

1 ADOPTED: 10/06/21
2 EFFECTIVE: 10/22/21

3
4 SNOHOMISH COUNTY COUNCIL
5 Snohomish County, Washington

6
7 AMENDED ORDINANCE NO. 21-060

8
9 RELATING TO GROWTH MANAGEMENT, REPEALING CHAPTER
10 30.31D OF THE SNOHOMISH COUNTY CODE, AMENDING THE
11 SNOHOMISH COUNTY COMPREHENSIVE PLAN, OFFICIAL ZONING
12 MAP, AND CHAPTERS 30.21, 30.22, 30.23, 30.25, 30.26, 30.32C,
13 30.41C, 30.65, 30.66B, 30.67, 30.91A, 30.91D, AND 30.91E OF THE
14 SNOHOMISH COUNTY CODE TO REVISE MINERAL RESOURCE
15 LAND POLICIES AND DEVELOPMENT REGULATIONS
16

17 WHEREAS, counties that are required to plan under the Growth Management
18 Act (GMA), chapter 36.70A RCW, must ensure that their comprehensive plans and
19 development regulations are guided by the planning goals of RCW 36.70A.020 and
20 must maintain and enhance natural resource-based industries while processing permit
21 applications in a timely and fair manner to ensure predictability; and
22

23 WHEREAS, the central Puget Sound region's Multicounty Planning Policies
24 (MPPs), adopted by the Puget Sound Regional Council, call for protection of designated
25 resource lands; and
26

27 WHEREAS, the Countywide Planning Policies (CPPs) for Snohomish County
28 encourage the County and cities to adopt comprehensive plan policies and
29 implementing development regulations that establish low intensities of development and
30 uses and limit commercial and industrial development in the rural area; and
31

32 WHEREAS, Snohomish County ("County") is required to plan for growth under
33 the GMA; and
34

35 WHEREAS, as part of this planning requirement, the County has adopted a
36 comprehensive plan containing all elements required by the GMA; and
37

38 WHEREAS, a component of the County's comprehensive plan is the General
39 Policy Plan (GPP) which, among other goals, calls for conserving mineral resource
40 lands for mineral extraction, minimizing detrimental effects of mineral extraction, and
41 planning for the eventual post-extractive use of mine sites; and
42

43 WHEREAS, on March 31, 2021, the County Council referred, by Motion No. 21-
44 124, a set of proposed comprehensive plan and code amendments to the Snohomish

1 County Planning Commission (“Planning Commission”) for consideration and a
2 recommendation back to the County Council; and

3
4 WHEREAS, the Planning Commission was provided a briefing on May 25, 2021,
5 on the comprehensive plan and code amendments referred by the County Council; and

6
7 WHEREAS, the Planning Commission held a public hearing on June 22, 2021,
8 and received public testimony on the proposed comprehensive plan and code
9 amendments contained in this ordinance referred by the County Council; and

10
11 WHEREAS, at the conclusion of the Planning Commission’s public hearing, the
12 Planning Commission deliberated on the proposed amendments and recommended
13 approval of the amendments contained in this ordinance; and

14
15 WHEREAS, on October 6, 2021, the County Council held a public hearing, after
16 proper notice, and considered public comment and the entire record related to the code
17 and comprehensive plan amendments contained in this ordinance; and

18
19 WHEREAS, following the public hearing, the County Council deliberated on the
20 amendments proposed by the ordinance.

21
22 NOW, THEREFORE, BE IT ORDAINED:

23
24 Section 1. The County Council adopts the following findings in support of this
25 ordinance:

- 26
27 A. The foregoing recitals are adopted as findings as if set forth in full herein.
28
29 B. This ordinance will amend the General Policy Plan (GPP) of the Snohomish County
30 Comprehensive Plan, as follows:
31
32 1. Amend the Land Use Chapter of the GPP, under Objectives LU 9.A and LU 9.B,
33 to revise LU Policies 9.A.13 and 9.B.2 and to add a new policy. The new and
34 revised policies address the efficient transition of mining sites from active mining
35 into post-extraction uses by authorizing development agreements to
36 comprehensively plan for such a transition while prohibiting final subdivision or
37 the issuance of building permits until commercially significant mineral resources
38 are depleted on the site and the Washington State Department of Natural
39 Resources has cancelled all reclamation permits on the site. The new policy also
40 calls for provisions of a development agreement to be compatible with future
41 mineral extraction activities nearby.
42
43 2. Amend Map 2-Mineral Resource Lands to affix the Mineral Resource Overlay
44 (MRO) to all areas currently within the Mineral Conservation zone (MC).
45

- 1 C. This ordinance will amend Title 30 SCC to updated standards related to the
2 protection of mineral resource lands. In particular, the amendments will:
3
- 4 1. Amend Chapters 30.21 and 30.22 SCC to delete references to the MC zone and
5 correct cross references to provisions in Chapter 30.32C SCC.
6
 - 7 2. Amend SCC 30.23.040 to update code references to clarify that footnote 32
8 applies to mineral extraction and processing.
9
 - 10 3. Repeal Chapter 30.31D SCC (Mineral Conservation (MC) Zone) in its entirety
11 and relocate and recodify all sections therein to Chapter 30.32C (Mineral
12 Resource Lands), as follows:
13
 - 14 a. SCC 30.31D.010 (Purpose and applicability) is combined with SCC
15 30.32C.010 (Purpose and applicability).
16
 - 17 b. SCC 30.31D.020 is moved, intact, to SCC 30.32C.020.
18
 - 19 c. SCC 30.31D.030 is moved, intact, to SCC 30.32C.030.
20
 - 21 d. SCC 30.31D.040 is moved, intact, to SCC 30.32C.040.
22
 - 23 e. SCC 30.31D.100 (General performance standards) is combined with SCC
24 30.32C.100 (which is retitled Excavation and processing of minerals: general
25 performance standards).
26
 - 27 f. SCC 30.31D.110 is moved, intact, to SCC 30.32C.110.
28
 - 29 g. SCC 30.31D.120 is moved, intact, to SCC 30.32C.120.
30
 - 31 h. SCC 30.31D.130 is moved, intact, to SCC 30.32C.130.
32
 - 33 i. SCC 30.31D.135 is moved, intact, to SCC 30.32C.135.
34
 - 35 j. SCC 30.31D.140 is moved, intact, to SCC 30.32C.140.
36
 - 37 k. SCC 30.31D.145 is moved, intact, to SCC 30.32C.145.
38
 - 39 l. SCC 30.31D.150 is moved, intact, to SCC 30.32C.155.
40
 - 41 m. SCC 30.31D.160 is moved, intact, to SCC 30.32C.160.
42
 - 43 n. SCC 30.31D.210 is moved, intact, to SCC 30.32C.210.
44
 - 45 o. SCC 30.31D.220 is moved, intact, to SCC 30.32C.220.

- 1
- 2 p. SCC 30.31D.230 is moved, intact, to SCC 30.32C.230.
- 3
- 4 q. SCC 30.31D.240 is moved, intact, to SCC 30.32C.240.
- 5
- 6 4. SCC 30.32C.150 is renumbered to SCC 30.32C.050 adding new language that
- 7 allows the use of a development agreement to permit subdivision of land within
- 8 the R-5 zone that is also located within the MRO.
- 9
- 10 5. Renumber SCC 30.32C.200 to SCC 30.32C.300 and amend to correct cross
- 11 references.
- 12
- 13 6. Renumber SCC 30.32C.210 to SCC 30.32C.310 and amend to correct cross
- 14 references.
- 15
- 16 7. Add SCC 30.32C.250 to allow for the use of development agreements to plan for
- 17 the transition of mineral extraction sites that are approaching depletion to their
- 18 post-extractive use.
- 19
- 20 8. Amend chapters 30.91A, 30.91D, and 30.91E to amend and add definitions
- 21 related to mineral resource extraction.
- 22
- 23 9. Amend SCC SCC 30.23.030, SCC 30.23.045, SCC 30.25.020, SCC 30.25.027,
- 24 SCC 30.26.030, SCC 30.41C.020, SCC 30.41.090, SCC 30.41C.100, SCC
- 25 30.41C.110, SCC 30.41.130, SCC 30.65.220, SCC 30.66B.035, SCC
- 26 30.66B.080, SCC 30.67.220, and SCC 30.67.560 to update code references and
- 27 delete references to the MC zone as applicable.
- 28
- 29 D. Amend the County's Official Zoning Map to rezone all areas zoned Mineral
- 30 Conservation (MC) to one of the three following zones, consistent with the
- 31 underlying designation in the comprehensive plan future land use map: Agriculture-
- 32 10 Acre (A-10), Forestry (F), or Rural 5-Acre (R-5).
- 33
- 34 E. The code and comprehensive plan amendments are designed to facilitate a more
- 35 efficient transition of mining sites to post-extractive uses while continuing to protect
- 36 the availability of mineral resources within the county. Existing code and
- 37 comprehensive plan requirements impose an administrative delay between the
- 38 completion of mining site reclamation work and development associated with post-
- 39 extractive uses beyond what is necessary to regulate mining activity or ensure the
- 40 protection of mineral resources.
- 41
- 42 F. In considering the proposed amendments, the County considered the goals and
- 43 requirements of the GMA. The proposed amendments to the comprehensive plan,
- 44 zoning map, and Title 30 SCC are consistent with:
- 45

- 1 1. RCW 36.70A.020(7) (GMA planning goal 7) – Permits. Applications for both state
2 and local government permits should be processed in a timely and fair manner to
3 ensure predictability.

4
5 The amendments proposed by this ordinance are consistent with GMA planning
6 goal 7, as they establish a process to more efficiently permit the transition of a
7 depleted mineral extraction site to its post-extraction use. The amendments will
8 allow the use of development agreements to plan for the transition prior to
9 depletion of the on-site mineral resources without reducing requirements for
10 mineral resource protection or reclamation.

- 11
12 2. RCW 36.70A.020(8) (GMA planning goal 8) – Natural resource industries.
13 Maintain and enhance natural resource-based industries, including productive
14 timber, agricultural, and fisheries industries. Encourage the conservation of
15 productive forestlands and productive agricultural lands, and discourage
16 incompatible uses.

17
18 The amendments proposed by this ordinance work to further GMA planning goal
19 8 by ensuring that all mineral resource lands within Snohomish County are
20 consistently protected. This is accomplished by ensuring that all mineral lands
21 are identified by the Mineral Resource Overlay (MRO). Currently, these
22 protections are inconsistent, because mineral lands are identified one of three
23 ways:

- 24
25 a. MRO only
26 b. Mineral Conservation zone (MC) only
27 c. Both the MRO and MC zone
28

29 Further, the proposed amendments require that provisions be included in
30 development agreements to ensure that development is compatible with future
31 mineral extraction activities on adjacent or nearby lands, which protects potential
32 future mineral extraction activities.
33

- 34 G. In considering the proposed amendments, the County considered other provisions
35 within state law that address the classification and preservation of mineral lands. In
36 particular, the proposal is consistent with:

- 37
38 1. WAC 365-190-070(4)(d) – In designating mineral resource lands, counties and
39 cities must also consider that mining may be a temporary use at any given mine,
40 depending on the amount of minerals available and the consumption rate, and
41 that other land uses can occur on the mine site after mining is completed, subject
42 to approval.

43
44 The proposal is consistent with WAC 36-190-070(4)(d), and acknowledges that
45 mineral extraction sites will eventually become depleted. At the time of depletion,

1 the amendments will allow advanced planning for the efficient transition to post-
2 extractive uses once the mineral resources are depleted.

3
4 H. The proposed amendments to the comprehensive plan, official zoning map, and Title
5 30 SCC will better achieve, comply with, and implement the goals and policies of the
6 Puget Sound Regional Council's (PSRC) Multicounty Planning Policies (MPPs),
7 including the following goals and policies:

- 8
9 1. MPP-DP-42 – Support the sustainability of designated resource lands. Do not
10 convert these lands to other uses.

11
12 The proposal is consistent with MPP-DP-42, by ensuring the long-term protection
13 of mineral resource lands, by identifying all mineral lands using the MRO. While
14 this policy calls for avoiding the conversion of resource lands, mineral resource
15 lands present a special case because mineral resources will, in most cases,
16 eventually become depleted. At the point of depletion, removal of the resource
17 land designation would be appropriate because the land no longer contains
18 mineral resources of long-term significance.

- 19
20 2. MPP-DP-43 – Ensure that resource lands and their related economic activities
21 are not adversely impacted by development on adjacent non-resource lands.

22
23 The proposed amendments further MPP-DP-43, by requiring that development
24 agreements include provisions to ensure that post-extractive uses are compatible
25 with future mineral extraction activities on adjacent and nearby lands.

26
27 I. The proposed amendments will better achieve, comply with, and implement the
28 following policy contained within the Countywide Planning Policies (CPPs):

- 29
30 1. CPP-ED-9 – As appropriate, the County and cities should adopt plans, policies,
31 and regulations that preserve designated industrial, commercial, agricultural, and
32 resource land base for long-term regional economic benefit.

33
34 The proposed amendments maintain consistency with CPP-ED-9 by ensuring
35 that mineral resource lands are protected consistently through the use of the
36 MRO.

37
38 J. In considering the proposed amendments, the County considered the goals,
39 objectives, and policies of the Snohomish County GMA Comprehensive Plan
40 (GMACP) – General Policy Plan (GPP). The proposed amendments will work to
41 support, implement, and balance the following goals, objectives, and policies in the
42 GPP:

- 1 1. Goal LU 9 – Conserve mineral resource lands for mineral extraction, minimize
2 the detrimental effects of mineral extraction on the environment and other land
3 uses, and plan for the eventual post-extractive use of mine sites
4

5 The proposed amendments are consistent with Land Use Goal 9, by maintaining
6 protections on all lands identified as mineral resource lands. The proposed
7 amendments ensure that after repeal of the MC zone, the MRO is applied to all
8 lands that currently or previously had MC zoning. Additionally, this change will
9 ensure consistent protection for mineral resource lands and standards for
10 transitioning mining sites to post-extractive uses. Further, the amendments will
11 aid efforts to transition by allowing the use of development agreements, while
12 preventing any subdivision until on site mineral resources are depleted and the
13 cancellation of the DNR issued reclamation permit.
14

- 15 2. LU Policy 9.B.2 – The county shall prohibit residential subdivision where the
16 MRO coincides with a 5-acre rural residential designation. Where the MRO
17 covers only a portion of a rural 5-acre designated parcel, the parcel may be
18 subdivided provided that:
19

- 20 a. minimum lot size requirements can be met according to underlying zoning;
21 b. rural cluster subdivision is used;
22 c. the portion of the property having the MRO overlay shall be preserved for
23 future mineral resource use by adequate buffers, setbacks and open space.
24

25 The proposed amendments are consistent with LU Policy 9.B.2 as it currently
26 exists and as it is proposed to be amended. The amendments maintain existing
27 restrictions on the subdivision of lands that are fully or partially covered by the
28 MRO.
29

- 30 3. LU Policy 9.B.3 – Any subdivision of mineral resource land outside of 5-acre rural
31 designations (e.g. 1 du/10 acres, 1 du/20 acres, or local forest) shall utilize site
32 planning and design opportunities, including rural cluster subdivisions, to retain
33 the maximum amount of land for potential mineral resource use. Open space
34 provisions will preserve the option for future mineral resource extraction.
35

36 The proposed amendments further LU Policy 9.B.3, by requiring that
37 development agreements for the transition of depleted mine sites include
38 provisions that are compatible with future mineral extraction activities on adjacent
39 or nearby lands. This will ensure that the option for future mineral resource
40 extraction is preserved.
41

- 42 4. Objective LU 9.F – Ensure that mining site approval does not preclude or inhibit
43 the planned post-extractive use of the mine site or the planned future use of
44 adjacent lands.
45

1 The proposed amendments are consistent with and further Objective LU 9.F by:
2 1) affixing the MRO to all areas that currently have the MC zoning; 2) rezoning
3 parcels that are currently zoned MC to the implementing zone as identified on the
4 Future Land Use Map; and 3) allowing the use of a development agreement,
5 prior to the depletion of on-site mineral resources, to plan for the post-extractive
6 use. These changes will provide for the post-extraction use on each MRO parcel
7 and help facilitate a more efficient transition through the reclamation process to
8 the planned post-extractive use.
9

- 10 5. LU Policy 9.F.1 – Post-extractive uses should be identified, at the time of
11 permitting, for mineral resource lands that are consistent with adjacent and
12 nearby comprehensive plan designations. Where adjacent or nearby lands are
13 designated mineral resource land, the post-extractive use of the permitted site
14 should be compatible with future mineral extraction activities on the adjacent or
15 nearby lands.
16

17 The amendments are consistent with LU Policy 9.F.1, by rezoning all parcels that
18 are currently zoned MC to their implementing zone as identified on the Future
19 Land Use Map, which will ensure that post-extractive uses are consistent with
20 comprehensive plan land use designations in the area. Further, restrictions are
21 maintained to require that development agreements include provisions to ensure
22 that post-extractive uses are compatible with future mineral extraction activities
23 on adjacent or nearby lands.
24

- 25 6. LU Policy 9.F.3 – The county shall pursue innovative reclamation plans in
26 concert with private landowners for the final conversion of exhausted mineral
27 resource lands into desirable uses (park land, open space, forest land,
28 community lakes, etc.). Such reclamation plans will be considered as favorable
29 mitigations of the mining activity during the county’s SEPA review process.
30

31 The proposed amendments are not inconsistent with LU Policy 9.F.3, as they do
32 not alter existing standards that determine allowed uses on exhausted mineral
33 resource lands nor do they amend the underlying future land use designation on
34 lands with mineral resources present. Rather, the proposed amendments allow
35 the use of development agreements to permit earlier planning for the transition to
36 post-extractive use and, through elimination of the MC zone and by affixing the
37 MRO to all mineral resource lands, ensure that all mineral resource lands are
38 protected under a consistent set of standards.
39

- 40 7. Objective ED 2.A – Develop and maintain a regulatory system that is fair,
41 understandable, coordinated and timely.
42

43 The proposed amendments are consistent with and more closely meet Objective
44 ED 2.A by allowing the County to enter into a development agreement to
45 facilitate a more efficient transition from active mining to post-extractive uses.

1 The use of a development agreement could work to reduce administrative delay
2 in the transition between uses.

- 3
4 8. ED Policy 2.A.2 – Snohomish County should stress predictability but maintain
5 enough flexibility in the Comprehensive Plan and development codes to allow for
6 timely response to unanticipated and desirable developments.

7
8 The proposed amendments are consistent with ED Policy 2.A.2 by allowing the
9 use of a development agreement to plan for the transition of active mineral
10 extraction sites to their post-extractive uses. Current process requires completion
11 of all mining activities and reclamation, and removal of the MRO prior to
12 beginning the permitting process. The proposed amendments will help to remove
13 and reduce that administrative delay by allowing mine owners to work with the
14 County to plan for post-extractive uses prior to MRO removal through the use of
15 a development agreement.

- 16
17 9. ED Policy 2.A.3 – To ensure timeliness, responsiveness, and increased
18 efficiency, the county shall develop and maintain a program of periodic review of
19 the permitting process to eliminate unnecessary administrative procedures that
20 do not respond to legal requirements for public review and citizen input.

21
22 The proposed amendments further ED Policy 2.A.3 by allowing the use of
23 development agreements to plan for the transition of depleted mining sites to
24 their post-extractive uses. This will improve the efficiency of the transition
25 process, by allowing planning prior to completion of mining and reclamation
26 activities.

- 27
28 K. The amendments to the zoning map maintain consistency between the zoning map
29 and the Future Land Use Map and other elements of the Comprehensive Plan.

30
31 L. Procedural requirements.

- 32
33 1. State Environmental Policy Act (SEPA), chapter 43.21C RCW, requirements with
34 respect to this non-project action have been satisfied through the completion of
35 an environmental checklist and the issuance of a determination of non-
36 significance on August 30, 2021.
37
38 2. The proposal is a Type 3 legislative action pursuant to SCC 30.73.010.
39
40 3. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance was
41 transmitted to the Washington State Department of Commerce for distribution to
42 state agencies on August 20, 2021.
43
44 4. The public participation process used in the adoption of this ordinance complies
45 with all applicable requirements of the GMA and the SCC.

1
2 5. The Washington State Attorney General last issued an advisory memorandum,
3 as required by RCW 36.70A.370, in September 2018, entitled “Advisory
4 Memorandum and Recommended Process for Evaluating Proposed Regulatory
5 or Administrative Actions to Avoid Unconstitutional Takings of Private Property”
6 to help local governments avoid the unconstitutional taking of private property.
7 The process outlined in the State Attorney General’s 2018 advisory
8 memorandum was used by Snohomish County in objectively evaluating the
9 regulatory changes proposed by this ordinance.

10
11 Section 2. The County Council makes the following conclusions:

- 12
13 A. The proposed amendments are consistent with the goals, policies, and objectives of
14 the MPPs, CPPs, and GPPs.
15
16 B. The proposed amendments are consistent with all applicable federal, state, and local
17 laws and regulations.
18
19 C. The County has complied with all SEPA requirements with respect to this non-
20 project action.
21
22 D. The regulations proposed by this ordinance do not result in an unconstitutional
23 taking of private property for a public purpose.
24

25 Section 3. The County Council bases its findings and conclusions on the entire
26 legislative record, including all testimony and exhibits. Any finding which should be
27 deemed a conclusion, and any conclusion which should be deemed a finding, is hereby
28 adopted as such.
29

30 Section 4. The Land Use chapter of the General Policy Plan of the Snohomish
31 County Comprehensive Plan, last amended by Ordinance No.17-050 on October 4,
32 2017, is amended as indicated in Exhibit A, which is attached hereto and incorporated
33 by reference into this ordinance.
34

35 Section 5. Map 2 (Mineral Resource Lands Map) of the GPP last amended by
36 Amended Ordinance No. 21-054 on October 6, 2021, is amended as indicated in Exhibit
37 B to this ordinance, which is attached hereto and incorporated by reference into this
38 ordinance.
39

40 Section 6. Snohomish County Code Section 30.21.020, last amended by
41 Amended Ordinance No. 20-080 on December 16, 2020, is amended to read:
42

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7

30.21.020 Establishment of zones.

Snohomish County's Use zones are established and categorized pursuant to SCC Table 30.21.020.

