30.020(1) if the properties are designated commercial forest, commercial forest-forest transition area, upland commercial farmland, riverway commercial farmland, rural residential-RD outside a rural/urban transition area overlay, or are located within an Urban Growth Area pursuant to the Snohomish County GMA Comprehensive Plan.

**Section 6.** Snohomish County Code Section 32.30.040, last amended by Amended Ordinance 98-121 on December 16, 1998, is amended to read:

32.30.040 Criteria for preliminary approval.

In addition to all other requirements of state law and county code for approval of a subdivision or short subdivision, a rural cluster subdivision shall meet all the following standards:

(1) When environmentally sensitive areas such as streams, shorelines, wetlands, fish and wildlife habitat areas and corridors, areas of unique vegetation or wildlife species, steep slopes, and other critical areas are present, and when such areas are identified and protected pursuant to Title 23 SCC and/or other applicable county ordinances or policies, the areas shall be designated as native growth protection areas as defined in SCC 32.30.015;

(2) The transition from any proposed residences within the rural cluster subdivision to uses on adjoining property or adjoining public roadways classified as an arterial (any type) or a non-arterial collector, according to the Snohomish County Arterial Plan and the Snohomish County Engineering Design and Development



Standards, shall be provided with a sight obscuring buffer of native vegetation, or where no native vegetation exists, landscape screening comprised of fast growing, low maintenance, native trees and shrubs in accordance with the requirements of Table 1 in SCC 32.30.050. Existing wind resistant vegetation providing such a screen shall be preserved. Between proposed residences and any adjoining natural resource area, a setback shall be established consistent with the setback shown in Table 1 in SCC 32.30.050;

(3) All roads, whether public or private, shall be provided in accordance with the department of public works engineering design and development standards. Location of public or private roads and access points to the existing public roadway system shall be carefully controlled, with no more than two access points allowed per cluster unless specifically requested by the county road engineer;

(4) Electric, telephone and other utility lines shall be designed, located and screened so as to minimize their visibility from adjacent properties and the site or shall be located underground;

(5) All unbuildable land shall be designated as native growth protection areas unless they are designated as natural resource areas within restricted open space as defined in this chapter;

(6) When agricultural or forestry uses are proposed for the open space area(s), adequate buffers to minimize conflicts between resource and residential uses shall be provided;

(7) When agricultural or forestry uses are proposed within an open space tract within a rural cluster subdivision, a disclosure statement, as described in SCC 32.30.040(8), shall be placed on the final plat or final short plat in a location determined by the director. The disclosure statement shall apply to the real property which is subject to the final plat or final short plat as of the date of approval and may not be applicable thereafter if the agricultural or forestry uses are discontinued;

(8) The following disclosure statement shall constitute the disclosure required by this section for notice of agricultural or forestry uses within required or optional open space:

Lots within a rural cluster subdivision and adjacent to or within 1,300 feet of agricultural or forestry uses located in a designated open space tract may be subject to inconvenience or discomforts arising from agricultural or forestry activities, INCLUDING BUT NOT LIMITED TO NOISE, ODORS, FUMES, DUST, SMOKE, THE OPERATION OF MACHINERY OF ANY KIND, TIMBER HARVEST, BRUSH CONTROL, THE STORAGE AND DISPOSAL OF MANURE, THE APPLICATION BY SPRAYING OR OTHERWISE OF CHEMICAL OR ORGANIC FERTILIZERS, SOIL AMENDMENTS, HERBICIDES AND PESTICIDES, HOURS OF OPERATION, AND OTHER AGRICULTURAL OR FORESTRY ACTIVITIES.

(9) Where practicable open space tracts within a rural cluster subdivision shall be located contiguous to designated open space tracts on adjacent properties;

(10) A management plan which details the required maintenance and management tasks and responsibilities shall be provided for all restricted open space and other open space areas which require continuing maintenance or management;

(11) Each rural cluster development shall be divided into physically separated clusters with a maximum of 30 residential lots per cluster. The minimum physical separation shall consist of a buffer of wind resistant native vegetation with an average width of 75 feet and a minimum width of 50 feet (see Table 1 in SCC 32.30.050);

(12) At least 75 percent of the residential lots within a rural cluster subdivision development shall abut a required buffer or an open space tract;

(13) The rural cluster subdivision shall be designed, to the greatest extent possible, to configure the residential lots in accordance with the natural features of the site and minimize topographic alteration, to maintain rural character, and to maximize the visibility of the open space tracts from adjoining collector roads, arterials, or state and federal highways;

(14) Rural cluster subdivisions shall not be served by public sanitary sewers unless the Snohomish health district requires the development to connect to a public sewer system to protect public health;

(15) Each individual cluster within the subdivision shall be located near the interior of the site, if feasible, and also located where the cluster and/or the building sites are within existing forested areas of the site. Except, individual clusters shall be sited as far as possible from adjacent natural resource areas as permitted in SCC 32.30.013. Individual clusters shall not be located on ridgelines and other prominent topographic features visible to adjacent and vicinity properties when other locations are available.