Table 30.21.020 Snohomish County Zones by Category

ZONE CATEGORY	ZONES	
URBAN	Residential 9,600	R-9,600
	Residential 8,400	R-8,400
	Residential 7,200	R-7,200
	Townhouse	T
	Low-Density Multiple Residential	LDMR
	Multiple Residential	MR
	Neighborhood Business	NB
	Planned Community Business	PCB
	Community Business	CB
	General Commercial	GC
	Business Park	BP
	Industrial Park	IP
	Light Industrial	LI
	Heavy Industrial	HI
	Mobile Home Park	MHP
Urban Center	UC	
RURAL	Rural Diversification	RD
	Rural Resource Transition – 10 Acre	RRT-10
	Rural 5-acre	R-5
	Rural Business	RB
	Clearview Rural Commercial	CRC
	Rural Freeway Service	RFS
	Rural Industrial	RI
RESOURCE	Forestry	F
	Forestry and Recreation	F&R
	Agriculture-10 Acre	A-10
	((Mineral Conservation))	((MC))
OTHER	Suburban Agriculture-1 Acre	SA-1
	Rural Conservation	RC
	Rural Use	RU
	Residential 20,000	R-20,000
	Residential 12,500	R-12,500
	Waterfront Beach	WFB

1
2 Section 7. Snohomish County Code Section 30.21.025, last amended by
3 Amended Ordinance No. 20-080 on December 16, 2020, is amended to read:

4
5 **30.21.025 Intent of zones.**
6

7 This section describes the intent of each use zone. Snohomish County's use zones are
8 categorized and implemented consistent with the comprehensive plan.

9 The comprehensive plan establishes guidelines to determine compatibility and location
10 of use zones. The intent of each zone is established pursuant to SCC
11 Table 30.21.020 and is set forth below in SCC 30.21.025(1) through (4).
12

13 (1) *Urban Zones*. The urban zones category consists of residential, commercial, and
14 industrial zoning classifications in Urban Growth Areas (UGAs) located outside of cities
15 in unincorporated Snohomish County. These areas are either already characterized by,
16 or are planned for, urban growth consistent with the comprehensive plan.
17

18 (a) *Single Family Residential*. The intent and function of Single Family
19 Residential zones is to provide for predominantly single family residential
20 development that achieves a minimum net density of four dwelling units per net
21 acre. These zones may be used as holding zones for properties that are
22 designated Urban Medium-Density Residential, Urban High-Density Residential,
23 Urban Commercial, Urban Industrial, Public/Institutional use (P/IU), or Other land
24 uses in the comprehensive plan. The official Snohomish County zoning maps
25 prepared pursuant to SCC 30.21.030 shall use the suffix "P/IU" to indicate all
26 areas in which these zones implement the P/IU designation (e.g., R-7,200-P/IU).
27 Single family residential zones consist of the following:
28

29 (i) *Residential 7,200 sq. ft. (R-7,200)*;

30
31 (ii) *Residential 8,400 sq. ft. (R-8,400)*; and

32
33 (iii) *Residential 9,600 sq. ft. (R-9,600)*.
34

35 (b) *Multiple Family Residential*. Multiple Family Residential zones provide for
36 predominantly apartment and townhouse development in designated medium-
37 and high-density residential locations. Multiple Family Residential zones consist
38 of the following:
39

40 (i) *Townhouse (T)*. The intent and function of the Townhouse zone is to:

41
42 (A) provide for single family dwellings, both attached and detached,
43 or different styles, sizes, and prices at urban densities greater than
44 those for strictly single family detached development, but less than
45 multifamily development;

1
2 (B) provide a flexible tool for development of physically suitable,
3 skipped-over or under-used lands in urban areas without adversely
4 affecting adjacent development; and
5

6 (C) provide design standards and review which recognize the
7 special characteristics of townhouses, to ensure the development
8 of well-planned communities, and to ensure the compatibility of
9 such housing developments with adjacent, existing, and planned
10 uses. Townhouses are intended to serve the housing needs of a
11 variety of housing consumers and producers. Therefore,
12 townhouses may be built for renter occupancy of units on a site
13 under single ownership, owner agreements pursuant to chapters
14 64.32 or 64.34 RCW, or owner or renter occupancy of separately
15 conveyed units on individual lots created through formal subdivision
16 pursuant to chapter 58.17 RCW;
17

18 (ii) Low-Density Multiple Residential (LDMR). The intent and function of
19 the Low-Density Multiple Residential zone is to provide a variety of low-
20 density, multifamily housing including townhouses, multifamily structures,
21 and attached or detached homes on small lots;
22

23 (iii) Multiple Residential (MR). The intent and function of the Multiple
24 Residential zone is to provide for high-density development, including
25 townhouses and multifamily structures generally near other high-intensity
26 land uses; and
27

28 (iv) Mobile Home Park (MHP). The intent and function of the Mobile
29 Home Park zone is to provide and preserve high density, affordable
30 residential development consisting of mobile homes for existing mobile
31 home parks as a source of affordable detached single-family and senior
32 housing. This zone is assigned to existing mobile home parks which
33 contain rental pads, as opposed to fee simple owned lots, and as such are
34 more susceptible to future development.
35

36 (c) *Commercial*. The Commercial zones provide for neighborhood, community
37 and urban center commercial, and mixed use developments that offer a range of
38 retail, office, personal service and wholesale uses. Commercial zones consist of
39 the following:
40

41 (i) Neighborhood Business (NB). The intent and function of the
42 Neighborhood Business zone is to provide for local facilities that serve the
43 everyday needs of the surrounding neighborhood, rather than the larger
44 surrounding community;
45

1 (ii) Planned Community Business (PCB). The intent and function of the
2 Planned Community Business zone is to provide for community business
3 enterprises in areas desirable for business but having highly sensitive
4 elements of vehicular circulation, or natural site and environmental
5 conditions while minimizing impacts upon these elements through the
6 establishment of performance criteria. Performance criteria for this zone
7 are intended to control external as well as internal effects of commercial
8 development. It is the goal of this zone to discourage "piecemeal" and
9 strip development by encouraging development under unified control;

10
11 (iii) Community Business (CB). The intent and function of the Community
12 Business zone is to provide for businesses and services designed to serve
13 the needs of several neighborhoods;

14
15 (iv) General Commercial (GC). The intent and function of the General
16 Commercial zone is to provide for a wide variety of retail and nonretail
17 commercial and business uses. General commercial sites are auto-
18 oriented as opposed to pedestrian or neighborhood oriented. Certain
19 performance standards, subject to review and approval of an official site
20 plan, are contained in chapter 30.31B SCC;

21
22 (v) Business Park (BP). The intent and function of the Business Park
23 zone is to provide for those business/industrial uses of a professional
24 office, wholesale and manufacturing nature which are capable of being
25 constructed, maintained, and operated in a manner uniquely designed to
26 be compatible with adjoining residential, retail commercial, or other less
27 intensive land uses, existing or planned. Strict zoning controls must be
28 applied in conjunction with private covenants and unified control of land;
29 many business/industrial uses otherwise provided for in the zoning code
30 will not be suited to the BP zone due to an inability to comply with its
31 provisions and achieve compatibility with surrounding uses. The BP zone,
32 under limited circumstances, may also provide for residential development
33 where sites are large and where compatibility can be assured for on-site
34 mixed uses and for uses on adjacent properties;

35
36 (vi) Light Industrial (LI). The intent and function of the Light Industrial zone
37 is to promote, protect, and provide for light industrial uses while also
38 maintaining compatibility with adjacent nonindustrial areas;

39
40 (vii) Heavy Industrial (HI). The intent and function of the Heavy Industrial
41 zone is to promote, protect, and provide for heavy industrial uses while
42 also maintaining compatibility with adjacent nonindustrial areas; and

43
44 (viii) Industrial Park (IP/PIP). The intent and function of the Industrial Park
45 and Planned Industrial Park zones is to provide for heavy and light

1 industrial development under controls to protect the higher uses of land
2 and to stabilize property values primarily in those areas in close proximity
3 to residential or other less intensive development. The IP and remaining
4 Planned Industrial Park (PIP) zones are designed to ensure compatibility
5 between industrial uses in industrial centers and thereby maintain the
6 attractiveness of such centers for both existing and potential users and the
7 surrounding community. Vacant/undeveloped land which is currently
8 zoned PIP shall be developed pursuant to industrial park zone regulations
9 (chapter 30.31A SCC).

10
11 (d) *Industrial Zones*. The Industrial zones provide for a range of industrial and
12 manufacturing uses and limited commercial and other nonindustrial uses
13 necessary for the convenience of industrial activities. Industrial zones consist of
14 the following:

- 15 (i) Business Park (BP). See description under SCC 30.21.025(1)(c)(v);
- 16 (ii) Light Industrial (LI). See description under SCC 30.21.025(1)(c)(vi);
- 17
18 (iii) Heavy Industrial (HI). See description under SCC 30.21.025(1)(c)(vii);
19 and
- 20 (iv) Industrial Park (IP). See description under SCC 30.21.025(1)(c)(viii).

21
22
23 (e) Urban Center (UC). The intent and function of the Urban Center zone is to
24 implement the Urban Center designation on the future land use map by providing
25 a zone that allows a mix of high-density residential, office and retail uses with
26 public and community facilities and pedestrian connections located within one-
27 half mile of existing or planned stops or stations for high capacity transit routes
28 such as light rail or commuter rail lines, regional express bus routes, or transit
29 corridors that contain multiple bus routes or which otherwise provide access to
30 such transportation.
31
32
33

34 (2) *Rural Zones*. The Rural zones category consists of zoning classifications applied to
35 lands located outside UGAs that are not designated as agricultural or forest lands of
36 long-term commercial significance. These lands have existing or planned rural services
37 and facilities, and rural fire and police protection services. Rural zones may be used as
38 holding zones for properties that are primarily a transition area within UGAs on steep
39 slopes adjacent to non-UGA lands designated rural or agriculture by the comprehensive
40 plan. Rural zones consist of the following:

- 41 (a) Rural Diversification (RD). The intent and function of the Rural Diversification
42 zone is to provide for the orderly use and development of the most isolated,
43 outlying rural areas of the county and at the same time allow sufficient flexibility
44 so that traditional rural land uses and activities can continue. These areas
45

1 characteristically have only rudimentary public services and facilities, steep
2 slopes and other natural conditions, which discourage intense development, and
3 a resident population, which forms an extremely rural and undeveloped
4 environment. The resident population of these areas is small and highly
5 dispersed. The zone is intended to protect, maintain, and encourage traditional
6 and appropriate rural land uses, particularly those which allow residents to earn a
7 satisfactory living on their own land. The following guidelines apply:

8
9 (i) a minimum of restrictions shall be placed on traditional and appropriate
10 rural land uses;

11
12 (ii) the rural character of these outlying areas will be protected by carefully
13 regulating the size, location, design, and timing of large-scale, intensive
14 land use development; and

15
16 (iii) large residential lots shall be required with the intent of preserving a
17 desirable rural lifestyle as well as preventing intensive urban- and
18 suburban-density development, while also protecting the quality of ground
19 and surface water supplies and other natural resources;

20
21 (b) Rural Resource Transition - 10 Acre (RRT-10). The intent and function of the
22 Rural Resource Transition - 10 Acre zone is to implement the Rural Residential-
23 10 (resource transition) designation and policies in the comprehensive plan,
24 which identify and designate rural lands with forestry resource values as a
25 transition between designated forest lands and rural lands;

26
27 (c) Rural-5 Acre (R-5). The intent and function of the Rural-5 Acre zone is to
28 maintain rural character in areas that lack urban services;

29
30 (d) Rural Business (RB). The intent and function of the Rural Business zone is to
31 permit the location of small-scale commercial retail businesses and personal
32 services which serve a limited service area and rural population outside
33 established UGAs. This zone is to be implemented as a "floating zone" and will
34 be located where consistent with specific locational criteria. The Rural Business
35 zone permits small-scale retail sales and services located along county roads on
36 small parcels that serve the immediate rural residential population, and for a new
37 rural business, are located two and one-half miles from an existing rural
38 business, rural freeway service zone, or commercial designation in the rural area.
39 Rural businesses, which serve the immediate rural population, may be located at
40 crossroads of county roads, state routes, and major arterials;

41
42 (e) Clearview Rural Commercial (CRC). The intent and function of the CRC zone
43 is to permit the location of commercial businesses and services that primarily
44 serve the rural population within the defined boundary established by the CRC

1 land use designation. Uses and development are limited to those compatible with
2 existing rural uses that do not require urban utilities and services;

3
4 (f) Rural Freeway Service (RFS). The intent and function of the Rural Freeway
5 Service zone is to permit the location of small-scale, freeway-oriented
6 commercial services in the vicinity of on/off ramp frontages and access roads of
7 interstate highways in areas outside a designated UGA boundary and within rural
8 areas of the county. Permitted uses are limited to commercial establishments
9 dependent upon highway users; and

10
11 (g) Rural Industrial (RI). The intent and function of the Rural Industrial zone is to
12 provide for small-scale light industrial, light manufacturing, recycling, mineral
13 processing, and resource-based goods production uses that are compatible with
14 rural character and do not require an urban level of utilities and services.

15
16 (3) *Resource Zones*. The Resource zones category consists of zoning classifications
17 that conserve and protect lands useful for agriculture, forestry, or mineral extraction or
18 lands which have long-term commercial significance for these uses. Resource zones
19 consist of the following:

20
21 (a) Forestry (F). The intent and function of the Forestry zone is to conserve and
22 protect forest lands for long-term forestry and related uses. Forest lands are
23 normally large tracts under one ownership and located in areas outside UGAs
24 and away from residential and intense recreational use;

25
26 (b) Forestry and Recreation (F&R). The intent and function of the Forestry and
27 Recreation zone is to provide for the development and use of forest land for the
28 production of forest products as well as certain other compatible uses such as
29 recreation, including recreation uses where remote locations may be required,
30 and to protect publicly-owned parks in UGAs;

31
32 (c) Agriculture-10 Acre (A-10). The intent and function of the Agricultural-10 Acre
33 zone is:

34
35 (i) To implement the goals and objectives of the County General Policy
36 Plan, which include the goals of protecting agricultural lands and
37 promoting agriculture as a component of the County economy;

38
39 (ii) To protect and promote the continuation of farming in areas where it is
40 already established and in locations where farming has traditionally been
41 a viable component of the local economy; and

42
43 (iii) To permit in agricultural lands, with limited exceptions, only
44 agricultural land uses and activities and farm-related uses that provide a
45 support infrastructure for farming, or that support, promote or sustain

1 agricultural operations and production including compatible accessory
2 commercial or retail uses on designated agricultural lands.

3
4 (iv) Allowed uses include, but are not limited to:

5
6 (A) Storage and refrigeration of regional agricultural products;

7
8 (B) Production, sales and marketing of value-added agricultural
9 products derived from regional sources;

10
11 (C) Supplemental sources of on-farm income that support and
12 sustain on-farm agricultural operations and production;

13
14 (D) Support services that facilitate the production, marketing and
15 distribution of agricultural products;

16
17 (E) Off-farm and on-farm sales and marketing of predominately
18 regional agricultural products from one or more producers,
19 agriculturally related experiences, products derived from regional
20 agricultural production, products including locally made arts and
21 crafts, and ancillary sales or service activities; and

22
23 (F) Accessory commercial or retail uses which shall be accessory
24 to the growing of crops or raising of animals and which shall sell
25 products predominately produced on-site, agricultural experiences,
26 or products, including arts and crafts, produced on-site. Accessory
27 commercial or retail sales shall offer for sale a significant amount of
28 products or services produced on-site.

29
30 (v) Allowed uses shall comply with all of the following standards:

31
32 (A) The uses shall be compatible with resource land service
33 standards.

34
35 (B) The allowed uses shall be located, designed and operated so
36 as not to interfere with normal agricultural practices.

37
38 (C) The uses may operate out of existing or new buildings with
39 parking and other supportive uses consistent with the size and
40 scale of agricultural buildings but shall not otherwise convert
41 agricultural land to non-agricultural uses.

42
43 ~~((d) Mineral Conservation (MC). The intent and function of the Mineral~~
44 ~~Conservation zone is to comprehensively regulate excavations within Snohomish~~
45 ~~County. The zone is designed to accomplish the following:~~

1
2 ~~(i) preserve certain areas of the county which contain minerals of~~
3 ~~commercial quality and quantity for mineral conservation purposes and to~~
4 ~~prevent incompatible land use development prior to the extraction of such~~
5 ~~minerals and materials and to prevent loss forever of such natural~~
6 ~~resources;~~

7
8 ~~(ii) preserve the goals and objectives of the comprehensive plan by~~
9 ~~setting certain guidelines and standards for location of zones and under~~
10 ~~temporary, small-scale conditions to permit other locations by conditional~~
11 ~~use permit;~~

12
13 ~~(iii) permit the necessary processing and conversion of such material and~~
14 ~~minerals to marketable products;~~

15
16 ~~(iv) provide for protection of the surrounding neighborhood, ecological~~
17 ~~and aesthetic values, by enforcing controls for buffering and for manner~~
18 ~~and method of operation; and~~

19
20 ~~(v) preserve the ultimate suitability of the land from which natural deposits~~
21 ~~are extracted for rezones and land usages consistent with the goals and~~
22 ~~objectives of the comprehensive plan.)~~

23
24 (4) *Other Zones*. The Other zones category consists of existing zoning classifications
25 that are no longer primary implementing zones but may be used in special
26 circumstances due to topography, natural features, or the presence of extensive critical
27 areas. Other zones consist of the following:

- 28
29 (a) Suburban Agriculture-1 Acre (SA-1);
30
31 (b) Rural Conservation (RC);
32
33 (c) Rural Use (RU);
34
35 (d) Residential 20,000 sq. ft. (R-20,000);
36
37 (e) Residential 12,500 sq. ft. (R-12,500); and
38
39 (f) Waterfront beach (WFB).

40
41 Section 8. Snohomish County Code Section 30.22.110, last amended by
42 Amended Ordinance No. 21-018 on June 9, 2021, is amended to read:
43

1
2
3

30.22.110 Rural and Resource Zone Categories Use Matrix.

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB ²⁶	CRC	RFS	RI	F	F&R	A-10	((M))
Accessory Dwelling Unit ⁶²	P	P	P	P	P			P	P	P	((P))
Agriculture ^{41, 107}	P	P	P	P	P	P	P	P	P	P	((P))
Airport: Stage 1 Utility ¹	C	C	C ¹¹⁵					C			
Antique Shop	C		C ^{45, 115}	P ⁷⁹	P						
Art Gallery ⁴¹	C		C ¹¹⁵	P ⁷⁹	P						
Asphalt Batch Plant & Continuous Mix Asphalt Plant											((P))
Auto Repair, Major							P				
Auto Repair, Minor				P	P	P	P				
Auto Towing	C		C								
Auto Wrecking and Junkyards							A ⁴⁴				
Bakery, Farm ⁹⁷	P	P	P	P			P		P	P	
Bed and Breakfast Guesthouse ⁵⁸	P		P ¹¹⁵	P				P	P	P	
Bed and Breakfast Inn ⁵⁸	P		P ¹¹⁵	P				P	P	P	
Boarding House	P ¹⁵	P ¹⁵	P ^{15, 115}					P ¹⁵		P ¹⁵	
Boat Launch, Commercial ³¹		C							C		
Boat Launch, Non-commercial ³¹	C		C	C				C	C		
Campground								A ^{32,127}	C ³²		
Caretaker's Quarters	P		C	P			P				((P))
Cemetery and Funeral Home	P		C ¹¹⁵								
Church ^{41, 129}	P		C ¹¹⁵	C ³⁶	P						
Clubhouse	C		C ¹¹⁵	P	P ¹³³						
Commercial Vehicle Home Basing			C ³³								

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB ²⁶	CRC	RFS	RI	F	F&R	A-10	((MC))
Commercial Vehicle Storage Facility				P	P	P	P				
Community Facilities for Juveniles ¹⁰³											
1 to 8 residents			P ^{102, 115}	P	P						
9 to 24 residents			S ^{103, 115}	P	P						
Construction Contracting				p ^{80, 81}							
Dams, Power Plants, & Associated Uses									P		
Day Care Center ^{2, 129}	P		C ¹¹⁵	P	P	P					
Distillation of Alcohol	C ³⁴		C ^{34, 115}							C ³⁴	
Dock & Boathouse, Private, Non-commercial ^{3, 41}	P	P	P	P				P	P	P	
Dwelling, Duplex	P	P	P					P		P	
Dwelling, Mobile Home	P	P	P		P ⁶			P	P	P	((P))
Dwelling, Single Family	P	P	P		P			P	P	P	((P))
Equestrian Center ^{41, 70, 72}	P	C	C ¹¹⁵					C	P	C ⁷⁰	
Excavation & Processing of Minerals ²⁸	A, C	A, C	A, C				A, C	A, P, C	A, C		((A, C))
Explosives, Storage	C	C	C				C	P	C		((C))
Family Day Care Home ^{8, 130}	P		P ¹¹⁵	P	P			P		P	
Farm Product Processing											
Up to 5,000 sq ft	P	P	P ¹¹⁵	P			P	P		P	
Over 5,000 sq ft ⁹⁴	A	A	A ¹¹⁵	A			A	A		A	
Farm Support Business ⁹⁴	A	A	A ¹¹⁵	A			P			A	
Farm Stand											
Up to 400 sq ft ⁹	P	P	P ^{100, 115}	P	P	P	P	P	P	P	((P))
401 - 5,000 sq ft ^{99, 100}	P	P	P, A ¹⁰⁰	P	P	P	P	P	P	P	

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB ²⁶	CRC	RFS	RI	F	F&R	A-10	((MC))
Farm Workers Dwelling										P ¹⁰	
Farmers Market ⁹³	P	P	P ¹⁰¹ A ^{101,115}	P	P	P	P			P	
Farmland Enterprises ⁹⁵		A	A ¹¹⁵							A	
Fish Farm	P	P	P ¹¹⁵					P	P	P	
Forestry	P	P	P				P	P	P	P	((P))
Forestry Industry Storage & Maintenance Facility	P ³⁰	P					P	P	P		
Foster Home	P	P	P	P				P		P	
Fuel Yard ⁴³							P				
Garage, Detached Private Accessory ⁶⁰											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	((P))
2,401 - 4,000 sq ft on More than 3 Acres ^{41, 59}	P	P	P	P	P	P	P	P	P	P	((P))
2,401 - 4,000 sq ft on Less than 3 acres ^{41, 59}	A	A	A	A	A	A	A	A	A	A	((A))
4,001 sq ft and Greater ^{41, 59}	C	C	C		C	C	C	C	C	C	((C))
Garage, Detached Private Non-accessory ⁶⁰											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	((P))
2,401 sq ft and greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	((C))
Golf Course, Driving Range and Country Club	C		C ¹¹⁵	P						C ⁷⁴	
Government Structures & Facilities ^{27, 41}	C	C	C ¹¹⁵	C	P		C	C	C		((C))
Greenhouse, Lath House, Nurseries	P	P	P ¹¹⁵	P	P		P	P		P	
Guest House ⁸⁵	P	P	P	P				P	P	P	
Hazardous Waste Storage & Treatment Facilities Onsite ⁶⁵	P			P		P	P	P	P		

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB ²⁶	CRC	RFS	RI	F	F&R	A-10	((MC))
Health and Social Service Facility ⁹⁰											
Level I	P	P	P ¹¹⁵	P	P			P	P		((P))
Level II ^{41, 91, 129}			C ¹¹⁵	C							
Level III											
Home Occupation ¹¹	P	P	P	P	P			P	P	P	((P))
Homestead Parcel ⁴⁰	C		C ¹¹⁵							C	
Hotel/Motel				P		P					
Kennel, ⁴¹ Commercial ^{12, 130}	P	P	P ¹¹⁵					P		C	
Kennel, ⁴¹ Private-Breeding ¹³	P	P	P					P		P	
Kennel, ⁴¹ Private-Non-Breeding ¹³	P	P	P	P				P		P	
Kitchen, farm	P	P	P	P			P			P	
Laboratory				P			P				
Library ⁴¹	C		C ¹¹⁵	P							
Livestock Auction Facility	C ⁴⁸		C ^{48, 115}		P		P			C ⁴⁸	
Lumber Mill	C ²⁶	C ²⁶	C ^{26, 115}				P	P	P		
Lumberyard							P				
Manufacturing - All Other Forms Not Specifically Listed ⁸³				C			C				
Marijuana Processing ^{124, 131}							P			P	
Marijuana Production ^{124, 131}							P			P	
Marijuana Retail ^{131, 132}				C							
Mini-equestrian Center ^{41, 72}	P	P	P ¹¹⁵	P			P	P	P	P ⁷¹	
Mini Self-Storage				P		P	P				
Model Hobby Park ^{75, 130}			A ¹¹⁵							A	
Model House/Sales Office	P	P	P ¹¹⁵					P	P		
Motocross Racetrack ¹²⁹			C ¹¹³						C ¹¹³		

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB ²⁶	CRC	RFS	RI	F	F&R	A-10	((M))
Museum ^{41, 130}	C		C ¹¹⁵	P						C ⁶¹	
Neighborhood Services				P	P ¹³³						
Office and Banking				P	P ¹³³						
Off-road vehicle use area, private									C ¹⁰⁹		
Park, Public ^{14, 130}	P	P	P	P	P		P	P	P	P	((P))
Park-and-Pool Lot				P	P	P	P				
Park-and-Ride Lot	C	C	C	P		P		C	C		
Personal Wireless Service Facilities ^{27, 41, 104, 106, 130}	C	C	C	C	C	C	C	C	C	C	((E))
Public Events/Assemblies on Farmland ⁹⁶										P	
Race Track ^{24, 41, 129}			C ¹¹⁵								
Railroad Right-of-way	C	C	C ¹¹⁵		P		P	C	C	C	((E))
Recreational Facility Not Otherwise Listed ⁹⁸	C		C ¹¹⁵		P		P ⁷⁹	A, C ¹²⁷	A, C ¹²⁷	C	
Recreational Vehicle ¹⁹	P	P	P					P	P	P	
Recreational Vehicle Park									C		
Resort									C		
Restaurant				P ⁸⁰	P	P					
Retail, General				P	P ¹³³	P ⁸⁰					
Rural Industries ⁴¹	P ²⁵										
Sanitary Landfill ¹²⁹	C	C	C ¹¹⁵					C			((E))
Schools											
K-12 & Preschool ^{41, 68, 129}	C		C ¹¹⁵	P							
College ^{41, 68}	C		C ¹¹⁵								
Other ^{41, 68}				C			C				
Service Station ⁴¹				P	P	P					
Shooting Range ⁹²	C	C	C					C			
Sludge Utilization ³⁹	C	C, P ⁵⁰	C ¹¹⁵					C		C	((E ⁵⁶))
Small Animal Husbandry ⁴¹	P		P		P			P	P	P	((P))

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB ²⁶	CRC	RFS	RI	F	F&R	A-10	((MC))
Small Workshop				P			P				
Stables	P	P	P	P			P	P	P	P	
Stockyard or Slaughter House ¹²⁹							C ⁴⁸				
Storage, Retail Sales Livestock Feed			P ^{54, 115}	P			P			P	
Storage Structure, Accessory ⁶⁰											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	((P))
2,401 - 4,000 sq ft on More than 3 Acres ^{41, 59}	P	P	P	P	P	P	P	P	P	P	((P))
2,401 - 4,000 sq ft on Less than 3 acres ^{41, 59}	A	A	A	A	A	A	A	A	A	A	((A))
4,001 sq ft and Greater ^{41, 59}	C	C	C		C	C	C	C	C	C	((C))
Storage Structure, Non-accessory ⁶⁰											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	((P))
2,401 sq ft and greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	((C))
Studio ⁴¹	C ⁷⁷		C ^{77, 115}								
Supervised Drug Consumption Facility											
Swimming/Wading Pool ^{17, 41}	P	P	P					P	P	P	((P))
Temporary Dwelling During Construction	A	A	A	A	A	A	A	A	A	A	((A))
Temporary Dwelling For Relative ¹⁸	A	A	A					A	A	A	((A))
Temporary Logging Crew Quarters								P	P		
Temporary Residential Sales Coach ⁷³	A		A ¹¹⁵								
Transit Center	C	C	C ¹¹⁵	P			P	C	C		

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB ²⁶	CRC	RFS	RI	F	F&R	A-10	((M))
Ultralight Airpark ²⁰	C	C	C ¹¹⁵					C			
Utility Facilities, Electromagnetic Transmission & Receiving Facilities ^{27, 129}	C	C	C	C	P	C	P	C	C	C	((E))
Utility Facilities, Transmission Wires or Pipes & Supports ²⁷	P	P	P	P	P	P	P	P	P	P	((P))
Utility Facilities - All Other Structures ^{27, 41, 130}	C	C	C	C	P	C	P	C	C	C	((E))
Vehicle, Vessel and Equipment Sales and Rental					P ²³						
Veterinary Clinic	P		C ¹¹⁵	P	P					C	
Warehouse							P				
Wedding Facility ^{87, 130}		P	P ¹¹⁵							P	
Woodwaste Recycling and Woodwaste Storage	A ⁶³	C ⁵⁷	C ⁵⁷				A ⁶³	A ⁶³			

1

P - Permitted Use	<p>A blank box indicates a use is not allowed in a specific zone.</p> <p>Note: Reference numbers within matrix indicate special conditions apply; see SCC 30.22.130.</p> <p>Check other matrices in this chapter if your use is not listed above.</p>
A - Administrative Conditional Use	
C - Conditional Use	
S - Special Use	

2

3

Section 9. Snohomish County Code Section 30.22.130, last amended by Amended Ordinance No. 21-018 on June 9, 2021, is amended to read:

4

5

30.22.130 Reference notes for use matrices.

6

7

(1) *Airport, Stage 1 Utility.*

8

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

9

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

10

11

12

13

14

1 (c) When the airport is included in an airpark, the disclosure requirements of
2 SCC 30.28.005 shall apply.

3
4 (2) *Day Care Center.*

5
6 (a) In WFB, R-7,200, R-8,400, R-9,600, R-12,500, R-20,000, and SA-1 zones,
7 shall only be permitted in connection with and secondary to a school facility or
8 place of worship; and

9
10 (b) Outdoor play areas shall be fenced or otherwise controlled, and noise
11 buffering provided to protect adjoining residences.

12
13 (3) *Dock and Boathouse, Private, Non-commercial.* The following standards apply
14 outside of shoreline jurisdiction only. If located within shoreline jurisdiction, the
15 standards in SCC 30.67.517 apply instead.

16
17 (a) The height of any covered over-water structure shall not exceed 12 feet as
18 measured from the line of ordinary high water;

19
20 (b) The total roof area of covered, over-water structures shall not exceed 1,000
21 square feet;

22
23 (c) The entirety of such structures shall have a width no greater than 50 percent
24 of the width of the lot at the natural shoreline upon which it is located;

25
26 (d) No over-water structure shall extend beyond the mean low water mark a
27 distance greater than the average length of all preexisting over-water structures
28 along the same shoreline within 300 feet of either side of the parcel on which the
29 structure is proposed. Where no such preexisting structures exist within 300 feet,
30 the pier length shall not exceed 50 feet;

31
32 (e) Structures permitted hereunder shall not be used as a dwelling, nor shall any
33 boat moored at any wharf be used as a dwelling while so moored; and

34
35 (f) Covered structures are subject to a minimum setback of three feet from any
36 side lot line or extension thereof. No side yard setback shall be required for
37 uncovered structures. No rear yard setback shall be required for any structure
38 permitted hereunder.

39
40 (4) *Dwelling, Single-Family.* In the MHP zone, single-family detached dwellings are
41 limited to one per existing single legal lot of record.

42
43 (5) See chapter 30.31E SCC for rezoning to Townhouse zone, and chapter 30.23A
44 SCC for design standards applicable to single-family attached dwelling, mixed
45 townhouse, and townhouse development.

1
2 (6) *Dwelling, Mobile Home.*

3
4 (a) Shall be multi-sectioned by original design, with a width of 20 feet or greater
5 along its entire body length;

6
7 (b) Shall be constructed with a non-metallic type, pitched roof;

8
9 (c) Except where the base of the mobile home is flush to ground level, shall be
10 installed either with:

11
12 (i) skirting material which is compatible with the siding of the mobile
13 home; or

14
15 (ii) a perimeter masonry foundation;

16
17 (d) Shall have the wheels and tongue removed; and

18
19 (e) In the RU zone the above only applies if the permitted lot size is less than
20 20,000 square feet.

21
22 (7) RESERVED for future use.

23
24 (8) *Family Day Care Home.*

25
26 (a) No play yards or equipment shall be located in any required setback from a
27 street; and

28
29 (b) Outdoor play areas shall be fenced or otherwise controlled.

30
31 (9) *Farm Stand.*

32
33 (a) There shall be only one stand on each lot; and

34
35 (b) At least 50 percent by farm product unit of the products sold shall be grown,
36 raised or harvested in Snohomish County, and 75 percent by farm product unit of
37 the products sold shall be grown, raised or harvested in the state of Washington.

38
39 (10) *Farm Worker Dwelling.*

40
41 (a) At least one person residing in each farm worker dwelling shall be employed
42 full time in the farm operation;

43
44 (b) An applicant for a building permit for a farm worker dwelling shall provide a
45 declaration of farm worker occupancy on a form available from the department to

1 the department for review and approval. The applicant shall record the
2 declaration with the county auditor and provide a copy of the recorded
3 declaration to the department prior to issuance of the building permit for the farm
4 worker dwelling. Within 30 days of a sale or transfer of the property, the new
5 property owner(s) shall record a declaration of farm worker occupancy with the
6 county auditor and provide the department with a copy of the recorded
7 declaration;

8
9 (c) The number of farm worker dwellings shall be limited to one per each 20
10 acres under single contiguous ownership to a maximum of six total farm worker
11 dwellings, with no rounding provisions applied. Construction of the maximum
12 number of farm worker dwellings permitted shall be interpreted as exhausting all
13 farm worker dwelling potential of the land until such time as the property is legally
14 subdivided; and

15
16 (d) All farm worker dwellings must be built within a farm building cluster which
17 includes a farmhouse; and

18
19 (e) The floor area for an attached or detached farm worker dwelling, exclusive of
20 garages and porches, shall be a maximum of 1,200 square feet.

21
22 (11) *Home Occupation*. See SCC 30.28.050.

23
24 (12) *Kennel, Commercial*. There shall be a five-acre minimum lot area; except in the R-
25 5 and RD zones, where 200,000 square feet shall be the minimum lot area.

26
27 (13) *Kennel, Private-breeding, and Kennel, Private Non-breeding*. Where the animals
28 comprising the kennel are housed within the dwelling, the yard or some portion thereof
29 shall be fenced and maintained in good repair or to contain or to confine the animals
30 upon the property and restrict the entrance of other animals.

31
32 (14) *Parks, Publicly-owned and Operated*.

33
34 (a) No bleachers are permitted if the site is less than five acres in size;

35
36 (b) All lighting shall be shielded to protect adjacent properties; and

37
38 (c) No amusement devices for hire are permitted.

39
40 (15) *Boarding House*. There shall be accommodations for no more than two persons.

41
42 (16) RESERVED for future use (Social Service Center – DELETED by Amended Ord.
43 04-010 effective March 15, 2004)

1 (17) *Swimming/Wading Pool (not to include hot tubs and spas):* For the sole use of
2 occupants and guests.

3
4 (a) No part of the pool shall project more than one foot above the adjoining
5 ground level in a required setback; and

6
7 (b) The pool shall be enclosed with a fence not less than four feet high, of
8 sufficient design and strength to keep out children.

9
10 (18) *Temporary Dwelling for a Relative.*

11
12 (a) The dwelling shall be occupied only by a relative, by blood or marriage, of the
13 occupant(s) of the permanent dwelling;

14
15 (b) The relative must receive from, or administer to, the occupant of the other
16 dwelling continuous care and assistance necessitated by advanced age or
17 infirmity;

18
19 (c) The need for such continuous care and assistance shall be attested to in
20 writing by a licensed physician;

21
22 (d) The temporary dwelling shall be occupied by not more than two persons;

23
24 (e) Use as a commercial rental unit shall be prohibited;

25
26 (f) The temporary dwelling shall be situated not less than 20 feet from the
27 permanent dwelling on the same lot and shall not be located in any required yard
28 of the principal dwelling;

29
30 (g) A land use permit binder shall be executed by the landowner, recorded with
31 the Snohomish County auditor and a copy of the recorded document submitted
32 to the department for inclusion in the permit file;

33
34 (h) Adequate screening, landscaping, or other measures shall be provided
35 pursuant to SCC 30.25.028 to protect surrounding property values and ensure
36 compatibility with the immediate neighborhood;

37
38 (i) An annual renewal of the temporary dwelling permit, together with
39 recertification of need, shall be accomplished by the applicant through the
40 department in the same month of each year in which the initial mobile
41 home/building permit was issued;

42
43 (j) An agreement to terminate such temporary use at such time as the need no
44 longer exists shall be executed by the applicant and recorded with the
45 Snohomish County auditor; and

1
2 (k) Only one temporary dwelling may be established on a lot. The temporary
3 dwelling shall not be located on a lot on which a detached accessory dwelling
4 unit is located.
5

6 (19) *Recreational Vehicle.*
7

8 (a) There shall be no more than one per lot;
9

10 (b) Shall not be placed on a single site for more than 180 days in any 12-month
11 period; and
12

13 (c) Shall be limited in the floodways to day use only (dawn to dusk) during the
14 flood season (October 1st through March 30th) with the following exceptions:
15

16 (i) Recreational vehicle use associated with a legally occupied dwelling to
17 accommodate overnight guests for no more than a 21-day period;
18

19 (ii) Temporary overnight use by farm workers on the farm where they are
20 employed subject to subsections (19)(a) and (19)(b) of this section; and
21

22 (iii) Subject to subsections (19)(a) and (19)(b) of this section and SCC
23 30.65.120(7), temporary overnight use in a mobile home park, which has
24 been in existence continuously since 1970 or before, that provides septic
25 or sewer service, water and other utilities, and that has an RV flood
26 evacuation plan that has been approved and is on file with the department
27 of emergency management and department of planning and development
28 services.
29

30 (20) *Ultralight Airpark.*
31

32 (a) Applicant shall submit a plan for the ultralight airpark showing the location of
33 all buildings, ground circulation, and parking areas, common flight patterns, and
34 arrival and departure routes;
35

36 (b) Applicant shall describe in writing the types of activities, events, and flight
37 operations which are expected to occur at the airpark; and
38

39 (c) Approval shall be dependent upon a determination by the county decision
40 maker that all potential impacts such as noise, safety hazards, sanitation, traffic,
41 and parking are compatible with the site and neighboring land uses, particularly
42 those involving residential uses or livestock or small animal husbandry; and
43 further that the proposed use can comply with Federal Aviation Administration
44 regulations (FAR Part 103), which state that ultralight vehicle operations will not:
45

- 1 (i) create a hazard for other persons or property;
- 2
- 3 (ii) occur between sunset and sunrise;
- 4
- 5 (iii) occur over any substantially developed area of a city, town, or
- 6 settlement, particularly over residential areas or over any open air
- 7 assembly of people; or
- 8
- 9 (iv) occur in an airport traffic area, control zone, terminal control area, or
- 10 positive control area without prior authorization of the airport manager with
- 11 jurisdiction.
- 12

13 (21) RESERVED for future use.

14

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

16 limitation.

17

18 (23) *Vehicle, Vessel and Equipment Sales and Rental*. In the CB and CRC zone, all

19 display, storage, and sales activities shall be conducted within a structure enclosed by

20 walls on at least two sides.

21

22 (24) *Race Track*. The track shall be operated in such a manner so as not to cause

23 offense by reason of noise or vibration beyond the boundaries of the subject property.

24

25 (25) *Rural Industry*.

26

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

28

29 (b) All operations shall be carried out in a manner so as to avoid the emission or

30 creation of smoke, dust, fumes, odors, heat, glare, vibration, noise, traffic,

31 surface water drainage, sewage, water pollution, or other emissions which are

32 unduly or unreasonably offensive or injurious to properties, residents, or

33 improvements in the vicinity;

34

35 (c) The owner of the rural industry must reside on the same premises as the

36 rural industry and, in the RD zone, the residence shall be considered as a

37 caretaker's quarters; and

38

39 (d) Outside storage, loading or employee parking in the RD zone shall provide

40 15-foot wide Type A landscaping as defined in SCC 30.25.017.

41

42 (26) See SCC 30.31F.110 for performance standards specific to the Rural Business

43 zone.

44

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

4
5 (28) *Excavation and Processing of Minerals.*

6
7 (a) This use, as described in SCC (~~30.31D.010(2)~~) 30.32C.010(2), is allowed in
8 the identified zones only where these zones coincide with the mineral lands
9 designation in the comprehensive plan (mineral resource overlay or MRO)(~~;~~
10 ~~except for the MC zone where mineral lands designation is not required~~)).

11
12 (b) An Administrative Conditional Use Permit or a Conditional Use Permit is
13 required pursuant to SCC (~~30.31D.030~~) 30.32C.030.

14
15 (c) Excavation and processing of minerals exclusively in conjunction with forest
16 practices regulated pursuant to chapter 76.09 RCW is permitted outright in the
17 Forestry zone.

18
19 (29) *Medical Clinic, Licensed Practitioner.* A prescription pharmacy may be permitted
20 when located within the main building containing licensed practitioner(s).

21
22 (30) Forest Industry Storage & Maintenance Facility (except harvesting) adjacent to
23 property lines in the RU zone shall provide 15-foot wide Type A landscaping as defined
24 in SCC 30.25.017.

25
26 (31) *Boat Launch Facilities, Commercial or Non-commercial.*

27
28 (a) The hearing examiner may regulate, among other factors, required launching
29 depth, lengths of existing docks and piers;

30
31 (b) Off-street parking shall be provided in an amount suitable to the expected
32 usage of the facility. When used by the general public, the guideline should be 32
33 to 40 spaces capable of accommodating both a car and boat trailer for each
34 ramp lane of boat access to the water;

35
36 (c) A level vehicle-maneuvering space measuring at least 50 feet square shall
37 be provided;

38
39 (d) Pedestrian access to the water separate from the boat launching lane or
40 lanes may be required where it is deemed necessary in the interest of public
41 safety;

42
43 (e) Safety buoys shall be installed and maintained separating boating activities
44 from other water-oriented recreation and uses where this is reasonably required
45 for public safety, welfare, and health; and

1
2 (f) All site improvements for boat launch facilities shall comply with all other
3 requirements of the zone in which it is located.

4
5 (32) *Campground.*

6
7 (a) The maximum overall density shall be seven camp or tent sites per acre in
8 Forestry and Recreation (F&R) zoning and two camp or tent sites per acre in
9 Forestry (F) zoning;

10
11 (b) The minimum site size shall be 10 acres; and

12
13 (c) Campgrounds in Forestry (F) zoning may not provide utility hookups (e.g.
14 water, electric, sewage) to individual campsites; such hookups are allowed in
15 campgrounds with Forestry and Recreation (F&R) zoning.

16
17 (33) *Commercial Vehicle Home Basing.*

18
19 (a) The vehicles may be parked and maintained only on the property wherein
20 resides a person who uses them in their business;

21
22 (b) Two or more vehicles may be so based; and

23
24 (c) The vehicles shall be in operable condition.

25
26 (34) *Distillation of Alcohol.*

27
28 (a) The distillation shall be from plant products, for the purpose of sale as fuel,
29 and for the production of methane from animal waste produced on the premises;

30
31 (b) Such distillation shall be only one of several products of normal agricultural
32 activities occurring on the premises; and

33
34 (c) By-products created in this process shall be used for fuel or fertilizer on the
35 premises.

36
37 (35) RESERVED for future use (Group Care Facility – DELETED by Amended Ord. 04-
38 010 effective March 15, 2004)

39
40 (36) Churches are exempt from the Rural Business zone performance standards in
41 SCC 30.31F.110(1) and (2).

42
43 (37) *Small Animal Husbandry.* There shall be a five-acre minimum site size.
44

- 1 (38) *Mobile Home Park*. Such development must fulfill the requirements of chapter
2 30.42E SCC.
3
- 4 (39) *Sludge Utilization*. See SCC 30.28.085.
5
- 6 (40) *Homestead Parcel*. See SCC 30.28.055.
7
- 8 (41) Special Setback Requirements for this use are contained in SCC 30.23.110(26) or
9 SCC 30.67.595 if within shoreline jurisdiction.
10
- 11 (42) In the R-12,500 and WFB zones, the minimum lot size for duplexes shall be one
12 and one-half times the minimum lot size for single-family dwellings.
13
- 14 (43) *Petroleum Products and Gas, Bulk Storage*.
15
- 16 (a) All above ground storage tanks shall be set back from all property lines in
17 accordance with requirements in the International Fire Code (IFC); and
18
- 19 (b) Storage tanks below ground shall be set back no closer to the property line
20 than a distance equal to the greatest dimensions (diameter, length or height) of
21 the buried tank.
22
- 23 (44) *Auto Wrecking Yards and Junkyards*. A sight-obscuring fence a minimum of seven
24 feet high shall be established and maintained to the interior side of the required
25 perimeter landscaping area in the LI and RI zones. For perimeter landscaping
26 requirements for this use in all zones, see SCC 30.25.020.
27
- 28 (45) *Antique Shops*. When established as a home occupation as regulated by SCC
29 30.28.050(1); provided further that all merchandise sold or offered for sale shall be
30 predominantly "antique" and antique-related objects.
31
- 32 (46) *Billboards*. See SCC 30.27.080 for specific requirements.
33
- 34 (47) RESERVED for future use.
35
- 36 (48) *Stockyard and Livestock Auction Facility*. The minimum lot size is 10 acres.
37
- 38 (49) *Restaurants and Personal Service Shops*. Located to service principally the
39 constructed industrial park uses.
40
- 41 (50) *Sludge Utilization*. A conditional use permit is required for manufacture of materials
42 by a non-governmental agency containing stabilized or digested sludge for a public
43 utilization.
44
- 45 (51) RESERVED for future use.