(16) Rural cluster subdivisions shall be located in a rural fire district;

(17) Rural cluster subdivisions shall meet applicable rural concurrency standards.

**Section 7.** Snohomish County Code Section 32.30.050, last amended by Amended Ordinance 96-076 on November 27, 1996, is amended to read:

32.30.050 Requirements for restricted open space area and bulk regulations.

(1) Table 1 establishes the bulk regulations for all proposed rural cluster subdivisions including the minimum percentage of the original gross development area which shall be retained in restricted open space tracts for rural cluster subdivisions located outside of designated rural/urban transition areas. No more than 65 percent of the total restricted open space area may consist of unbuildable land.

(2) To qualify as a restricted open space, an area must meet the following standards:

(a) It must be used for buffering, environmentally sensitive area protection, resource production and/or conservation, other recreational or community utility purposes, or general preservation;

(b) Subject to the requirements of Title 18 SCC, the following recreational and community utility uses are permitted in restricted open space tracts:

(i) beaches, docks, swimming areas, picnic areas, trails/pedestrian walkways, equestrian trails, playgrounds, equestrian centers or any non-motorized passive recreational facilities;

(ii) community wells, well houses, water lines, drainfields, retention and detention ponds, water recharge and infiltration facilities, water system appurtenances and biofiltration swales;

(c) At least 25 percent of the restricted open space tract shall be accessible by all residents of the rural cluster subdivision for passive recreation;

(d) At the time of application or consideration, the area shall not be subject to any pending enforcement actions for violations of state or county land development requirements or land use regulations;

(e) Vegetation removal within the restricted open space tract shall be in accordance with an approved open space management plan. Permanent vegetation removal within the restricted open space shall not be permitted, except that the following activities shall be allowed where vegetation removal is the minimum necessary to conduct the activity:

(i) construction of pedestrian or equestrian trails;

(ii) construction and maintenance of equestrian centers or playfields;

(iii) maintenance of existing pastures;

(iv) forestry or agricultural activities;

(v) removal of dead, diseased or hazardous vegetation, consistent with best wildlife management practices;

(vi) selective thinning and enhancement of vegetation; and

(vii) fire breaks provided in accordance with fire district requirements;

(f) Forest practices within restricted open space shall occur as provided for in the applicable forest practices permit and/or in an approved open space management plan and shall consist of selective timber harvesting that retains trees representative of all size classes, of sufficient quality with good crown cover, deep root system, and in a healthy condition to survive once the timber harvest has been completed. Trees shall be retained in stands or clusters where feasible.

(3) In that portion of the open space of a rural cluster subdivision which is not restricted open space, all recreational uses as listed in SCC 18.32.040(A) are allowed when otherwise allowed by the applicable zone and when in compliance with applicable provisions of Title 18 SCC.

(4) All restricted open space, including any proposed recreation uses, in the rural cluster subdivision shall be shown as separate, commonly owned tracts or development restricted tracts under single ownership on the plat or short plat. The restricted open space areas must be protected in perpetuity by covenants, approved by

the county, which restrict their use to those uses specified in the approved rural cluster subdivision and provide for the maintenance of the area in a manner which assures its continuing use for the intended purpose.

(5) Land may be established as restricted open space through one of the following methods:

(a) The landowner may convey, without cost, the fee simple, or any lesser interest, development rights or easement that will protect and preserve the restricted open space area for its designated purpose(s), to a public agency or county approved non-profit, private organization which agrees in writing to accept the conveyance and maintain and manage the restricted open space area, including resource lands, critical areas, and any buildings, structures, or improvements thereon, for its designated purpose(s) and in accordance with the requirements of all applicable state laws and county codes. The property may thereafter be conveyed or leased back to the original owner or other person(s) under such covenants or contractual arrangements as will limit the future use of the property and assure its maintenance for its designated purpose(s);

(b) The landowner may retain the property in a single tract and record conditions, covenants and restrictions, as required by the county approving body, which run with the land and benefit the county, and which limit the future use of the property to those allowed in (2) and (3) of this section and provide for the maintenance of the property for its designated purpose(s) and the owner provides documentation acceptable to the county to demonstrate the feasibility of managing the tract for beneficial resource production purposes;

(c) When no maintenance of the restricted open space area is required, the owner may convey the property to all lot owners in a tenancy in common; or

(d) If maintenance of the restricted open space area is required and the applicant does not propose to use options (a) or (b) in this subsection (4) to provide for maintenance, a homeowners' association or similar organization shall be established to maintain the area for its designated purpose(s). Membership in the association or organization, and dues or other assessment for maintenance purposes, shall be a requirement of lot ownership.