- 1
2 (52) RESERVED for future use.
3
4 (53) *Retail Store*. See SCC 30.31A.120 for specific requirements for retail stores in the
5 BP zone.
6
7 (54) Retail Sales of Hay, Grain, and Other Livestock Feed are permitted on site in
8 conjunction with a livestock auction facility.
9
10 (55) Noise of Machines and Operations in the LI and HI zones shall comply with
11 chapter 10.01 SCC and machines and operations shall be muffled so as not to become
12 objectionable due to intermittence, beat frequency, or shrillness.
13
14 (56) *Sludge Utilization*. Only at a completed sanitary landfill or on a completed cell
15 within a sanitary landfill, subject to the provision of SCC 30.28.085.
16
17 (57) *Woodwaste Recycling and Woodwaste Storage Facility*. See SCC 30.28.095.
18
19 (58) *Bed and Breakfast Guesthouses and Bed and Breakfast Inns*. See SCC
20 30.28.020.
21
22 (59) *Detached Accessory or Non-Accessory Private Garages and Storage Structures*.
23 Subject to the following requirements:
24
25 (a) Special setback requirements for these uses are contained in SCC
26 30.23.110(20);
27
28 (b) Artificial lighting shall be hooded or shaded so that direct outside lighting, if
29 any, will not result in glare when viewed from the surrounding property or rights-
30 of-way;
31
32 (c) The following compatibility standards shall apply:
33
34 (i) proposals for development in existing neighborhoods with a well-
35 defined character should be compatible with or complement the highest
36 quality features, architectural character and siting pattern of neighboring
37 buildings. Where there is no discernable pattern, the buildings shall
38 complement the neighborhood. Development of detached private garages
39 and storage structures shall not interrupt the streetscape or dwarf the
40 scale of existing buildings of existing neighborhoods. Applicants may refer
41 to the Residential Development Handbook for Snohomish County
42 Communities to review techniques recommended to achieve
43 neighborhood compatibility;
44

1 (ii) building plans for all proposals larger than 2,400 square feet in the
2 Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and
3 rural cluster subdivisions shall document the use of building materials
4 compatible and consistent with existing on-site residential development
5 exterior finishes;
6

7 (iii) in the Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500
8 zones and rural cluster subdivisions, no portion of a detached accessory
9 private garage or storage structure shall extend beyond the building front
10 of the existing single-family dwelling, unless screening, landscaping, or
11 other measures are provided to ensure compatibility with adjacent
12 properties; and
13

14 (iv) in the Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500
15 zones and rural cluster subdivisions, no portion of a detached non-
16 accessory private garage or storage structure shall extend beyond the
17 building front of existing single-family dwellings on adjacent lots where the
18 adjacent dwellings are located within 10 feet of the subject property line.
19 When a detached non-accessory private garage or storage structure is
20 proposed, the location of existing dwellings on adjacent properties located
21 within 10 feet of the subject site property lines shall be shown on the site
22 plan;
23

24 (d) All detached accessory or non-accessory private garages and storage
25 structures proposed with building footprints larger than 2,400 square feet shall
26 provide screening or landscaping from adjacent properties pursuant to chapter
27 30.25 SCC;
28

29 (e) On lots less than 10 acres in size having no established residential use, only
30 one non-accessory private garage and one storage structure shall be allowed.
31 On lots 10 acres or larger without a residence where the cumulative square
32 footage of all existing and proposed non-accessory private garages and storage
33 structures is 6,000 square feet or larger, a conditional use permit shall be
34 required.
35

36 (f) Where permitted, separation between multiple private garages or storage
37 structures shall be regulated pursuant to subtitle 30.5 SCC.
38

39 (60) The cumulative square footage of all detached accessory and non-accessory
40 private garages and storage structures shall not exceed 6,000 square feet on any lot
41 less than five acres, except this provision shall not apply in the LDMR, MR, T, NB, GC,
42 PCB, CB, FS, BP, IP, LI, HI, RB, RFS, CRC and RI zones.
43

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

1
2 (62) *Accessory Dwelling Units*. See SCC 30.28.010.

3
4 (63) *Temporary Woodwaste Recycling and Temporary Woodwaste Storage Facilities*.
5 See SCC 30.28.090.

6
7 (64) RESERVED for future use.

8
9 (65) *On-Site Hazardous Waste Treatment and Storage Facilities*. Allowed only as an
10 incidental use to any use generating hazardous waste which is otherwise allowed;
11 provided that such facilities demonstrate compliance with the state siting criteria for
12 dangerous waste management facilities pursuant to RCW 70.105.210 and WAC 173-
13 303-282, as now written or hereafter amended.

14
15 (66) An application for a conditional use permit to allow an off-site hazardous waste
16 treatment and storage facility shall demonstrate compliance with the state siting criteria
17 for dangerous waste management facilities pursuant to RCW 70.105.210 and WAC
18 173-303-282 as now written or hereafter amended.

19
20 (67) *Adult Entertainment Uses*. See SCC 30.28.015.

21
22 (68) Special Building Height provisions for this use are contained in SCC
23 30.23.050(2)(d).

24
25 (69) RESERVED for future use.

26
27 (70) *Equestrian Centers*. Allowed with a conditional use permit on all lands zoned A-10
28 except in that portion of the special flood hazard area of the lower Snohomish and
29 Stillaguamish rivers designated density fringe as described in chapter 30.65 SCC.

30
31 (71) Mini-Equestrian Centers are allowed as a permitted use on all lands zoned A-10
32 except in that portion of the special flood hazard area of the lower Snohomish and
33 Stillaguamish rivers designated density fringe as described in chapter 30.65 SCC.

34
35 (72) Equestrian Centers and Mini-equestrian Centers require the following:

36
37 (a) Five-acre minimum site size for a mini-equestrian center;

38
39 (b) Covered riding arenas shall not exceed 15,000 square feet for a mini-
40 equestrian center; provided that stabling areas, whether attached or detached,
41 shall not be included in this calculation;

42
43 (c) Any lighting of an outdoor or covered arena shall be shielded so as not to
44 glare on surrounding properties or rights-of-way;

1 (d) On sites located in RC and R-5 zones, Type A landscaping as defined in
2 SCC 30.25.017 is required to screen any outside storage, including animal waste
3 storage, and parking areas from adjacent properties;

4
5 (e) Riding lessons, rentals, or shows shall only occur between 8:00 a.m. and
6 9:00 p.m.;

7
8 (f) Outside storage, including animal waste storage, and parking areas shall be
9 set back at least 30 feet from any adjacent property line. All structures shall be
10 set back as required in SCC 30.23.110(8); and

11
12 (g) The facility shall comply with all applicable county building, health, and fire
13 code requirements.

14
15 (73) *Temporary Residential Sales Coach (TRSC).*

16
17 (a) The commercial coach shall be installed in accordance with all applicable
18 provisions within chapter 30.54A SCC;

19
20 (b) The TRSC shall be set back a minimum of 20 feet from all existing and
21 proposed road rights-of-way and five feet from proposed and existing property
22 lines;

23
24 (c) Vehicular access to the temporary residential sales coach shall be approved
25 by the county or state; and

26
27 (d) Temporary residential sales coaches may be permitted in approved
28 preliminary plats, prior to final plat approval, when the following additional
29 conditions have been met:

30
31 (i) plat construction plans have been approved;

32
33 (ii) the fire marshal has approved the TRSC proposal;

34
35 (iii) proposed lot lines for the subject lot are marked on site; and

36
37 (iv) the site has been inspected for TRSC installation to verify compliance
38 with all applicable regulations and plat conditions, and to assure that land
39 disturbing activity, drainage, utilities infrastructure, and native growth
40 protection areas are not adversely affected.

41
42 (74) *Golf Course and Driving Range.* In the A-10 zone, artificial lighting of the golf
43 course or driving range shall not be allowed. Land disturbing activity shall be limited in
44 order to preserve prime farmland. At least 75 percent of prime farmland on site shall
45 remain undisturbed.

1
2 (75) *Model Hobby Park*. SCC 30.28.060.

3
4 (76) *Commercial Retail Uses*. Not allowed in the Light Industrial and Industrial Park
5 zones when said zones are located in the Maltby UGA of the comprehensive plan, and
6 where such properties are, or can be served by railway spur lines.

7
8 (77) *Studio*. Studio uses may require the imposition of special conditions to ensure
9 compatibility with adjacent residential, multiple family, or rural-zoned properties. The
10 hearing examiner may impose such conditions when deemed necessary pursuant to the
11 provisions of chapter 30.42C SCC. The following criteria are provided for hearing
12 examiner consideration when specific circumstances necessitate the imposition of
13 conditions:

14
15 (a) The number of nonresident artists and professionals permitted to use a
16 studio at the same time may be limited to no more than 10 for any lot 200,000
17 square feet or larger in size, and limited to five for any lot less than 200,000
18 square feet in size;

19
20 (b) The hours of facility operation may be limited; and

21
22 (c) Landscape buffers may be required to visually screen facility structures or
23 outdoor storage areas when the structures or outdoor storage areas are
24 proposed within 100 feet of adjacent residential, multiple family, and rural-zoned
25 properties. The buffer shall be an effective site obscuring screen consistent with
26 Type A landscaping as defined in SCC 30.25.017.

27
28 (78) RESERVED for future use.

29
30 (79) The gross floor area of the use shall not exceed 2,000 square feet.

31
32 (80) The gross floor area of the use shall not exceed 4,000 square feet.

33
34 (81) The construction contracting use in the Rural Business zone shall be subject to the
35 following requirements:

36
37 (a) The use complies with all of the performance standards required by SCC
38 30.31F.100 and 30.31F.110;

39
40 (b) Not more than 1,000 square feet of outdoor storage of materials shall be
41 allowed and shall be screened in accordance with SCC 30.25.024;

42
43 (c) In addition to the provisions of subsection (81)(b) of this section, not more
44 than five commercial vehicles or construction machines shall be stored outdoors
45 and shall be screened in accordance with SCC 30.25.020 and 30.25.032;

1
2 (d) The on-site fueling of vehicles shall be prohibited; and

3
4 (e) The storage of inoperable vehicles and hazardous or earth materials shall be
5 prohibited.

6
7 (82) *Manufacturing, Heavy includes the following uses.* Distillation of wood, coal,
8 bones, or the manufacture of their by-products; explosives manufacturing; manufacture
9 of fertilizer; extraction of animal or fish fat or oil; forge, foundry, blast furnace or melting
10 of ore; manufacturing of acid, animal black/black bone, cement or lime, chlorine,
11 creosote, fertilizer, glue or gelatin, potash, pulp; rendering of fat, tallow and lard, rolling
12 or booming mills; tannery; or tar distillation and manufacturing. See SCC 30.91M.028.

13
14 (83) "All other forms of manufacture not specifically listed" is a category which uses
15 manufacturing workers, as described under the Dictionary of Occupational Titles,
16 published by the U.S. Department of Labor, to produce, assemble or create products
17 and which the director finds consistent with generally accepted practices and
18 performance standards for the industrial zone where the use is proposed. See SCC
19 30.91M.024 and 30.91M.026.

20
21 (84) RESERVED for future use.

22
23 (85) A single-family dwelling may have only one guesthouse.

24
25 (86) Outdoor display or storage of goods and products is prohibited on site.

26
27 (87) *Wedding Facility.*

28
29 (a) A wedding facility is permitted only:

30
31 (i) on vacant and undeveloped land;

32
33 (ii) on developed land, but entirely outside of any permanent structure;

34
35 (iii) partially outside of permanent structures and partially inside of one or
36 more permanent structures which were legally existing no less than eight
37 years prior to the date of the submittal of a permit application for the
38 wedding facility; or

39
40 (iv) entirely inside of one or more permanent structures which were legally
41 existing no less than eight years prior to the date of the submittal of a
42 permit application for the wedding facility;

43
44 (b) A wedding facility, including any structures and adjacent outdoor space used
45 in conjunction with the wedding facility business, shall comply with the following:

- (i) noise control provisions of chapter 10.01 SCC;
- (ii) adequate vehicular sight distance and safe turning movements exist at the access to the site consistent with county engineering design and development standards (EDDS);
- (iii) adequate sanitation facilities are provided on site pursuant to chapter 30.50 SCC and applicable Snohomish Health District provisions;
- (iv) adequate on-site parking shall be provided for the use pursuant to SCC 30.26.035; and
- (v) all other applicable regulations in Title 30 SCC including, but not limited to, flood hazard regulations in hazard regulations in 30.65 SCC;

(c) A certificate of occupancy shall be obtained pursuant to chapter 30.52A SCC for the use of any existing structure. The certificate of occupancy shall be subject to an annual inspection and renewal pursuant to SCC 30.53A.361 to ensure building and fire code compliance.

(88) *Public/Institutional Use Designation (P/IU)*. When applied to land that is (a) included in an Urban Growth Area and (b) designated P/IU on the Snohomish County Future Land Use Map concurrent with or prior to its inclusion in a UGA, the R-7,200, R-8,400 and R-9,600 zones shall allow only the following permitted or conditional uses: churches, and school instructional facilities. All other uses are prohibited within areas that meet criteria (a) and (b), unless the P/IU designation is changed.

(89) *Hotel/Motel Uses*. Permitted in the Light Industrial zone when the following criteria are met:

- (a) The Light Industrial zone is located within a municipal airport boundary;
- (b) The municipal airport boundary includes no less than 1,000 acres of land zoned light industrial; and
- (c) The hotel/motel use is served by both public water and sewer.

(90) Health and Social Service Facilities regulated under this title do not include secure community transition facilities (SCTFs) proposed pursuant to chapter 71.09 RCW. See SCC 30.91H.095.

- (a) Snohomish County is preempted from regulation of SCTFs. In accordance with the requirements of state law the county shall take all reasonable steps permitted by chapter 71.09 RCW to ensure that SCTFs comply with applicable

1 siting criteria of state law. Every effort shall be made by the county through the
2 available state procedures to ensure strict compliance with all relevant public
3 safety concerns, such as emergency response time, minimum distances to be
4 maintained by the SCTF from "risk potential" locations, electronic monitoring of
5 individual residents, household security measures and program staffing.
6

7 (b) Nothing herein shall be interpreted as to prohibit or otherwise limit the county
8 from evaluating, commenting on, or proposing public safety measures to the
9 state of Washington in response to a proposed siting of a SCTF in Snohomish
10 County.

11 (c) Nothing herein shall be interpreted to require or authorize the siting of more
12 beds or facilities in Snohomish County than the county is otherwise required to
13 site for its SCTFs pursuant to the requirements of state law.
14

15
16 (91) *Level II Health and Social Service Uses*. Allowed outside the UGA only when the
17 use is not served by public sewer.

18
19 (92) The area of the shooting range devoted to retail sales of guns, bows, and related
20 equipment shall not exceed one-third of the gross floor area of the shooting range and
21 shall be located within a building or structure.
22

23 (93) *Farmers Market*. See SCC 30.28.036.

24 (94) *Farm Product Processing and Farm Support Business*. See SCC 30.28.038.

25 (95) *Farmland Enterprise*. See SCC 30.28.037.

26
27 (96) *Public Events/Assemblies on Farmland*. Such event or assembly shall:
28

29 (a) Comply with the requirements of SCC 30.53A.800; and
30

31 (b) Not exceed two events per year. No event shall exceed two weeks in
32 duration.
33

34
35 (97) *Bakery, Farm*. The gross floor area of the use shall not exceed 1,000 square feet.
36

37 (98) *Recreational Facility Not Otherwise Listed in A-10 zone, Forestry (F), or Forestry
38 and Recreation (F&R) zones*. See SCC 30.28.076.
39

40 (99) *Farm Stand*. See SCC 30.28.039.
41

42 (100) *Farm Stand*. Allowed as a Permitted Use (P) when sited on land designated
43 riverway commercial farmland, upland commercial farmland or local commercial
44 farmland in the comprehensive plan. Allowed as an Administrative Conditional Use (A)
45

1 when sited on land not designated riverway commercial farmland, upland commercial
2 farmland or local commercial farmland in the comprehensive plan.

3
4 (101) *Farmers Market*. Allowed as a Permitted Use (P) when sited on land designated
5 riverway commercial farmland, upland commercial farmland or local commercial
6 farmland in the comprehensive plan. Allowed as an Administrative Conditional Use (A)
7 when sited on land not designated riverway commercial farmland, upland commercial
8 farmland or local commercial farmland in the comprehensive plan.

9
10 (102) Community Facilities for Juveniles in R-5 zones must be located within one mile
11 of an active public transportation route at the time of permitting.

12
13 (103) All community facilities for juveniles shall meet the performance standards set
14 forth in SCC 30.28.025.

15
16 (104) Personal wireless service facilities are subject to development standards in
17 chapter 30.28A SCC, parking standards in SCC 30.26.030, setback requirements in
18 SCC 30.23.110(26) or SCC 30.67.595 if within shoreline jurisdiction, and landscaping
19 standards in chapter 30.25 SCC.

20
21 (105) RESERVED for future use.

22
23 (106) See SCC 30.28A.050(2) for instances when a personal wireless service facility
24 does not require a conditional use permit.

25
26 (107) *Agricultural Composting Requirements*.

27
28 (a) On-farm site agricultural composting operations that comply with the
29 requirements established in this section are allowed in the A-10 zone. These
30 composting facilities and operations shall be constructed and operated in
31 compliance with all applicable federal, state and local laws, statutes, rules and
32 regulations. The Nutrient Management Plan portion of the farm's Snohomish
33 Conservation District Farm Plan or any other established nutrient management
34 plan must be on file with the department when any application for a land use
35 permit or approval is submitted to the department for the development of an
36 agricultural composting facility. Farm site agricultural composting operations shall
37 also comply with the following criteria:

38
39 (i) The composting operation shall be limited to 10 percent of the total
40 farm site area;

41
42 (ii) At least 50 percent of the composted materials shall be agricultural
43 waste;

1 (iii) At least 10 percent of the agricultural wastes must be generated on
2 the farm site;

3
4 (iv) A maximum of 500 cubic yards of unsuitable incidental materials
5 accumulated in the agricultural waste such as rock, asphalt, or concrete
6 over three inches in size may be stored at the farm composting facility
7 until its proper removal. All incidental materials must be removed from the
8 site yearly; and

9
10 (v) A minimum of 10 percent of the total volume of the finished compost
11 produced annually shall be spread on the farm site annually.

12
13 (b) In all other zones except A-10 where agriculture is a permitted use, incidental
14 agricultural composting of agricultural waste generated on a farm site is
15 permitted. The agricultural composting facility shall be constructed and operated
16 in compliance with all applicable federal, state and local laws, statutes, rules and
17 regulations. The Nutrient Management Plan portion of the farm's Snohomish
18 Conservation District Farm Plan or any other established nutrient management
19 plan must be on file with the department when any permit application is
20 submitted to the department for the development of an agricultural composting
21 facility.

22
23 (108) RESERVED for future use. (Urban Center Demonstration Program projects –
24 DELETED by Ord. 09-079)

25
26 (109) Privately operated off-road vehicle (ORV) use areas shall be allowed by
27 conditional use permit on Forestry and Recreation (F&R) zoned property designated
28 Forest on the comprehensive plan future land use map. These areas shall be identified
29 by an F&R ORV suffix on the zoning map. Privately operated ORV use areas are
30 regulated pursuant to SCC 30.28.080 and 30.28.086 and other applicable county codes.

31
32 (110) RESERVED for future use.

33
34 (111) RESERVED for future use.

35
36 (112) RESERVED for future use. (Transfer of Development Rights receiving area
37 overlay – DELETED by Amended Ord. 13-064)

38
39 (113) *Privately Operated Motocross Racetracks*. Allowed by conditional use permit, and
40 are regulated pursuant to SCC 30.28.100 and 30.28.105, and other applicable county
41 codes. Motocross racetracks are allowed in the Forestry and Recreation (F&R) zone
42 only on commercial forest lands.

43
44 (114) New AM Radio Towers are prohibited. AM radio towers either constructed before
45 October 13, 2010, or with complete applications for all permits and approvals required

1 for construction before October 13, 2010, shall not be considered nonconforming uses
2 and they may be repaired, replaced, and reconfigured as to the number and dimensions
3 of towers so long as the repair, replacement, or reconfiguration occurs on the parcel
4 where the tower was originally constructed or permitted and it does not increase the
5 number of AM radio towers constructed on the parcel.

6
7 (115) This use is prohibited in the R-5 zone with the Mineral Resource Overlay (MRO).
8 Public park is a permitted use on reclaimed portions of mineral excavation sites with the
9 MRO.

10
11 (116) See cottage housing design standard requirements in chapter 30.41G SCC.

12
13 (117) RESERVED for future use.

14
15 (118) RESERVED for future use.

16
17 (119) Only building mounted personal wireless service facilities or personal wireless
18 service facilities located on utility poles, streetlight poles, or traffic signal poles as
19 specified in SCC 30.28A.055 shall be permitted.

20
21 (120) Allowed as a conditional use only with a Park-and-Pool Lot or a Park-and-Ride
22 Lot.

23
24 (121) Permitted as an incidental use with a permitted use, conditional use or
25 administrative conditional use.

26
27 (122) Products or merchandise offered for sale or storage by a business may be
28 located outdoors; provided, that:

29
30 (a) The area occupied by the display shall not exceed 500 square feet; and

31
32 (b) Public sidewalks shall not be enclosed as space for sales or storage by
33 fencing or other means that effectively limits public use of the sidewalk.

34
35 (123) Such uses, except those as provided for in SCC 30.34A.010(4)(d), are permitted
36 only in structures which are legally existing on May 29, 2010. Such uses, except those
37 as provided for in SCC 30.34A.010(4)(d), shall also comply with subsection (122) of this
38 section.

39
40 (124) The minimum lot size for marijuana related facilities is 100,000 square feet.
41 Marijuana production and marijuana processing are allowed indoors and outdoors,
42 including in greenhouses and other structures pursuant to chapter 314-55 WAC. In the
43 A-10 zone, marijuana uses shall be subject to the same regulations that apply to
44 agricultural uses and not subject to any more restrictive regulations except as
45 specifically provided in this title and in state law. Marijuana processing is only allowed

1 when there is a marijuana production facility on site. Marijuana facilities are subject to
2 special setbacks pursuant to SCC 30.23.110(28).

3
4 (125) Marijuana production and processing is permitted indoors only; no outdoor
5 production or processing is allowed.

6
7 (126) RESERVED for future use.

8
9 (127) Campgrounds and recreational facilities not otherwise listed are not allowed on
10 land designated Local Forest in the comprehensive plan.

11
12 (128) Development applications for all non-tribally owned, fee-simple properties
13 designated Reservation Commercial on the Snohomish County Future Land Use Map
14 must include an archaeology site report pursuant to SCC 30.32D.200(3)(b) or relocate
15 the project to avoid impacts to any archaeological resources.

16
17 (129) Development within an airport compatibility area is subject to the requirements of
18 chapter 30.32E SCC.

19
20 (130) On land designated as riverway commercial farmland, upland commercial
21 farmland or local commercial farmland or land zoned A-10 the following additional
22 requirements apply:

23
24 (a) the applicant must demonstrate that the use is incidental to the primary use
25 of the site for agricultural purposes and supports, promotes or sustains
26 agricultural operations and production;

27
28 (b) the use must be located, designed, and operated so as to not interfere with,
29 and to support the continuation of, the overall agricultural use of the property and
30 neighboring properties;

31
32 (c) the use and all activities and structures related to the use must be consistent
33 with the size, scale, and intensity of the existing agricultural use of the property
34 and the existing buildings on the site;

35
36 (d) the use and all activities and structures related to the use must be located
37 within the general area of the property that is already developed for buildings and
38 residential uses;

39
40 (e) where the property is less than 10 acres in size, the use and all structures
41 and activities related to the use shall not convert more than 10 percent of
42 agricultural land to nonagricultural uses;

1 (f) where the property is 10 acres in size or more, the use and all structures and
2 activities related to the use shall not convert more than one acre of agricultural
3 land to nonagricultural uses; and

4
5 (g) any land disturbing activity required to support the use shall be limited to
6 preserve prime farmland.
7

8 The provisions of subsections (130)(a) through (130)(f) of this section do not apply to
9 any land under ownership or acquired before May 24, 2015, by any local, county,
10 regional, or state agency for recreation, public park and/or trail purposes. Any new
11 development, alterations or reconstruction on these properties shall meet subsection
12 (130)(g) of this section and the requirements of the A-10 zone. All buildings and parking
13 areas shall be set back a minimum of 50 feet from the property boundaries. If the park
14 or trail use produces adverse conditions that will unduly affect an adjacent agricultural
15 use, the director may impose a larger setback to alleviate the effects of such adverse
16 conditions, which include but are not limited to noise, vibration, dust, and light.
17

18 (131) Marijuana-related facilities are prohibited within the exterior boundaries of the
19 Tulalip Indian Reservation.
20

21 (132) *Marijuana Retail*. See SCC 30.28.120.
22

23 (133) Only the following uses are permitted in the CRC zone: clubhouses, grooming
24 parlors, personal service shops, offices, tool sales and rental, locksmith, home
25 improvement centers, retail bakeries, drug stores, grocery stores, hardware stores,
26 general retail, second hand stores, specialty stores, and tire stores.
27

28 (134) *Material Recovery Facility*. See SCC 30.28.110.
29

30 (135) Retail, general uses may be allowed with an administrative conditional use permit
31 only when part of a new mixed-use development that includes residential dwellings or
32 when occupying a former residential structure (or portion of a residential structure). The
33 proposed retail use in the MR zone must meet the following criteria:
34

35 (a) The retail use has frontage on an arterial road as shown on the Countywide
36 Arterial Circulation Map;
37

38 (b) The gross leasable area of retail space may not exceed 6,000 square feet;
39 and
40

41 (c) Products or merchandise offered for sale or storage by a business may be
42 located outdoors except that the area occupied by the display may not exceed
43 500 square feet and public sidewalks may not be enclosed as space for sales or
44 storage by fencing or other means that effectively limits public use of the
45 sidewalk.

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

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

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

Section 10. Snohomish County Code Section 30.23.030, last amended by Ordinance No. 20-080 on December 16, 2020, is amended to read:

30.23.030 Rural, Resource, Urban (Non-Residential) and other zone categories – Bulk matrix.

		Lot Dimension (ft) ⁵⁴				Setback Requirements From: (ft) ¹¹					
Category	Zone	Max. Bldg. Height (ft) ^{27,64}	Min. Lot Area ^{22,29}	Min. Lot Width	Min. Corner Lot Width	Commercial and Industrial Zones	Residential, Multifamily, and Rural Zones ³³	Resource Lands ³³		Water Bodies ¹²	Max. Lot Coverage ⁸
								Ag ²⁰	Forest ²¹		
Resource	((MC ³⁴))		((10 ac ³²))				((100))				
	F ³⁸	45 ⁶	20 ac ³	300	300	100 ¹³	100 ¹³	50	100 ³⁰	25 ¹³	35%
	F&R ^{38,39}	30 ⁷	200,000 sf ^{2,23}	100	100	5	5	50	100 ³⁰	25	35%
	A-10 ^{37, 40}	45	10 ac	none	none	5	5	50	100 ³⁰	25	none
Rural	RRT-10	45	10 ac	225	225	5	5	50	100 ³⁰	25	35%
	R-5 ^{37,38,39,40, 46}	45	200,000 sf ^{2,24}	165 ²⁴	165 ²⁴	5	5	50	100 ³⁰	25	35%
	RD ³⁸	45	200,000	165	165	5	5	50	100 ³⁰	25	35%
	RB	35	none	none	none	none	50	50	100	none	35%
	CRC	35 ⁴³	none	none	none	none	25	50	100	none	50% ⁴⁴ 30% ⁴⁵
	RFS	35	none	none	none	none	50	50	100	none	35%
	RI	50	none	none	none	none	100	100	100	none	35%

Other	SA-1 ^{37,39}	35	1 ac/43,560 sf	150	150	5	5	50	100	25	35%
	RC ^{37,38,39,40}	35	100,000 sf ²⁴	165 ²⁴	165 ²⁴	5	5	50	100 ³⁰	25	35%
	RJ ^{37,39}	35	⁴¹	60	65	5	5	50	100	25	35%
	R 20,000 ^{37,39}	25	20,000 sf	85	90	5	5	50	100	25	35%
	R12,500 ⁴⁰	30	12,500 sf	75	80	5	5	50	100	25	35%
	WFB	30	7,200 sf ²³	60	65	5	5	50	100	25	35%
Urban (Non-Residential)	NB ¹	40 ¹⁴	none	none	none	none	10	none	100	none	65%
	PCB ¹	40 ¹⁴	none ¹⁹	none	none	none	10	none	100	none	none
	CB ¹	35 ¹⁴	none	none	none	none	10	none	100	none	50%
	GC ¹	45 ¹⁴	none	none	none	none	10	none	100	none	50%
	IP	65	none	none	none	none ¹⁷	25 ¹⁷	none	100	none	50%
	BP ¹	50	none ¹⁹	none	none	none	25	none	100	none	35%
	LI	50	none	none	none	none	50	none	100	none	none
	HI	65	none	none	none	none	50	none	100	none	none
UC ⁶³	90	none	none	none	none	See SCC 30.34A.040(2)	none	100	none	none	

Section 11. Snohomish County Code Section 30.23.040, last amended by Amended Ordinance No. 21-004 on March 15, 2021, is amended to read:

30.23.040 Reference notes for SCC Tables 30.23.030 and 30.23.032.

(1) MR bulk requirements shall apply for all residential development permitted in the NB, PCB, CB, GC and BP zones.

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

(3) When subdivisionally described, the minimum lot area 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) Except as provided below, in the MR zone the maximum density shall be calculated based on 2,000 square feet of land per dwelling unit. For sites zoned MR, NB, PCB, CB,

1 or GC in the Southwest UGA where any portion of the site is within 2,000 feet of the
2 western edge of the right-of-way of State Route 99 or within 800 feet of the eastern
3 edge of the right-of-way of State Route 99; and the site is east of State Route 525, the
4 maximum density shall be calculated based on 750 square feet of land per dwelling unit.
5 One or more transfer of development rights (TDR) credits must be used to realize the
6 additional density according to the requirements of chapter 30.35A SCC. After June 11,
7 2020, developments for which the applicant provides documentation to the director
8 showing that the entire project has been granted a property tax exemption by the
9 Washington State Department of Revenue under RCW 84.36.041, 84.36.042,
10 84.36.043, or 84.36.560 shall be exempt from the requirements of chapter 30.35A SCC
11 and development may be permitted up to a maximum density of 750 square feet of land
12 per dwelling unit without using TDR credits.

13
14 (6) Commercial forestry structures shall not exceed 65 feet in height.

15
16 (7) Non-residential structures shall not exceed 45 feet in height.

17
18 (8) Lot coverage includes all buildings on the given lot.

19
20 (9) Sites zoned MR, NB, PCB, CB, or GC in the Southwest UGA where any portion of
21 the site is within 2,000 feet of the western edge of the right-of-way of State Route 99 or
22 within 800 feet of the eastern edge of the right-of-way of State Route 99; and the site is
23 east of State Route 525, are exempt from minimum lot area, minimum lot width, and
24 maximum lot coverage requirements.

25
26 (10) RESERVED for future use.

27
28 (11) These setbacks shall be measured from the property line.

29
30 (12) Greater setbacks than those listed may apply to areas subject to Shoreline
31 Management Program jurisdiction or critical areas regulations in chapters 30.62A,
32 30.62B, 30.62C and 30.67 SCC. Some uses have special setbacks identified in SCC
33 30.23.110.

34
35 (13) The listed setbacks apply where the adjacent property is zoned F. In all other
36 cases, setbacks are the same as in the R-8,400 zone. In the F zone, the setbacks for
37 residential structures on 10 acres or less which were legally created prior to being
38 zoned to F shall be the same as in the R-8,400 zone.

39
40 (14) The maximum building height is 75 feet for multifamily structures on sites zoned
41 MR, NB, PCB, CB and GC that are in the Southwest UGA where any portion of the site
42 within 2,000 feet of the western edge of the right-of-way of State Route 99 or within 800
43 feet of the eastern edge of the right-of-way of State Route 99, and the site is east of
44 State Route 525. Subject to the requirements in SCC 30.22.100, non-residential uses
45 are allowed on the first floor of multifamily structures on sites zoned NB, PCB, CB, and

- 1 GC that are in the Southwest UGA where any portion of the site is within 2,000 feet of
2 the edge of the right-of-way of State Route 99 and the site is east of State Route 525.
3
- 4 (15) See SCC 30.23.300.
5
- 6 (16) RESERVED for future use.
7
- 8 (17) In the IP zone there shall be an additional one foot setback for every one foot of
9 building height over 45 feet.
10
- 11 (18) RESERVED for future use.
12
- 13 (19) See SCC 30.31A.020(1) and (2) which specify the minimum area of a tract of land
14 necessary for PCB or BP zoning.
15
- 16 (20) See additional setback provisions for dwellings located along the boundaries of
17 designated farmland contained in SCC 30.32B.130.
18
- 19 (21) See additional setback provisions for structures located adjacent to forest lands,
20 and/or on lands designated local forest or commercial forest contained in SCC
21 30.32A.110.
22
- 23 (22) The minimum lot size for properties designated Rural Residential (RR)--10
24 (Resource Transition) on the comprehensive plan shall be 10 acres.
25
- 26 (23) Minimum lot area requirements may be modified within UGAs in accordance with
27 SCC 30.23.020.
28
- 29 (24) In rural cluster subdivisions approved in accordance with the provisions of chapter
30 30.41C SCC, the minimum lot area shall be as provided in SCC 30.23.220. The
31 maximum lot area shall be 20,000 square feet or less when located in rural/urban
32 transition areas.
33
- 34 (25) RESERVED for future use.
35
- 36 (26) RESERVED for future use.
37
- 38 (27) See SCC 30.23.050 for height limit exceptions. See also SCC 30.67.460 for height
39 limit requirements within shoreline jurisdiction.
40
- 41 (28) RESERVED for future use.
42
- 43 (29) See SCC 30.23.200 et seq. for additional lot area requirements and exceptions.
44

1 (30) SCC 30.32A.120 (Siting of new structures: Commercial forest land) requires an
2 application for a new structure on parcels designated commercial forest, but not within a
3 designated commercial forest--forest transition area, to provide a minimum 500-foot
4 setback, which shall be a resource protection area, from the property boundaries of
5 adjacent commercial forest lands except that if the size, shape, and/or physical site
6 constraints of an existing legal lot do not allow a setback of 500 feet, the new structure
7 shall maintain the maximum setback possible, as determined by the department.

8
9 (31) Setback requirements for mineral excavation and processing are in SCC
10 30.23.110(27). Performance standards and permit requirements are in chapter
11 (~~30.31D~~) 30.32C SCC.

12
13 (32) For mineral excavation and processing: The site shall be a contiguous geographic
14 area and have a size of not less than 10 acres, except in the case of subsurface shaft
15 excavations, no minimum acreage is required, pursuant to SCC (~~30.31D.020(1)~~)
16 30.32C.020(1).

17
18 (33) See SCC Table 30.28.050(4)(i) for setback requirements for structures containing
19 a home occupation.

20
21 (34) RESERVED for future use.

22
23 (35) See chapter 30.31E SCC, for more complete information on the Townhouse Zone
24 height, setback, and lot coverage requirements.

25
26 (36) RESERVED for future use (MR and LDMR setbacks--DELETED by Ord. 05-094,
27 effective September 29, 2005).

28
29 (37) *Agriculture.* All structures used for housing or feeding animals, not including
30 household pets, shall be located at least 30 feet from all property lines.

31
32 (38) There shall be no subdivision of land designated commercial forest in the
33 comprehensive plan except to allow installation of communication and utility facilities if
34 all the following requirements are met:

- 35
36 (a) The facility cannot suitably be located on undesignated land;
37
38 (b) The installation cannot be accomplished without subdivision;
39
40 (c) The facility is to be located on the lowest feasible grade of forest land; and
41
42 (d) The facility removes as little land as possible from timber production.

43
44 (39) On parcels designated commercial forest, but not within a designated commercial
45 forest--forest transition area, establish and maintain a minimum 500-foot setback, which

1 shall be a resource protection area, from the property boundaries of adjacent
2 commercial forest lands except when the size, shape, and/or physical site constraints of
3 an existing legal lot do not allow a setback of 500 feet, the new structure shall maintain
4 the maximum setback possible as provided in SCC 30.32A.120.

5
6 (40) Land designated local commercial farmland shall not be divided into lots of less
7 than 10 acres unless a properly executed deed restriction which runs with the land and
8 which provides that the land divided is to be used exclusively for agricultural purposes
9 and specifically not for a dwelling(s) is recorded with the Snohomish County auditor.

10
11 (41) Minimum lot area in the rural use zone shall be the minimum allowed by the zone
12 identified as the implementing zone by the comprehensive plan for the plan designation
13 applied to the subject property. Where more than one implementing zone is identified
14 for the same designation, the minimum lot size shall be that of the zone allowing the
15 smallest lot size.

16
17 (42) RESERVED for future use.

18
19 (43) Additional bulk requirements may apply. Refer to SCC 30.31F.100 and
20 30.31F.140.

21
22 (44) The 50 percent maximum lot coverage limitation applies solely to the portion of the
23 area within the CRC comprehensive plan designation and zone that is centered at 180th
24 Street SE and SR 9, generally extending between the intersection of 172nd Street/SR 9
25 to just south of 184th Street/SR 9, as indicated on the county's FLUM and zoning map.

26
27 (45) The 30 percent maximum lot coverage limitation applies solely to the portion area
28 located within the CRC comprehensive plan designation and zone that is centered at
29 State Route (SR) 9 and 164th Street SE, as indicated on the county's Future Land Use
30 Map (FLUM) and zoning map.

31
32 (46) Additional setbacks may apply to development within a rural cluster subdivision.
33 Refer to chapter 30.41C SCC. Residential subdivision is restricted pursuant to SCC
34 (~~30.32C.150~~) 30.32C.050. Uses are restricted where the R-5 zone coincides with the
35 Mineral Resource Overlay (MRO) to prevent development which would preclude future
36 access to the mineral resources.

37
38 (47) RESERVED for future use.

39
40 (48) RESERVED for future use.

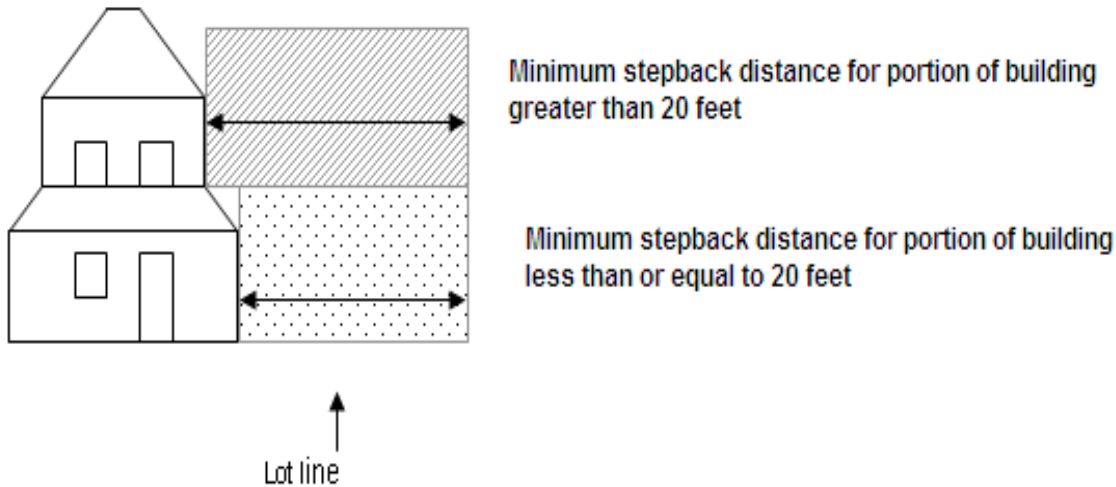
41
42 (49) RESERVED for future use.

43
44 (50) RESERVED for future use.

- 1 (51) RESERVED for future use.
2
3 (52) RESERVED for future use.
4
5 (53) RESERVED for future use.
6
7 (54) A split parcel may be subdivided along the UGA boundary line using one of three
8 methods. First, a split parcel may be subdivided along the UGA boundary line into two
9 lots, whereby one lot remains within the UGA and the other lot remains outside the
10 UGA, pursuant to SCC 30.41B.010(5). Second, a split parcel may be subdivided as part
11 of a short plat application, pursuant to SCC 30.41B.010(8). Finally, a split parcel may be
12 subdivided as part of a plat application, pursuant to SCC 30.41A.010(3).
13
14 (55) See SCC 30.42E.100(9)(c).
15
16 (56) RESERVED for future use.
17
18 (57) RESERVED for future use.
19
20 (58) RESERVED for future use.
21
22 (59) Relationship of setback to building height:
23
24 The minimum setback requirements are dependent on the heights of the building as
25 specified in this column. To meet the setback requirements, buildings over 20 feet in
26 height must either:
27
28 (a) Set the entire building back the minimum setback distance; or
29
30 (b) Stepback those portions of the building exceeding 20 feet in height to the
31 minimum setback distance, as illustrated in Figure 30.23.040(59).
32

1
2

Figure 30.23.040(59). Example of relationship of building height to stepback



3
4 (60) Stepback those portions of the building exceeding 45 feet in height from the
5 minimum side and rear yard setbacks by one additional foot for each additional two feet
6 of building height.

7
8 (61) Single-family detached, single-family attached and duplex structures shall comply
9 with the minimum setbacks required in the R-8,400 zone.

10
11 (62) Fencing between single-family detached, single-family attached and duplex
12 structures shall be:

- 13
- 14 (a) Prohibited in the area that is within five feet of a third story ingress/egress
- 15 window so ladder access to the third floor window is not impeded; or
- 16
- 17 (b) Limited to either vegetative, wood, block, concrete or metal that does not
- 18 exceed 42 inches in height.
- 19

20 (63) Additional building height up to a maximum of 125 feet may be allowed under
21 certain circumstances as provided for in SCC 30.34A.040(1).

22
23 (64) If located within an airport compatibility area, building height is subject to the
24 requirements of SCC 30.32E.060.

25
26 (65) Townhouse and mixed townhouse development may achieve the following density:

- 27
- 28 (a) For the R-7,200 zone, the maximum density shall be calculated based on
- 29 7,200 square feet of land per dwelling unit, but the maximum density may be
- 30 increased up to 20 percent.
- 31

(b) For the LDMR and MR zones, the maximum density established under subsections (4) and (5) of this section may be increased up to 20 percent.

(c) Maximum density shall be determined by rounding up to the next whole unit when a fraction of a unit is equal to five-tenths or greater.

(66) The maximum lot coverage in townhouse and mixed townhouse developments is 50 percent in the LDMR zone and 50 percent in the MR zone except sites zoned MR where any portion of the site is within 2,000 feet of the western edge of the right-of-way of State Route 99 or within 800 feet of the eastern edge of the right-of-way of State Route 99, and the site is east of State Route 525 are exempt from maximum lot coverage requirements consistent with SCC 30.23.040(9).

Section 12. Snohomish County Code Section 30.23.045, added by Amended Ordinance No. 12-049 on October 3, 2012, is amended to read:

30.23.045 Setbacks from road network elements in Resource Zones.

Category	Zone	Minimum Setback For Structure					Minimum Setback to the Entrance of a Covered Parking Structure				
		Public Road		Private ^{1,2}			Public Road		Private ^{1,2}		
		60 Feet and Over and Under 60 Feet in a Recorded Subdivision, Short Subdivision or Binding Site Plan ³	Under 60 Feet ^{4,5}	Private Road	Drive Aisle, Shared Court and Shared Driveway	Alley	60 Feet and Over and Under 60 Feet in a Recorded Subdivision, Short Subdivision or Binding Site Plan ³	Under 60 Feet ^{4,5}	Private Road	Drive Aisle, Shared Court and Shared Driveway	Alley
Resource	(MC ¹¹)	(50)	(80)	(50)	(0)	(0)	(50)	(80)	(50)	(20)	(4)
	F ^{9,11}	100	130	100	0	0	100	130	100	20	4
	F&R ¹¹	20	50	20	0	0	20	50	20	20	4
	A-10	20	50	20	0	0	20	50	20	20	4

Section 13. Snohomish County Code Section 30.25.020, last amended by Amended Ordinance No. 21-018 on June 9, 2021, is amended to read:

30.25.020 Perimeter landscaping requirements.

(1) To reduce incompatible characteristics of abutting properties with different zoning classifications, the minimum designated landscape width and type shall be required as a buffer between uses pursuant to SCC Table 30.25.020(1) or as required in SCC

1 30.25.030(3), unless exempted pursuant to SCC 30.25.020(4). For properties within
 2 urban zones that are separated from properties in rural zones only by public or private
 3 roads or road right-of-way, the minimum landscape requirements of SCC Table
 4 30.25.020(1) shall also be required unless exempted pursuant to SCC 30.25.020(4).
 5 When a development proposal has multiple uses or dwelling types, the most intensive
 6 use or dwelling type within 100 feet of the property line shall determine which perimeter
 7 landscaping requirements shall apply.

8
 9 (2) Properties zoned RFS, CRC and RB shall provide a 50-foot Type A perimeter
 10 landscape buffer when adjacent to R-5, RD, RRT-10, A-10, F, and F&R(~~and MG~~).
 11 Properties zoned RI shall provide a 100-foot Type A perimeter landscape buffer when
 12 adjacent to R-5, RD, RRT-10, A-10, F, and F&R(~~and MG~~).
 13
 14

Table 30.25.020(1) Perimeter Landscaping Requirements

Proposed Use	Zoning Classification of Adjacent Property																			
	R-9,600, R-8,400		R-7,200		T, LDMR, MR		NB, CB, PCB		GC, UC		LI, HI		BP, IP		RB, RFS, RI		CRC		All Other Zones	
	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type
Conditional Uses ³	20	A	20	A	20	A													20	A
Retail, Office, and Other Commercial Uses	15	A	15	A	15	B													25	A
Business Park	25	A	25	A	15	B	10	B											25	A
Light Industrial ¹	25	A	25	A	15	B													25	A
Heavy Industrial ²	25	A	25	A	25	A													25	A
Single-Family Detached ⁴ , Single-Family Attached ⁴ , and Duplex ⁴																			15	A
Cottage Housing ⁴																			15	A
Townhouse ^{4, 5}	10	B	5	B															15	A

Proposed Use	Zoning Classification of Adjacent Property																			
	R-9,600, R-8,400		R-7,200		T, LDMR, MR		NB, CB, PCB		GC, UC		LI, HI		BP, IP		RB, RFS, RI		CRC		All Other Zones	
	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type
Multifamily ⁴	15	B	10	B															25	A
Parking Lot	10	A	10	A	10	A													25	A
Personal Wireless Service Facilities	20	A	20	A	20	A	20	A	20	A	20	A	20	A	20	A	20	A	20	A
Stormwater Detention Facility	See SCC 30.25.023																			
Outside Storage and Waste Areas	See SCC 30.25.024																			
Large Detach Garages and Storage Structures	See SCC 30.25.029																			
Minerals Excavation and Processing	See SCC 30.25.027																			
Temporarily Dwellings	See SCC 30.25.028																			

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Footnote 1: As defined by the Light Industrial zone in SCC 30.22.100.