(6) All lands classified as a natural resource area which are included in restricted open space areas shall be placed under a unified system of property management for the purpose of maximizing their continued or potential, future management for beneficial resource production/conservation purposes.

TABLE 1  
Requirements for Restricted Open Area and Bulk Regulations

	Forestry F&R		R-5 in RR-5 <sup>(8)</sup> : RRT-10, RC, R-5, and RD in RR-10(RT) or LCF <sup>(8)</sup>		R-5 in RR <sup>(8)</sup>	
Minimum Restricted Open Space Natural Resource Areas	60% 60%		45% 60%		45% 60%	
Minimum Bonus Density <sup>(1)</sup> Natural Resource Areas	15% - 35% 10%		15% - 35% 10%		None	
Required Buffer - Adjacent Property Roads <sup>(2)(3)</sup> and Adjacent Property		(4)		(4)		(4)
Average Width:	75'	50'	75'	50'	50'	35'
Minimum Width:	50'	35'	50'	35'	35'	25'
Required Setback for Single Family Residential/Duplex from Adjacent Resource Areas <sup>(2)</sup>	100' (forest land) 50' (farmland)		100' (forest land) 50' (farmland)		100' (forest land) 50' (farmland)	
Setback Width: <sup>(5)</sup>						
Required Buffers - Between Clusters						
Average Width:	75'		75'		75'	
Minimum Width:	50'		50'		50'	
Lot Dimensions, Setbacks	R-7,200					
Maximum Lots per Cluster	30		30		30	
Minimum Lot Size <sup>(6) (7)</sup>						
Maximum Lot Size <sup>(9)</sup>						

- (1) Bonus density as provided in SCC 32.30.060.
- (2) Buffers required adjacent to public roads as provided in SCC 32.30.040(2).
- (3) Required buffers shall not include any portion of the required minimum lot area or required minimum setbacks of any proposed lot. Notwithstanding any other requirement in Table 1, the sum of all buffers and/or setbacks shall not exceed 40 percent of the average width of the parcel or tract proposed for rural cluster subdivision or rural cluster short subdivision.
- (4) When more than 75 percent of the proposed lots in the cluster are one acre or greater in size.
- (5) For subdivision and short subdivision applications determined to be completed pursuant to Titles 19 or 20 SCC before December 14, 1992, and which are converted to a rural cluster subdivision under chapter 19.60 SCC or chapter 20.24 SCC, setback width shall be 75 feet.
- (6) Minimum lot size as provided in SCC 18.42.075.
- (7) Minimum lot size for duplexes shall remain as provided in SCC 18.32.030.
- (8) Table 1 ((A)) applies only to zoning classifications contained within stated comprehensive plan designations. ((listed zones only in specified GPP designation.))
- (9) Maximum lot size in rural/urban transition area shall be 20,000 square feet.

**Section 8.** Snohomish County Code Section 32.30.055, last amended by Ordinance 99-008 on March 3, 1999, is amended to read:

32.30.055 Lot Yield.

(1) Basic lot yield shall be obtained by dividing the gross site area by the minimum required lot area of the zone in which the rural cluster subdivision is to be located (with both numbers expressed in the same units); EXCEPT that, for lots designated RR and for lots designated RR-10 (RT) which are located outside of the Tulalip subarea, basic lot yield shall be calculated using a minimum lot size of 100,000 square feet and 200,000 square feet respectively;

(2) The maximum lot yield shall be obtained by multiplying the basic lot yield by one plus the density bonus, expressed as a fraction, as specified in SCC 32.30.060; EXCEPT that, the maximum lot yield on lots designated RR shall be the basic lot yield calculated in SCC 32.30.055(1), and the residential density bonus provisions of SCC 32.30.060 shall not apply;

(3) In determining the lot yield, a designated duplex lot shall be considered as two lots;

(4) Whenever the resulting yield results in a fractional equivalent of 0.5 or more, the yield shall be rounded up to the next whole number; fractions of less than 0.5 shall be rounded down.

Passed this 21st day of July, 1999.

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

  
Chair

ATTEST:

  
Asst. Clerk of the Council

- APPROVED  
 VETOED  
 EMERGENCY

Date: 7-22-99

  
County Executive  
**JOAN M. EARL**  
Deputy Executive

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
Deputy Prosecuting Attorney