Footnote 2: As defined by the Heavy Industrial zone in SCC 30.22.100.

Footnote 3: Conditional uses located in a residential zone according to SCC 30.22.100, SCC 30.22.110, and SCC 30.22.120.

Footnote 4: Where residential development locates adjacent to existing commercial or industrial development and where no existing perimeter landscaping or buffer is located

1 on adjacent commercial or industrial properties, the residential development shall
2 provide a 10-foot wide Type A perimeter landscape area adjacent to the commercial or
3 industrial properties.

4
5 **Footnote 5:** In the R-7,200 zone, townhouse and mixed townhouse development shall
6 not be required to provide a perimeter landscaping buffer along property lines adjacent
7 to existing townhouse or mixed townhouse development.

8
9 (3) If a property abuts more than one zoning classification, the standards of that portion
10 which abuts each zone of the property shall be utilized.

11
12 (4) Exceptions to SCC Table 30.25.020(1) shall be as follows:

13
14 (a) Where a development abuts a public road that is not on the boundary
15 between a rural zone and an urban zone, the perimeter landscaping along the
16 road frontage shall be 10 feet in width and contain Type B landscaping, except
17 no perimeter landscaping is required in areas for required driveways, storm
18 drainage facility maintenance roads, pedestrian trail connections, or where
19 encumbered by utility crossings or other easements subject to permanent access
20 and maintenance;

21
22 (b) When any portion of a project site is developed as usable open space or
23 used as a permanently protected resource protection area, critical area
24 protection area, or equivalent, the perimeter landscaping shall consist of Type B
25 landscaping; and

26
27 (c) Where a perimeter lot abuts a utility or drainage easement greater than 15
28 feet in width that is not on the boundary between a rural zone and an urban zone,
29 no perimeter landscaping will be required.

30
31 (5) All perimeter landscape areas shall be located within private easements to be
32 maintained pursuant to SCC 30.25.045.

33
34 Section 14. Snohomish County Code Section 30.25.027, added by Amended
35 Ordinance No. 05-083 on December 21, 2005, is amended to read:

36
37 **30.25.027 Excavation and Processing of Minerals.**

38
39 Whenever property developed for excavation is adjacent to developed residential
40 property, public roads, streets or highways, streams, lakes, or other public installations,
41 there shall be installed and maintained or cultivated in addition to any required fence, a
42 view-obscuring planting screen at least 50 feet in width, in a location to be determined
43 by the approval authority. A planting screen shall be shrubs, bushes, or trees which
44 shall be selected to be evergreen, indigenous, fast-growing, compatible with the soil,
45 and on the basis of size, form, and minimum maintenance requirements. The planting

1 screen shall be planted according to acceptable practice in good soil, irrigated as
2 necessary, and maintained in a good condition at all times at the expense of the
3 operator. A required view-obscuring planting screen shall be installed as a yard
4 improvement at or before the time excavation operations commence or within a
5 reasonable time as determined by the approval authority, giving due consideration of
6 local planting conditions. A view-obscuring fence may also be required by the
7 department on the interior edge of the planting screen and if required, shall satisfy the
8 requirement of SCC ((~~30.31D.100(4)~~) 30.32C.100(4)).
9

10 Section 15. Snohomish County Code Section 30.26.030, last amended by
11 Amended Ordinance No. 21-018 on June 9, 2021, is amended to read:
12

13 **30.26.030 Number of spaces required.**
14

15 (1) The required number of off-street parking spaces shall be as set forth in SCC Table
16 30.26.030(1) subject to provisions, where applicable, regarding:
17

18 (a) Effective alternatives to automobile access (SCC 30.26.040);
19

20 (b) Joint uses (SCC 30.26.050 and 30.26.055); and
21

22 (c) Accessible routes of travel (SCC 30.26.065(7)).
23

24 (2) The abbreviations in the table have the following meanings:
25

26 (a) "GFA" means gross floor area;
27

28 (b) "GLA" means gross leasable area; and
29

30 (c) "SF" means square feet.
31

32 (3) Any off-street parking spaces that are devoted to electrical vehicle charging shall be
33 counted toward the minimum number of parking spaces required.
34

35 (4) For off-street parking requirements in the Urban Center (UC) zone, see SCC
36 30.26.032.
37

Table 30.26.030(1) Number of Parking Spaces Required

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, ((MC,)) SA-1, RC, RU, R-20,000, R-12,500	NOTES
Accessory Dwelling Unit	No parking required	1 per unit	
Adult Entertainment Business/Use	See SCC 30.26.035	See SCC 30.26.035	
Agriculture	No parking required	No parking required	
Airport			
Air Terminal	10 per 1,000 SF of waiting area	10 per 1,000 SF of waiting area	
Stage 1 Utility	See SCC 30.26.035	See SCC 30.26.035	
All Others	See SCC 30.26.035	See SCC 30.26.035	
Amusement Facility, by type			
Tennis courts, racquet or handball clubs, and similar commercial recreation	10 per 1,000 SF assembly area plus 2 per court	15 per 1,000 SF assembly area plus 2 per court	
Theaters and cinemas	1 per 3 seats or 8 feet of bench	1 per 4 seats or 8 feet of bench	
All other places without fixed seats including dance halls and skating rinks	See SCC 30.26.035	See SCC 30.26.035	
Antique Shop	3 per 1,000 GFA	4 per 1,000 GFA	
Art Gallery ⁴¹	2.5 per 1,000 GFA	2.5 per 1,000 GFA	
Asphalt Batch Plant & Continuous Mix Asphalt Plant	See SCC 30.26.035	See SCC 30.26.035	
Auto Repair, Major	5 per 1,000 GFA	5 per 1,000 GFA	Service bays and work areas inside repair facilities do not count as parking spaces.

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, (MC) SA-1, RC, RU, R-20,000, R-12,500	NOTES
Auto Repair, Minor	4 per 1,000 GFA	5 per 1,000 GFA	Service bays and work areas inside repair facilities do not count as parking spaces.
Auto Towing	See SCC 30.26.035	See SCC 30.26.035	
Auto Wrecking and Junkyard	15 spaces for yards less than 10 acres in size; 25 spaces for yards 10 acres or larger	15 spaces for yards less than 10 acres in size; 25 spaces for yards 10 acres or larger	
Bakery, Farm	2 spaces	2 spaces	
Bed and Breakfast Guesthouses and Inns	2 plus 1 per guest room	2 plus 1 per guest room	
Boarding House	1 per guest room	1 per guest room	
Boat Launch, Commercial	See SCC 30.22.130(31)	See SCC 30.22.130(31)	
Boat Launch, Non-commercial	See SCC 30.22.130(31)	See SCC 30.22.130(31)	
Caretaker's Quarters	2 per unit	2 per unit	
Cemetery and Funeral Home	1 per 4 seats or 8 feet of bench, or 25 per 1,000 sf of assembly room with no fixed seats	1 per 4 seats or 8 feet of bench, or 25 per 1,000 sf of assembly room with no fixed seats	
Church	See SCC 30.26.035	See SCC 30.26.035	
Clubhouse	See SCC 30.26.035	See SCC 30.26.035	
Commercial Vehicle Home Basing	See SCC 30.22.130(33)	See SCC 30.22.130(33)	
Commercial Vehicle Storage Facility	See SCC 30.26.035	See SCC 30.26.035	
Community Facilities for Juveniles	See SCC 30.26.035	See SCC 30.26.035	
Construction Contracting	See SCC 30.26.035	See SCC 30.26.035	
Dams, Power Plants, & Associated Uses	See SCC 30.26.035	See SCC 30.26.035	

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, (MC) SA-1, RC, RU, R-20,000, R-12,500	NOTES
Day Care Center	1 per employee plus load/unload space	1 per employee plus load/unload space	An off-street load and unload area equivalent to one space for each 10 children is also required.
Distillation of Alcohol	2 per 1,000 GFA	2.5 per 1,000 GFA	May also be determined by the department on a case-by-case basis per SCC 30.26.035 when the employee to SF GFA ratio for the proposed use is less than the typical requirement for this use in this zone.
Dock & Boathouse, Private, Non-Commercial	No Parking Requirement	No Parking Requirement	
Dwelling			Note 1:
Cottage Housing	2 spaces per dwelling unit plus guest parking at 1 space per 4 dwellings	2 spaces per dwelling unit plus guest parking at 1 space per 4 dwellings	Driveways between garage doors and roads, private roads, designated fire lanes or access aisles that are at least 19' long and 8.5' wide may be counted as one parking space and if at least 19' long and 17' wide may be counted as two parking spaces. Garages shall have a minimum interior length of 19'.
Attached Single Family	2 per dwelling; see note 1	2 per dwelling; see note 1	
Duplex	2 per dwelling; see note 1	2 per dwelling; see note 1	
Mobile Home	2 per dwelling; see note 1	2 per dwelling; see note 1	
Multifamily	2 per dwelling; see note 1	2 per dwelling; see note 1	
Single Family	2 per dwelling; see note 1	2 per dwelling; see note 1	
Townhouse	2 per dwelling; see note 1	2 per dwelling; see note 1	Note 2:
Single Family Detached Units (pursuant to chapter 30.41F SCC)	2 spaces per dwelling unit plus guest parking at 1 space per 4 dwellings provided that 1 unrestricted guest parking spot per 2 dwellings for either (i) dwellings where no driveways are provided or (ii) dwellings that provide a driveway apron meeting the minimum dimension requirements for parking of only 1 car; see notes 1 & 2.	2 spaces per dwelling plus guest parking at 1 space per 4 dwellings provided that 1 unrestricted guest parking spot per 2 dwellings for either (i) dwellings where no driveways are provided or (ii) dwellings that provide a driveway apron meeting the minimum dimension requirements for parking of only 1 car; see notes 1 & 2.	An "unrestricted" guest parking spot is one provided either within the drive aisle parking or designated guest parking areas outside of individual units; garage parking spaces or parking spaces on driveway aprons of an individual unit are not "unrestricted" parking spaces. All applicable provisions of chapter 30.26 SCC shall be followed.

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, ((MC,)) SA-1, RC, RU, R-20,000, R-12,500	NOTES
Electric Vehicle Infrastructure			
Electric Vehicle Charging Station – Levels 1 to 3	No requirement	No requirement	Note: service bays and work areas inside repair facilities do not count as parking spaces.
Battery Exchange Stations	4 per 1,000 GFA	5 per 1,000 GFA	
Equestrian Center	See SCC 30.26.035	See SCC 30.26.035	One space accommodating a vehicle and horse trailer for every two horses expected at equestrian or mini-equestrian center events.
Excavation & Processing of Minerals	See SCC 30.26.035	See SCC 30.26.035	
Explosives, Storage	See SCC 30.26.035	See SCC 30.26.035	
Fairgrounds	See SCC 30.26.035	See SCC 30.26.035	
Family Day Care Home	See dwelling, single family requirements	See dwelling, single family requirements	An off-street load and unload area equivalent to one space is also required.
Farm Product Processing	1 per 1,000 GFA	1 per 1,000 GFA	
Farm Stand			
Up to 400 SF	2 per stand	2 per stand	
401 to 5,000 SF	3 per 1,000 GFA (3 minimum)	3 per 1,000 GFA (3 minimum)	
Farm Support Business	See SCC 30.26.035	See SCC 30.26.035	
Farm Worker Dwelling	See SCC 30.26.035	See SCC 30.26.035	
Farmers Market	3 per 1,000 GFA (3 minimum)	3 per 1,000 GFA (3 minimum)	
Farmland Enterprises	See SCC 30.26.035	See SCC 30.26.035	
Fish Farm	See SCC 30.26.035	See SCC 30.26.035	
Forestry	No Parking Required	No Parking Required	
Forestry Industry Storage & Maintenance Facility	See SCC 30.26.035	See SCC 30.26.035	

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, (MC) SA-1, RC, RU, R-20,000, R-12,500	NOTES
Foster Home	See SCC 30.26.035	See SCC 30.26.035	
Fuel Yard	See SCC 30.26.035	See SCC 30.26.035	
Garage, Detached Private	No Parking Required	No Parking Required	
Golf Course, Driving Range, Country Club	See SCC 30.26.035	See SCC 30.26.035	
Government Structures & Facilities	See SCC 30.26.035	See SCC 30.26.035	
Greenhouse, Lath House, & Nurseries	See SCC 30.26.035	See SCC 30.26.035	
Guest House	1 per guest house	1 per guest house	
Hazardous Waste Storage & Treatment Facilities, Offsite or Onsite	See SCC 30.26.035	See SCC 30.26.035	
Health and Social Service Facilities, Levels I through III	See SCC 30.26.035	See SCC 30.26.035	
Home Occupation	See SCC 30.26.035	See SCC 30.26.035	
Homestead Parcel	See dwelling, single family requirements	See dwelling, single family requirements	
Hotel/Motel	1 per unit or guest room; see note	1 per unit or guest room; see note	Additional parking for restaurants, conference or convention facilities and other businesses, facilities, or uses associated with the motel or hotel is required in accordance with this table.
Kennel, Commercial	See SCC 30.26.035	See SCC 30.26.035	
Kennel, Private-Breeding	No Additional Requirement	No Additional Requirement	
Kennel, Private-Non-Breeding	No Additional Requirement	No Additional Requirement	
Kitchen Farm	No Additional Requirement	No Additional Requirement	
Laboratory	2.5 per 1,000 GFA	3 per 1,000 GFA	Or see SCC 30.26.035
Library	2.5 per 1,000 GFA	3 per 1,000 GFA	

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, (MC) SA-1, RC, RU, R-20,000, R-12,500	NOTES
Livestock Auction Facility	See SCC 30.26.035	See SCC 30.26.035	
Lumber Mill	2 per 1,000 GFA	2 per 1,000 GFA	
Lumberyard	1 per 1,000 GLA	1 per 1,000 GLA	
Manufacturing, Heavy	2 per 1,000 GFA	2.5 per 1,000 GFA	May also be determined by the department on a case-by-case basis per SCC 30.26.035 when the employee to SF GFA ratio for the proposed use is less than the typical requirement for this use in this zone.
Manufacturing-All Other Forms Not Specifically Listed	2 per 1,000 GFA	2.5 per 1,000 GFA	May also be determined by the department on a case-by-case basis per SCC 30.26.035 when the employee to SF GFA ratio for the proposed use is less than the typical requirement for this use in this zone.
Marijuana Processing	2 per 1,000 GFA	2.5 per 1,000 GFA	May also be determined by the department on a case-by-case basis per SCC 30.26.035 when the employee to SF GFA ratio for the proposed use is less than the typical requirement for this use in this zone.
Marijuana Production	2 per 1,000 GFA	2.5 per 1,000 GFA	May also be determined by the department on a case-by-case basis per SCC 30.26.035 when the employee to SF GFA ratio for the proposed use is less than the typical requirement for this use in this zone.
Marijuana Retail	3 per 1,000 GFA	4 per 1,000 GFA	
Massage Parlor	3 per 1,000 GFA	4 per 1,000 GFA	
Material Recovery Facility	See SCC 30.26.035	See SCC 30.26.035	

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, (MC) SA-1, RC, RU, R-20,000, R-12,500	NOTES
Mini Equestrian Center	1 per 4 seats or 8 feet of bench; see note	1 per 4 seats or 8 feet of bench; see note	One space accommodating a vehicle and horse trailer for every two horses expected at equestrian or mini-equestrian center events.
Mini Self-Storage	2 per 75 storage units	2 per 75 storage units	
Mobile Home Parks	2 per dwelling plus guest parking at 1 per 4 dwellings	2 per dwelling plus guest parking at 1 per 4 dwellings	See chapter 30.42ESCC.
Model Hobby Park	See SCC 30.26.035	See SCC 30.26.035	See SCC 30.26.035
Model House/Sales Office	See residential dwelling requirements	See residential dwelling requirements	
Motocross Racetrack	See SCC 30.26.035	See SCC 30.26.035	
Museum	2.5 per 1,000 GFA	3 per 1,000 GFA	
Neighborhood Services	3 per 1,000 GLA	4 per 1,000 GLA	
Office and Banking	2.5 per 1,000 GFA	3 per 1,000 GFA	A minimum of 5 spaces required for all sites. Drive-up windows at financial institutions must have clear queuing space, not interfering with parking areas, for at least three vehicles per drive up window.
Off-road vehicle use area, private	See SCC 30.26.035	See SCC 30.26.035	
Park, Public	See Parks and Recreation Element of the Comprehensive Plan	See Parks and Recreation Element of the Comprehensive Plan	Parking standards for parks varies based on the classification of the park and amenities identified in the Parks and Recreation Element.
Park-and-Pool Lot	No Additional Requirement	No Additional Requirement	
Park-and-Ride Lot	No Additional Requirement	No Additional Requirement	
Personal Wireless Service Facilities	1 space	1 space	
Printing Plant	2.5 per 1,000 GFA	3 per 1,000 GFA	
Public Events/Assemblies on Farmland	See SCC 30.26.035	See SCC 30.26.035	
Race Track	See SCC 30.26.035	See SCC 30.26.035	

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, (MC) SA-1, RC, RU, R-20,000, R-12,500	NOTES
Recreational Facility Not Otherwise Listed	See SCC 30.26.035	See SCC 30.26.035	
Recreational Vehicle	1 per RV	1 per RV	
Recreational Vehicle Park	See SCC 30.26.035	See SCC 30.26.035	
Recycling Facility	See SCC 30.26.035	See SCC 30.26.035	
Rendering of Fat, Tallow, or Lard	See SCC 30.26.035	See SCC 30.26.035	
Resort	See SCC 30.26.035	See SCC 30.26.035	
Restaurant	6 per 1,000 GFA	8 per 1,000 GFA	Clear queuing space, not interfering with the parking areas, for at least five vehicles is required in front of any drive up window.
Retail, General	3 per 1,000 GFA	4 per 1,000 GFA	
Retirement Apartments	1 per dwelling plus guest parking at 1 per 4 dwellings	1 per dwelling plus guest parking at 1 per 4 dwellings	See SCC 30.26.040(1).
Retirement Housing	1 per dwelling	1 per dwelling plus guest parking at 1 per 4 dwellings	See SCC 30.26.040(2).
Rural Industries	See SCC 30.26.035	See SCC 30.26.035	
Sanitary Landfill	See SCC 30.26.035	See SCC 30.26.035	
Schools	See SCC 30.26.035	See SCC 30.26.035	See SCC 30.26.035; Sufficient on-site space for safe loading and unloading of students from school buses and cars is also required.
K-12 & Preschool			
College			
Other			
Service Station	3 per 1,000 GFA	4 per 1,000 GFA	
Shooting Range	See SCC 30.26.035	See SCC 30.26.035	
Sludge Utilization	No parking required	No parking required	
Small Animal Husbandry	No parking required	No parking required	
Small Workshop	2 per 1,000 GFA	2.5 per 1,000 GFA	May also be determined by the department on a case-by-case basis per SCC 30.26.035 when the employee to SF GFA ratio is less

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, ((MC,)) SA-1, RC, RU, R-20,000, R-12,500	NOTES
			than the normal minimum requirement for the zone.
Stables	1 per 4 seats or 8 feet of bench; see note	1 per 4 seats or 8 feet of bench; see note	One space accommodating a vehicle and horse trailer for every two horses expected at equestrian or mini-equestrian center events.
Stockyard or Slaughter House	See SCC 30.26.035	See SCC 30.26.035	
Storage, Retail Sales Livestock Feed	1 per 1,000 GFA	1 per 1,000 GFA	
Storage Structure, Accessory	No parking required	No parking required	
Storage Structure, Non-accessory	No parking required	No parking required	
Studio	2.5 per 1,000 GFA	3 per 1,000 GFA	
Swimming/Wading Pool			
Public	1 per 10 swimmers, based on pool capacity as defined by the Washington State Department of Health.	1 per 10 swimmers, based on pool capacity as defined by the Washington State Department of Health.	
Private	See SCC 30.26.035	See SCC 30.26.035	
Television/Radio Stations	2.5 per 1,000 GFA	3 per 1,000 GFA	
Temporary Dwelling During Construction	1 per dwelling	1 per dwelling	
Temporary Dwelling For Relative	1 per dwelling	1 per dwelling	
Temporary Logging Crew Quarters	See SCC 30.26.035	See SCC 30.26.035	
Temporary Residential Sales Coach ⁷³	1 per coach	1 per coach	
Transit Center	See SCC 30.26.035	See SCC 30.26.035	
Ultralight Airpark	See SCC 30.26.035	See SCC 30.26.035	

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, (MC) SA-1, RC, RU, R-20,000, R-12,500	NOTES
Utility Facilities, Electromagnetic Transmission & Receiving Facility	1 space	1 space	
Utility Facilities, Transmission Wires, Pipes & Supports	See SCC 30.26.035	See SCC 30.26.035	
Utility Facilities-All Other Structures	1 space	1 space	
Vehicle and Equipment Sales and Rental	1 per 1,000 GFA of sales office, plus	1 per 1,000 GFA of sales office, plus	
	2 per 1,000 GFA of service or repair space, plus	2 per 1,000 GFA of service or repair space, plus	
	1 per 4,000 SF of outdoor display area (or of showroom display area in the CB zone)	1 per 4,000 SF of outdoor display area (or of showroom display area in the CRC zone)	
Veterinary Clinic	3 per 1,000 GFA	4 per 1,000 GFA	
Warehousing	0.5 per 1,000 GFA	0.5 per 1,000 GFA	
Wedding Facility	See SCC 30.26.035	See SCC 30.26.035	
Wholesale Establishment	1 per 1,000 GFA	1 per 1,000 GFA	
Woodwaste Recycling and Woodwaste Storage	1 per site plus 1 per 1,000 GFA	1 per site plus 1 per 1,000 GFA	
All other uses not otherwise mentioned	See SCC 30.26.035	See SCC 30.26.035	

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Section 16. Chapter 30.31D Snohomish County Code: MINERAL CONSERVATION (MC) ZONE is repealed, including the following ordinances or parts of ordinances:

- (1) Snohomish County Code Section 30.31D.010, last amended by Amended Ordinance 05-083 on December 21, 2005;
- (2) Snohomish County Code Section 30.31D.020, added by Amended Ordinance 02-064 on December 9, 2002;

- 1 (3) Snohomish County Code Section 30.31D.030, added by Amended
- 2 Ordinance 05-083 on December 21, 2005;
- 3 (4) Snohomish County Code Section 30.31D.040, added by Amended
- 4 Ordinance 05-083 on December 21, 2005;
- 5 (5) Snohomish County Code Section 30.31D.100, last amended by Amended
- 6 Ordinance 05-083 on December 21, 2005;
- 7 (6) Snohomish County Code Section 30.31D.110, last amended by Amended
- 8 Ordinance 05-083 on December 21, 2005;
- 9 (7) Snohomish County Code Section 30.31D.120, last amended by Amended
- 10 Ordinance 17-004 on May 10, 2017;
- 11 (8) Snohomish County Code Section 30.31D.130, last amended by Amended
- 12 Ordinance 15-034 on September 2, 2015;
- 13 (9) Snohomish County Code Section 30.31D.135, added by Amended
- 14 Ordinance 05-083 on December 21, 2005;
- 15 (10) Snohomish County Code Section 30.31D.140, last amended by Amended
- 16 Ordinance 05-083 on December 21, 2005;
- 17 (11) Snohomish County Code Section 30.31D.145, last amended by Amended
- 18 Ordinance 05-083 on December 21, 2005;
- 19 (12) Snohomish County Code Section 30.31D.150, added by Amended
- 20 Ordinance 02-064 on December 9, 2002;
- 21 (13) Snohomish County Code Section 30.31D.160, last amended by Amended
- 22 Ordinance 10-023 on June 9, 2010;
- 23 (14) Snohomish County Code Section 30.31D.210, last amended by Amended
- 24 Ordinance 10-086 on October 20, 2010;
- 25 (15) Snohomish County Code Section 30.31D.220, last amended by Amended
- 26 Ordinance 05-083 on December 21, 2005;
- 27 (16) Snohomish County Code Section 30.31D.230, added by Amended
- 28 Ordinance 02-064 on December 9, 2002;
- 29 (17) Snohomish County Code Section 30.31D.240, last amended by Amended
- 30 Ordinance 08-062 on October 1, 2008;
- 31

32 Section 17. Snohomish County Code Section 30.32C.010, added by Amended
33 Ordinance No. 02-064 on December 9, 2002, is amended to read:

34
35 **30.32C.010 Purpose and applicability.**

36
37 The purpose of this chapter ((30.32C-SCG)) is to: provide standards for the excavation
38 and processing of minerals; implement notice requirements established by the Growth
39 Management Act (GMA) in RCW 36.70A.060(1), and Land Use Policy 9.C.1 of the
40 comprehensive plan; ((and to)) promote the policy that the use of lands adjacent to
41 designated mineral resource lands shall not interfere with the continued use, in the
42 accustomed manner, and in accordance with best management practices, of lands
43 designated for the extraction of minerals as required by the GMA in RCW
44 36.70A.060(1); protect adjacent existing and planned land uses from significant
45 conflicts; ensure that mineral excavation, processing and transport are conducted

1 consistent with the public health, safety and general welfare; and provide for the orderly
2 and efficient transition from active mining into post-extraction uses for sites
3 approaching, or at, depletion of commercially significant mineral resources.

4
5 (1) Excavation and processing of minerals:

6
7 (a) This use shall allow only the primary reduction, treatment, and processing of
8 minerals and materials, together with any necessary accessory buildings.

9
10 (b) At least one of the major mineral or material constituents being exploited
11 shall be from the property on which the mineral operations are proposing to
12 locate.

13
14 (c) Allowed uses shall include, but not be limited to, extraction, excavation,
15 washing, crushing, stock piling, blasting, transporting, recycling, concrete
16 batching, asphalt mixing, and the manufacturing of terra cotta, tile, brick, and
17 concrete products.

18
19 (d) The use shall not be detrimental to the existing, developing, or projected
20 land use.

21
22 (2) Excavation and processing of minerals is allowed only on mineral resource lands
23 designated in the comprehensive plan (MRO), or mining claims officially recognized by
24 the state or federal government and recorded with the auditor, with the exception of:

25
26 (a) The extraction and processing of rock and gravel exclusively for forest
27 practices shall be permitted in the Forestry (F) zone pursuant to chapter 76.09
28 RCW.

29
30 (b) Existing, legally established non-conforming mineral operations will be
31 allowed to continue subject to the provisions and requirements of chapter 30.28
32 SCC.

33
34 (c) Expansion of existing legally established mineral operations onto adjacent
35 undesignated land where a portion of the existing site has been designated
36 mineral resource land (MRO).

37
38 (3) If a parcel contains any portion of designated mineral resource lands it will be
39 considered fully designated for the purpose of determining eligibility to apply for the
40 permits required for excavation and processing of minerals.

41
42 Section 18. A new section, originally codified at SCC 30.31D.020 which is
43 repealed by this ordinance, is added to Snohomish County Code Chapter 30.32C to
44 read:
45

1 **30.32C.020 Relationship to comprehensive plan.**

2
3 (1) Sites are eligible for administrative conditional use permit or conditional use permit
4 consideration if they meet the criteria in SCC 30.32C.010(3).

5
6 (2) Sites may be proposed for Mineral Resource designation (MRO) and shall be
7 considered in accordance with the provisions in chapter 30.74 SCC using the criteria for
8 designation set forth in the General Policy Plan Policies LU 9.A.1 through LU 9.A.13.

9
10 (3) Designation as Mineral Resource Lands in the General Policy Plan signifies that the
11 use of mineral lands has been anticipated and evaluated at an area-wide level in terms
12 of potential environmental impacts. The Mineral Resource Lands Designation
13 environmental documents, the Draft Supplemental EIS Snohomish County Mineral
14 Lands Designation (November, 2001), Draft Supplemental EIS Addendum Snohomish
15 County Mineral Lands Designation (July, 2002), and the Final Supplemental EIS
16 Snohomish County Mineral Lands Designation (August, 2003), may be relied on when
17 making threshold determinations, preparing site specific environmental documents,
18 identifying mitigation measures in accordance with chapter 30.61 SCC, or developing
19 administrative rules and procedures in accordance with chapter 30.82 SCC.

20
21 Section 19. A new section, originally codified at SCC 30.31D.030 which is
22 repealed by this ordinance, is added to Snohomish County Code Chapter 30.32C to
23 read:

24
25 **30.32C.030 Process for review of mining applications.**

26
27 (1) A conditional use permit, pursuant to chapter 30.42C SCC, or an administrative
28 conditional use permit, pursuant to chapter 30.43A SCC, shall be required for an
29 mineral excavation and processing proposal. A conditional use permit shall be required
30 unless the proposal meets all of the following criteria in which case an administrative
31 conditional use permit process may be used:

32
33 (a) total site disturbance, including all phases of excavation, internal haul
34 roads, and reclamation, comprises 20 acres or less;

35
36 (b) no processing, crushing, or blasting will occur accessory to mining;

37
38 (c) the operation will generate less than 50 total vehicle trips per day; and

39
40 (d) the duration of the operation will be 5 years or less.

41
42 (2) All proposals shall be subject to the requirements of the State Environmental Policy
43 Act and shall be reviewed pursuant to chapter 30.61 SCC.

1 Section 20. A new section, originally codified at SCC 30.31D.040 which is
2 repealed by this ordinance, is added to Snohomish County Code Chapter 30.32C to
3 read:

4
5 **30.32C.040 Submittal requirements.**
6

7 An application for an administrative conditional use permit or a conditional use permit
8 for mineral excavation shall comply with the requirements set out in the application
9 checklist as provided by the department pursuant to SCC 30.70.030. A pre-application
10 meeting is strongly recommended pursuant to SCC 30.70.020.
11

12 Section 21. Snohomish County Code Section 30.32C.100, last amended by
13 Amended Ordinance No. 05-083 on December 21, 2005, is amended to read:

14
15 **30.32C.100 Excavation and processing of minerals: ~~((regulations and))~~ general**
16 **performance standards.**
17

18 (1) Performance standards, permit procedures and requirements, and decision criteria
19 for excavation and processing of minerals related to designated mineral resource
20 lands ~~((and mineral conservation zoning shall be in accordance with))~~ are established
21 under this chapter ~~((30.31D SCC))~~. In granting an administrative conditional use permit
22 or a conditional use permit for mineral excavations, the following conditions shall apply
23 in all cases, except when more restrictive conditions are imposed by the approval
24 authority:
25

26 (a) The operator shall bury or remove all metal, lumber, or other refuse on the
27 site in a method approved by the hearing examiner;
28

29 (b) After completion of excavation operations, the operator shall dismantle and
30 remove within three months all equipment introduced to the site in support of the
31 operations, with the exception of equipment necessary for reclamation for
32 excavations not regulated by the state pursuant to chapter 78.44 RCW, which
33 equipment shall not be removed until such reclamation is completed to the
34 satisfaction of the state or local authorities. For excavations regulated by the
35 state pursuant to chapter 78.44 RCW, removal of reclamation equipment shall be
36 determined by the applicable reclamation plan. This three-month period shall not
37 be assumed to include time between projects or times when the plan is
38 temporarily inoperative due to economic, weather, or other similar conditions
39 recognized as reasonable by the hearing examiner. Such temporary
40 discontinuance of operations shall not be the cause for removal of equipment;
41

42 (c) All excavation operations and trucking directly related to such operations may
43 be permitted only between the hours of 7:00 a.m. and 5:30 p.m., Monday through
44 Saturday, unless the approval authority determines that no nuisance exists, or
45 that unusual and justifying circumstances are present, in which case the

1 relaxation of this regulation shall terminate when such conditions and
2 circumstances are deemed by the hearing examiner to no longer exist;

3
4 (d) If property to be developed for excavation has an exterior boundary line
5 which shares a common property line with developed property, or if in the
6 judgment of the approval authority, the nature and location of the operation is
7 such as to constitute a hazard to public safety, then a solid wall or fence at least
8 five feet in height shall be installed and maintained at least 50 feet from the
9 excavated area. All openings in the fence shall be barred by locked gates when
10 the permittee or the permittee's agent are not on the premises;

11
12 (e) The area shall be posted with signs having letters at least three inches high
13 and two inches wide, giving clear warning of the dangerous conditions resulting
14 from the excavation. The signs shall be not more than 50 feet apart around the
15 periphery of the subject property and shall be maintained in good repair until
16 excavation and reclamation operations are completed; and

17
18 (f) One copy of approved excavation and reclamation plans and specifications
19 for reclamation of excavations not regulated by the state pursuant to chapter
20 78.44 RCW shall be kept on the site at all times during the progress of the
21 excavation operation.

22
23 (2) In no case shall mineral operations impair lateral support or cause earth movements
24 or erosion to extend beyond the exterior boundary lines of property being excavated.

25
26 (3) Impacts resulting from traffic generated by mineral operations shall be addressed
27 pursuant to chapter 30.66B SCC.

28
29 Section 22. A new section, originally codified at SCC 30.31D.110 which is
30 repealed by this ordinance, is added to Snohomish County Code Chapter 30.32C to
31 read:

32
33 **30.32C.110 Landscaping.**

34
35 Landscaping shall be in accordance with SCC 30.25.027.

36
37 Section 23. A new section, originally codified at SCC 30.31D.120 which is
38 repealed by this ordinance, is added to Snohomish County Code Chapter 30.32C to
39 read:

40
41 **30.32C.120 Setbacks.**

42
43 Mineral excavation and processing operations, as well as related structures and
44 buildings, shall be set back in accordance with SCC 30.23.110(27).

1 Section 24. A new section, originally codified at SCC 30.31D.130 which is
2 repealed by this ordinance, is added to Snohomish County Code Chapter 30.32C to
3 read:

4
5 **30.32C.130 Protection of water quality.**
6

7 (1) Operators shall divert or protect all natural drain courses to prevent pollution or
8 reduction of natural flow, shall impound runoff as necessary to hold run-off to levels
9 existing prior to the introduction of excavation operations, shall protect streams and
10 grounds from acid forming or toxic materials exposed or produced by excavation
11 operations, shall seal off to the extent directed by the approval authority, any
12 breakthrough of acid water creating a hazard, and shall not allow water to collect nor
13 permit stagnant water to remain in excavations. Wherever possible, the operator shall
14 refrain from disturbing natural drainage course, streams, rivers, and lakes.
15

16 (2) All applications for an administrative conditional use permit or a conditional use
17 permit for mineral excavation shall also include a hydrogeologic site evaluation pursuant
18 to chapter 30.62C SCC. The excavation shall identify an adequate separation between
19 the bottom of the excavation and the groundwater table.
20

21 (3) Pursuant to SCC 30.32C.220, the approval authority may require summer testing of
22 groundwater levels and quality.
23

24 Section 25. A new section, originally codified at SCC 30.31D.135 which is
25 repealed by this ordinance, is added to Snohomish County Code Chapter 30.32C to
26 read:

27
28 **30.32C.135 Noise.**
29

30 Excavation and processing of minerals shall be conducted so as to comply with the
31 maximum permissible noise levels established in chapter 10.01.
32

33 Section 26. A new section, originally codified at SCC 30.31D.140 which is
34 repealed by this ordinance, is added to Snohomish County Code Chapter 30.32C to
35 read:

36
37 **30.32C.140 Blasting.**
38

39 Blasting or other activities producing ground vibration shall not constitute a nuisance to,
40 or damage in any way, the property of adjacent landowners. The approval authority may
41 require testimony by technical specialists in order to determine appropriate amounts
42 and placement of explosives and other vibration producing equipment and may place
43 such restrictions as are appropriate to avoid such nuisance or damage.
44

1 Section 27. A new section, originally codified at SCC 30.31D.145 which is
2 repealed by this ordinance, is added to Snohomish County Code Chapter 30.32C to
3 read:

4
5 **30.32C.145 Air quality.**
6

7 Extraction and processing shall be conducted to comply with state air quality standards
8 and any permit requirements as set forth by the Puget Sound Clean Air Agency. The
9 approval authority may, as a condition of approval, require the use of best management
10 practices (such as watering of the site and equipment) to control emissions of
11 suspended particulates.
12

13 Section 28. Snohomish County Code Section 30.32C.150, last amended by
14 Amended Ordinance 08-087 on February 4, 2009, is renumbered as follows and
15 amended to read:

16
17 **~~((30.32C.150))~~ 30.32C.050 Provisions for subdivision of designated mineral
18 resource lands and lands adjacent to mineral resource lands.
19**

20 (1) Where the MRO coincides with the R-5 zone, residential subdivision is prohibited on
21 any parcel, or portion of a parcel, located within the MRO, except as provided by a
22 development agreement under SCC 30.32C.250. Where the MRO covers only a portion
23 of a parcel zoned R-5, that portion of the parcel not covered by the MRO may be
24 subdivided subject to the requirements of SCC 30.32C.050(2)
25

26 (2) Residential subdivision of land partially designated with the MRO, as well as land
27 adjacent to the MRO, shall be allowed on that portion of the land located outside of the
28 MRO provided the owner:

29
30 (a) Uses rural cluster subdivision methods consistent with chapter 30.41C SCC;

31
32 (b) Protects the mineral resource deposit for future resource use by adequate
33 setbacks pursuant to SCC 30.23.110(27); and
34

35 (c) Includes open space configured to maximize preservation of the mineral resources
36 and provide buffers between the MRO designation and residential uses. The option to
37 utilize such open space for mineral operations shall be preserved as provided in SCC
38 30.41C.100.
39

40 Section 29. A new section, originally codified at SCC 30.31D.155 which is
41 repealed by this ordinance, is added to Snohomish County Code Chapter 30.32C to
42 read:
43

1
2 **30.32C.155 Underground excavations.**
3

4 Underground excavation operations shall not be left in a condition so as to be or
5 become hazardous. Mine shafts, air courses, inclines, or horizontal working temporarily
6 unused or deserted shall be blocked by solid bulkheads constructed of concrete, wood,
7 or steel. A locked manway or door may be installed as part of the bulkhead. Where
8 shafts, air courses, inclines or horizontal working are to be permanently abandoned in
9 accordance with good mining practice, the collar portal to such workings shall be
10 completely blocked by permanent bulkheads constructed of concrete and/or steel or by
11 causing the collapse of solid rock at such collar or portal in such manner as to prohibit
12 the reopening of said workings by natural movement of the collapsed rock by gravity
13 down inclined workings.
14

15 Section 30. A new section, originally codified at SCC 30.31D.160 which is
16 repealed by this ordinance, is added to Snohomish County Code Chapter 30.32C to
17 read:
18

19 **30.32C.160 Land disturbing activity, reclamation and topsoil retention.**
20

21 (1) Where applicable pursuant to SCC 30.63B.020, excavation and processing of
22 minerals, and other mining-related development activities, including but not limited to
23 road construction, drainage facilities and detention ponds, and reclamation of mining
24 sites not subject to chapter 78.44 RCW, shall be in accordance with chapter 30.63B
25 SCC.
26

27 (2) Topsoil that exists on a site shall be retained on the site in sufficient quantities to
28 ensure an adequate supply for reclamation purposes for excavations not regulated by
29 the state pursuant to chapter 78.44 RCW.
30

31 Section 31. Snohomish County Code Section 30.32C.200, last amended by
32 Amended Ordinance 18-061 on December 5, 2018, is renumbered as follows and
33 amended to read:
34

35 **~~((30.32C.200))~~ 30.32C.300 Notice and disclosure required.**
36

37 The disclosure text set forth in SCC ~~((30.32C.210))~~ 30.32C.310 shall be used under the
38 following circumstances and in the following manners:
39

40 (1) Snohomish County shall mail a copy of the disclosure text in SCC ~~((30.32C.210))~~
41 30.32C.310, with an explanatory informational attachment, to owners of real property
42 within 2,000 feet of any real property redesignated to mineral resource land by
43 amendment to the comprehensive plan future land use map within 90 days from the
44 date the mineral resource land designation becomes effective.
45

1 (2) Development permits and building permits for land that is designated mineral
2 resource land or land that is within 2,000 feet of designated mineral resource land shall
3 include the notice contained in SCC (~~30.32C.210~~) 30.32C.310. The notice requirement
4 shall apply to the real property which is subject to the development or building permit
5 only so long as the subject property is designated or is within 2,000 feet of land that is
6 designated mineral resource land.

7
8 Section 32. Snohomish County Code Section 30.32C.210, last amended by
9 Amended Ordinance 04-119 on November 17, 2004, is renumbered as follows and
10 amended to read:

11
12 **~~(30.32C.210)~~ 30.32C.310 Disclosure text.**

13
14 The following shall constitute the disclosure required by SCC (~~30.32C.200~~)
15 30.32C.300:

16
17 Your real property is on or within 2,000 feet of designated mineral resource land, on
18 which mineral extraction, or a variety of activities related to mineral extraction, may
19 occur that are not compatible with residential development for certain periods of limited
20 duration. An application might be made on the designated mineral resource land for
21 mining-related activities, including mining, extraction, washing, crushing, stockpiling,
22 blasting, transporting, and recycling of minerals.

23
24 Section 33. A new section, originally codified at SCC 30.31D.210 which is
25 repealed by this ordinance, is added to Snohomish County Code Chapter 30.32C to
26 read:

27
28 **30.32C.210 Decision criteria.**

29
30 Applications for an administrative conditional use permit or a conditional use permit on
31 sites which meet the criteria in SCC 30.32C.010(2) and (3) shall not be denied unless
32 the approval authority makes a finding of fact and a determination that any of the
33 following situations exist:

34
35 (1) It is determined that the reclamation plans and operating procedures for
36 excavations not regulated by the state pursuant to chapter 78.44 RCW proposed by the
37 applicant are not adequate to protect the general welfare and adjoining properties or the
38 natural environment to an extent deemed reasonable as conditioned by these local
39 circumstances:

40
41 (a) the operation will probably endanger the health, comfort, welfare, or safety of
42 the public by the pollution of any waters or the atmosphere, or create unusual
43 and dangerous traffic conditions; and
44

1 (b) the operation probably will endanger life or property by the storage of
2 explosives, unduly decreasing property values or the removal of subjacent lateral
3 support;

4
5 (2) The applicant has ever had a previous county permit permanently revoked for
6 cause;

7
8 (3) The applicant has previously forfeited a security device attached to a previous
9 operation, unless corrective measures have taken place without cost to the county or
10 state; or

11
12 (4) The suitability of the location and the operation considering the nature and degree
13 of surrounding development.

14
15 Section 34. A new section, originally codified at SCC 30.31D.220 which is
16 repealed by this ordinance, is added to Snohomish County Code Chapter 30.32C to
17 read:

18
19 **30.32C.220 Additional conditions.**

20
21 Additional conditions may be established or imposed on an administrative conditional
22 use permit or a conditional use permit for excavation and processing of minerals and
23 may include, but are not limited to, the following:

24
25 (1) Regulation of the height and location of all equipment installed on the site, above
26 and beyond the setback restrictions of this chapter, if unusual circumstances bearing on
27 public safety or other vital concerns are deemed to exist;

28
29 (2) The number and locations of points of ingress and egress to and from any mining
30 operation;

31
32 (3) Wherever possible the operator shall schedule his excavation sequence in such a
33 manner as to provide either natural or reclaimed buffers between the operation and
34 adjoining properties;

35
36 (4) Lighting to minimize visibility from adjacent property and preclude it from shining
37 directly onto adjoining property;

38
39 (5) Stockpiles and tailings shall not exceed the height, slope and moisture content limits
40 determined by the hearing examiner, nor shall such stockpiles or tailings be so located
41 as to threaten adjacent slopes or properties. In making this determination, the approval
42 authority may consult with the Washington State Department of Transportation, the
43 Department of Natural Resources, the director of the department of public works, or
44 other authoritative sources;

- 1 (6) Selective cutting of timber in power line corridors;
- 2
- 3 (7) Control of signs;
- 4
- 5 (8) The selection of building materials in scenic areas;
- 6
- 7 (9) The preservation of animal trails by use of trestle and culverts;
- 8
- 9 (10) Public access to unexcavated areas, especially if the areas include waterfront
- 10 property;
- 11
- 12 (11) Closed aggregate washing systems;
- 13
- 14 (12) The location of mining towns, mills, tailing dump sites, settling ponds;
- 15
- 16 (13) The removal of access roads in wilderness areas after the completion of mining,
- 17 as well as their restriction from public use during such operations;
- 18
- 19 (14) Provisions for groundwater testing;
- 20
- 21 (15) The establishment of a haul route agreement; and
- 22
- 23 (16) Required participation in a monitoring program.
- 24

25 Section 35. A new section, originally codified at SCC 30.31D.230 which is
26 repealed by this ordinance, is added to Snohomish County Code Chapter 30.32C to
27 read:

28
29 **30.32C.230 Inspections.**

30
31 The granting of any permit hereunder is conditioned upon the consent of the owner to
32 permit inspection of the site at any time. The inspection may include:

- 33
- 34 (1) A review of all applicable county permits;
- 35
- 36 (2) A review of all work actually being conducted on the site; and
- 37
- 38 (3) A comparison of the actual performance with approved methods contained in the
- 39 permit, as well as a recording of any known violations of state or federal permits. All
- 40 violations shall be noted whether or not they are corrected in the presence of the
- 41 inspector.
- 42

43 Section 36. A new section, originally codified at SCC 30.31D.240 which is
44 repealed by this ordinance, is added to Snohomish County Code Chapter 30.32C to
45 read:

1
2 **30.32C.240 Suspension and/or Revocation of approval.**

3
4 Administrative conditional use permits or conditional use permits for excavation may be
5 suspended or revoked in accordance with SCC 30.85.300 or 30.85.310.
6

7 Section 37. A new section is added to Snohomish County Code Chapter 30.32C
8 to read:
9

10 **30.32C.250 Transition to Post-Extractive Land Uses**

11
12 (1) Sites with an active Conditional Use Permit or Administrative Conditional Use Permit
13 issued pursuant to this chapter that are approaching depletion of all commercially
14 significant mineral resources on the site may enter into a development agreement under
15 chapter 30.75 SCC to address reclamation and transition into post-extractive uses.
16

17 (2) Development agreements under subsection (1) may allow grading, utility installation,
18 landscaping, and other necessary components of the development not inconsistent with
19 ongoing mining to occur upon approval but will prohibit final subdivision or short
20 subdivision approval and issuance of any building permit not directly related to mining
21 operations until the completion of surface mining as defined by RCW 78.44.031(2) on
22 the site.
23

24 Section 38. Snohomish County Code Section 30.41C.020, last amended by
25 Amended Ordinance No. 08-087 on February 4, 2009, is amended to read:
26

27 **30.41C.020 Applicability.**

28
29 (1) An application for a rural cluster subdivision or short subdivision shall be combined
30 with the application for a subdivision or short subdivision, and shall be processed as a
31 single application.
32

33 (2) Clustering is permitted in the following zones:

- 34 (a) Forestry (F);
35
36 (b) Forestry and Recreation (F & R);
37
38 (c) Rural Resource Transition - 10 acre (RRT-10);
39
40 (d) Rural Five-Acre (R-5);
41
42 (e) Rural Conservation (RC); and
43
44 (f) Rural Diversification (RD)(~~;-and~~);
45

1
2 ((g) Mineral Conservation (MC).))
3

4 (3) The provisions of this chapter shall not be used in the zones listed in SCC
5 30.41C.020(2) if the properties are designated on the Future Land Use Map (FLUM) as
6 follows:
7

8 (a) Commercial Forest (CF);
9

10 (b) Commercial Forest-Forest Transition Area (CF-FTA);
11

12 (c) Upland Commercial Farmland (UCF);
13

14 (d) Local Commercial Farmland (LCF); ((~~o~~))
15

16 (e) Riverway Commercial Farmland (RCF);
17

18 (f) Rural Residential-Rural Diversification (RR-RD) outside a RUTA overlay; or
19

20 (g) Located within an urban growth area.
21

22 (4) Where the mineral resource overlay (MRO) covers a portion of a parcel zoned R-5,
23 the provisions of this chapter may be used on that portion of the parcel located outside
24 the MRO, if the provisions of SCC ((~~30.32C.150~~)) 30.32C.050 are met.
25

26 Section 39. Snohomish County Code Section 30.41C.090, last amended by
27 Amended Ordinance No. 17-070 on November 1, 2017, is amended to read:
28

29 **30.41C.090 Restricted open space – general requirements.**
30

31 (1) All open space within the rural cluster subdivision used to meet the open space
32 requirements for lot yield calculations shall be restricted open space. Such restricted
33 open space shall be designated, held in tracts separate from residential lots, and
34 marked on the face of the plat.
35

36 (2) To qualify as restricted open space, an area must meet the following standards:
37

38 (a) It must be used for buffering, critical area protection, resource production,
39 conservation, recreation, community utility purposes, or general preservation;
40

41 (b) At least 25 percent of the open space tract shall be accessible by all
42 residents of the rural cluster subdivision or short subdivision for passive
43 recreation, except when the restricted open space is fenced off as a critical area
44 protection area. Access points to open space shall be shown on the face of the
45 plat;

(c) The following uses are permitted in restricted open space tracts unless prohibited by chapter 30.62A, 30.62B or 30.62C SCC:

(i) Beaches, docks, swimming areas, picnic areas, trails/pedestrian walkways, equestrian trails, equestrian centers or structures related to animal husbandry or farming, playgrounds, or any nonmotorized passive recreational facilities and other similar uses as authorized by the director;

(ii) Community wells, well houses, water lines, water system appurtenances and community drain fields;

(iii) The following drainage facilities that meet the landscaping requirements in SCC 30.25.023:

(A) Unfenced detention, retention and wetponds;

(B) Stormwater treatment wetlands;

(C) Stormwater infiltration trenches and bioswales that serve more than one dwelling; and

(D) Low impact development best management practices that serve more than one dwelling, excluding permeable pavement areas intended for vehicle access and parking.

(iv) Natural resource uses in accordance with chapters 30.32A, 30.32B and 30.32C SCC(~~(; and)~~).

(d) At least 30 percent of the total area of restricted open space shall be left undisturbed. Undisturbed open space may contain critical areas and their buffers. Such undisturbed restricted open space shall be identified on the site plan and marked clearly on the land disturbing activity site plan.

(3) SCC Table 30.41C.090 establishes the minimum percentage of the original gross development area that shall be retained as restricted open space tracts, except when the land is also designated as rural urban transition area (RUTA), which is governed by SCC 30.41C.140.

Table 30.41C.090 Restricted Open Space Area Requirements

Zones and Comprehensive Plan Designation	(1) Forestry (F) zone (2) Forestry & Recreational (F&R) zone	(1) Rural 5-acre zone in RR-5 & RR-10(RT) without MRO	(1) Rural 5-acre zone in RR (RR Basic) designation without MRO
------------------------------------------	-----------------------------------------------------------------	-------------------------------------------------------	----------------------------------------------------------------

	((3) Mineral Conservation zone (MC) with or without MRO))	(2) Rural Resource Transition 10-acre zone, Rural Conservation (RC) & Rural Diversification zones in RR-10(RT) designation with MRO	
Minimum restricted open space	60 percent	45 percent	45 percent
Minimum restricted open space (natural resource lands)	60 percent	60 percent	60 percent
Notes: The Mineral Resource Lands Overlay (MRO) is a comprehensive plan designation overlay which overlaps other designations. Where the MRO overlaps the R-5 zone, residential subdivision is prohibited on any portion of a parcel located within the MRO under SCC ((30.32C.150)) 30.32C.050.			

- 1
2 (4) No more than 65 percent of the total restricted open space area may consist of
3 unbuildable land as defined in SCC 30.91U.060.
4
5 (5) To retain rural character, the restricted open space shall contain on-site forested
6 areas, active agriculture, meadows, pastures or prominent hillsides or ridges.
7
8 (6) The following notice shall be filed on the title of the properties within the plat and
9 shall be placed on the face of the final plat and short plat:
10
11 "Tract ___ is a restricted open space tract with limited uses pursuant to chapter 30.41C
12 SCC. The open space tract is intended to be preserved in perpetuity."
13
14 Section 40. Snohomish County Code Section 30.41C.100, added by Amended
15 Ordinance 08-087 on February 4, 2009, is amended to read:
16
17 **30.41C.100 Restricted open space – natural resource lands.**
18
19 If the open space required in SCC 30.41C.090 contains natural resource lands as
20 defined in SCC 30.91N.030, the following shall be required:
21
22 (1) A minimum 100-foot open space buffer shall be provided between the boundary of
23 the designated natural resource land and the property lines of any residential lots or any
24 structure within an open space; and
25

1 (2) A disclosure statement regarding the use rights associated with natural resource
2 lands, as required by SCC 30.32A.210, SCC 30.32B.210 or SCC (~~30.32C.200~~)
3 30.32C.300, shall be recorded on the final plat or final short plat. The disclosure
4 statement shall contain text stating the protections and potential hazards of proximity to
5 agricultural, forestry, or mineral uses as required in SCC 30.32A.220, SCC 30.32B.220
6 or SCC (~~30.32C.210~~) 30.32C.310.

7
8 Section 41. Snohomish County Code Section 30.41C.110, added by Amended
9 Ordinance 08-087 on February 4, 2009, is amended to read:

10
11 **30.41C.110 Ownership and preservation of restricted open space.**

12
13 The following provisions shall apply to the ownership and preservation of restricted
14 open space as required in SCC 30.41C.090:

15
16 (1) Open space requirements must be met with restricted open space tract(s) held in
17 separate ownership from residential lots and marked on the face of the plat with limited
18 uses referenced.

19
20 (2) Restricted open space tracts shall be owned by a single property owner, a
21 homeowners association, a public agency or a not for profit organization.

22
23 (3) When ownership of restricted open space is by a single property owner, the
24 property owner shall:

25
26 (a) Record a restricted covenant against the open space tract that runs with the
27 land and restricts the use of the open space tract to those uses allowed in SCC
28 30.41C.090(2); and

29
30 (b) Provide an open space management plan pursuant to SCC 30.41C.120.

31
32 (4) Common ownership shall be by the property owners of the subdivision as a whole,
33 in the form of a homeowners association.

34
35 (a) The applicant shall provide the county with a description of the association,
36 proof of incorporation of the association, a copy of its bylaws, a copy of the
37 conditions, covenants and restrictions regulating the use of the property and
38 setting forth methods for maintaining the open space.

39
40 (b) Membership in the homeowners association, and dues or other assessment
41 for maintenance purposes, shall be a requirement of lot ownership within the
42 development.

43
44 (5) All lands classified as natural resource lands, including lands designated mineral
45 resource overlay, that are included in restricted open space areas shall be:

1
2 (a) Placed under a unified system of property management for the purpose of
3 maximizing their continued or future management for beneficial resource
4 production/conservation purposes; and

5
6 (b) If the land is designated mineral resource overlay it shall be subject to the
7 requirements of SCC (~~30.32C.150~~) 30.32C.050.

8
9 (6) Forest practices within restricted open space shall be permitted, provided that:

10
11 (a) The activity is consistent with an applicable approved forest practice permit;
12 and

13
14 (b) The activity is included in the open space management plan.

15
16 Section 42 Snohomish County Code Section 30.41C.130, last amended by
17 Amended Ordinance No. 12-049 on October 3, 2012, is amended to read:

18
19 **30.41C.130 Rural cluster-bulk regulations.**

20
21 (1) SCC Table 30.41C.130 establishes the bulk regulations for rural cluster
22 subdivisions or short subdivisions located outside of the RUTA and replaces SCC Table
23 30.23.030 for rural cluster subdivisions. Bulk regulations for rural clusters located inside
24 the RUTA are governed by SCC 30.41C.140.

25
26 **Table 30.41C.130 Bulk Regulation Requirements**

Zones and comprehensive plan designations	(1) Forestry zone (F) with or without MRO (2) Forestry & Recreation zone (F&R) with or without MRO (3) (Mineral Conservation zone (MC)) (4) Rural 5-Acre zone in RR-5 & RR-10(RT) designation without MRO designation	((5)) (4) Rural Resource Transition (RRT) 10-acres zone, Rural Conservation zone (RC) & Rural Diversification zone in RR-10(RT) designation with MRO
Maximum lot coverage	35 percent	
Minimum lot width at building site	125 feet	
Minimum lot size	20,000 square feet	
Minimum front yard setback ¹	20 feet, plus at least a 10 foot variation in setbacks on lots adjacent to one another	

Zones and comprehensive plan designations	(1) Forestry zone (F) with or without MRO (2) Forestry & Recreation zone (F&R) with or without MRO (3) (Mineral Conservation zone (MC)) (4)) Rural 5-Acre zone in RR-5 & RR-10(RT) designation without MRO designation	((5)) (4) Rural Resource Transition (RRT)10-acres zone, Rural Conservation zone (RC) & Rural Diversification zone in RR-10(RT) designation with MRO
Minimum rear yard setback	5 feet	
Minimum side yard setback	25 feet	
Minimum setback for residential lots from designated adjacent agriculture, forest and mineral lands	100 feet	

1
2 1 Pursuant SCC 30.41C.070(1)(d), the variations in front yard setbacks shall be at least 10 feet on lots adjacent to each other.
3 Variety in lot size and configuration is also encouraged to avoid creating uniformity, which is characteristic of urban
4 development

5
6 Section 43. Snohomish County Code Section 30.65.220, last amended by
7 Ordinance 20-076 on November 4, 2020, is amended to read:

8
9 **30.65.220 Floodways: permitted uses.**

10
11 The following uses are allowed in the floodway when permitted by the applicable zone
12 under chapter 30.22 SCC, provided the use is in compliance with the applicable general
13 and specific floodproofing standards of SCC 30.65.110 and 30.65.120, and other
14 applicable provisions of this chapter:

- 15
- 16 (1) Agriculture;
- 17
- 18 (2) Forestry, including processing of forest products with portable equipment;
- 19
- 20 (3) Preserves and reservations;
- 21
- 22 (4) Park and recreational activities;
- 23
- 24 (5) Removal of rock, sand and gravel, when the applicant can provide clear and
25 convincing evidence that such uses will not divert flood flows causing channel shift or
26 erosion, accelerate or amplify the flooding of downstream flood hazard areas, increase
27 the flooding threat to upstream flood hazard areas, or in any other way threaten public

1 or private properties. When allowed, such removal shall comply with the provisions of
2 chapter ((30.34D)) 30.32C SCC and the county shoreline management program;
3

4 (6) Utility transmission lines when allowed in underlying zones unless otherwise
5 prohibited by this chapter. When the primary purpose of such a transmission line is to
6 transfer bulk products or energy through a floodway en route to another destination, as
7 opposed to serving customers within a floodway, such transmission lines shall conform
8 to the following:
9

10 (a) All utility transmission lines shall cross floodways by the most direct route
11 feasible as opposed to paralleling floodways;
12

13 (b) Electric transmission lines shall span the floodway with support towers
14 located in flood fringe areas or beyond. Where floodway areas cannot be
15 spanned due to excessive width, support towers shall be located to avoid high
16 flood water velocity and/or depth areas, and shall be adequately floodproofed;
17

18 (c) Buried utility transmission lines transporting hazardous materials, including
19 but not limited to crude and refined petroleum products and natural gas, shall be
20 buried a minimum of four feet below the maximum established scour of the
21 waterway, as calculated on the basis of hydrologic analyses. Such burial depth
22 shall be maintained horizontally within the hydraulic floodway to the maximum
23 extent of potential channel migration as determined by hydrologic analyses. In
24 the event potential channel migration extends beyond the hydraulic floodway,
25 conditions imposed upon floodway fringe and special flood hazard areas shall
26 also govern placement. All hydrologic analyses are subject to acceptance by the
27 county, shall assume the conditions of a 100-year frequency flood as verified by
28 the U.S. Army Corps of Engineers, and shall include on-site investigations and
29 consideration of historical meander characteristics in addition to other pertinent
30 facts and data. The use of riprap as a meander containment mechanism within
31 the hydraulic floodway shall be consistent with the county shoreline management
32 program;
33

34 (d) Buried utility transmission lines transporting non-hazardous materials
35 including water and sewage shall be buried a minimum of four feet below the
36 maximum established scour of the waterway as calculated on the basis of
37 hydrologic analyses. Such burial depth shall be maintained horizontally within the
38 hydraulic floodway to the maximum extent of potential channel migration as
39 determined by hydrologic analyses. All hydrologic analyses shall conform to
40 requirements in subsection (6)(c) of this section. The use of riprap as a meander
41 containment mechanism within the hydraulic floodway shall be consistent with
42 the county shoreline management program;
43

44 (e) Beyond the maximum extent of potential channel migration, utility
45 transmission lines transporting hazardous and non-hazardous materials shall be

1 buried below existing natural and artificial drainage features. Burial depth in all
2 agricultural areas requiring or potentially requiring subsurface drainage shall be a
3 minimum of six feet as measured from ground surface to the top of the
4 transmission line, or at other such depth as deemed necessary by on-site
5 investigations performed by a qualified soils expert familiar with county soils.
6 Burial depth in all other agricultural and non-agricultural floodway areas shall be
7 determined on the basis of accepted engineering practice and in consideration of
8 soil conditions and the need to avoid conflict with agricultural tillage;
9

10 (f) All buried utility transmission lines shall achieve sufficient negative buoyancy
11 so that any potential for flotation or upward migration is eliminated;
12

13 (g) Above ground utility transmission lines, not including electric transmission
14 lines, shall only be allowed for the transportation of non-hazardous materials
15 where an existing or new bridge or other structure is available and capable of
16 supporting the line. When located on existing or new bridges or other structures
17 with elevations below the level of the 100-year flood, the transmission line shall
18 be placed on the down-stream side and protected from flood debris. In such
19 instances, site specific conditions and flood damage potential shall dictate
20 placement, design and protection throughout the floodway. Applicants must
21 demonstrate that such above ground lines will have no appreciable effect upon
22 flood depth, velocity or passage, and shall be adequately protected from flood
23 damage. If the transmission line is to be buried except at the waterway crossing,
24 burial specifications shall be determined as in subsection (6)(d) of this section;
25

26 (h) All floodway crossings by utility transmission lines transporting hazardous
27 materials shall be equipped with valves capable of blocking flow within the
28 pipeline in the event of leakage or rupture. All floodway crossings shall have
29 valves unless otherwise indicated by standard engineering review of the site and
30 type of transmission line as acceptable to the county with locations determined
31 by other provisions of this chapter;
32

33 (i) Above ground utility transmission line appurtenant structures including valves,
34 pumping stations, or other control facilities shall not be permitted in the floodway;
35 and
36

37 (j) Where a floodway has not been determined by preliminary Corps of
38 Engineers' investigations or official designation, a floodway shall be defined by
39 qualified engineering work by the applicant on the basis of a verified 100-year
40 flood event.
41

42 (7) Repairs, reconstruction, replacement, or improvements to existing farmhouse
43 structures which are located on lands designated as agricultural lands of long-term
44 commercial significance under RCW 36.70A.170, subject to the following:
45

1 (a) The new farmhouse is a replacement for an existing farmhouse on the same
2 farm site;

3
4 (b) There is no potential building site for a replacement farmhouse on the same
5 farm outside the designated floodway;

6
7 (c) The farmhouse being replaced shall be removed, in its entirety, including
8 foundation, from the floodway within 90 days after occupancy of the new
9 farmhouse;

10
11 (d) For substantial improvements, and replacement farmhouses, the elevation of
12 the lowest floor of the improvement and farmhouse respectively, including
13 basement, is one foot higher than the base flood elevation;

14
15 (e) New and replacement water supply systems, are designed to eliminate or
16 minimize infiltration of flood waters into the system;

17
18 (f) New and replacement sanitary sewerage systems are designed and located
19 to eliminate or minimize infiltration of flood waters into the system and discharge
20 from the system into the flood waters;

21
22 (g) All other utilities and connections to public utilities are designed, constructed,
23 and located to eliminate or minimize flood damage;

24
25 (h) The replacement farmhouse shall not exceed the total square footage of
26 encroachment of the structure which it is replacing; and

27
28 (i) Repairs, reconstruction, or improvements to a farmhouse shall not increase
29 the total square footage of encroachment of the existing farmhouse.

30
31 (8) Repairs, replacement, or relocation of substantially damaged residences in the
32 floodway, other than farmhouses, are subject to the following:

33
34 (a) When residences other than farmhouses are substantially damaged in the
35 floodway, the floodplain administrator may make a written request to the
36 Department of Ecology under RCW 86.16.041(4) to assess the risk of harm to life
37 and property posed by the specific conditions of the floodway. Based on analysis
38 of depth, velocity, flood-related erosion, channel migration, debris load potential,
39 and flood warning capability, the Department of Ecology may exercise best
40 professional judgment in recommending to the floodplain administrator authority
41 to permit repair, replacement, or relocation of the substantially damaged
42 structure. The property owner shall submit any information necessary to
43 complete the assessment to the county and the Department of Ecology. Without
44 a favorable recommendation from the Department of Ecology for the repair or
45 replacement of a substantially damaged residential structure located in the

1 regulatory floodway, no repair or replacement is allowed under WAC 173-158-
2 076(1).

3
4 (b) Before the repair, replacement, or relocation is started, all applicable
5 requirements of the National Flood Insurance Program, chapter 86.16 RCW,
6 chapter 30.43C SCC, and this chapter must be satisfied. In addition, the following
7 conditions must be met:

8
9 (i) There is no potential building location for the replacement residential
10 structure on the same property outside the regulatory floodway;

11
12 (ii) The replacement residential structure is equivalent in use and size to
13 the substantially damaged residential structure;

14
15 (iii) The structure being repaired, replaced, or reconstructed was legally
16 constructed;

17
18 (iv) Repairs, reconstruction, or replacement do not result in an increase of
19 the total square footage of floodway encroachment;

20
21 (v) The elevation of the lowest floor of the substantially damaged or
22 replacement residential structure is a minimum of one foot higher than the
23 base flood elevation;

24
25 (vi) New and replacement water supply systems are designed to eliminate
26 or minimize infiltration of floodwater into the system;

27
28 (vii) New and replacement sanitary sewerage systems are designed and
29 located to eliminate or minimize infiltration of floodwater into the system
30 and discharge from the system into the floodwaters; and

31
32 (viii) All other utilities and connections to public utilities are elevated a
33 minimum of one foot above the base flood elevation and are designed,
34 constructed, and located to eliminate or minimize flood damage.

35
36 (9) Water-dependent utilities and other installations which by their very nature must be
37 in the floodway. Examples of such uses are: Dams for domestic/industrial water supply,
38 flood control and/or hydroelectric production; water diversion structures and facilities for
39 water supply, irrigation and/or fisheries enhancement; flood water and drainage
40 pumping plants and facilities; hydroelectric generating facilities and appurtenant
41 structures; structural and nonstructural flood damage reduction facilities, and stream
42 bank stabilization structures and practices. The applicant shall supply convincing
43 evidence that a floodway location is necessary in view of the objectives of the proposal
44 and that the proposal is consistent with other provisions of this chapter and the county

1 shoreline management program. In all instances of locating utilities and other
2 installations in floodway locations, project design must incorporate floodproofing.

3
4 (10) Dikes, when the applicant can provide clear and convincing evidence that:

5
6 (a) Adverse effects upon adjacent properties will not result relative to increased
7 floodwater depths and velocities during the base flood or other more frequent
8 flood occurrences;

9
10 (b) Natural drainage ways are minimally affected in that their ability to
11 adequately drain floodwaters after a flooding event is not impaired; and

12
13 (c) The proposal has been coordinated through the appropriate diking district
14 where applicable, and that potential adverse effects upon other affected diking
15 districts have been documented.

16
17 (11) Public works, limited to roads and bridges.

18
19 Section 44. Snohomish County Code Section 30.66B.035, last amended by
20 Amended Ordinance 10-072 on September 8, 2010, is amended to read:

21
22 **30.66B.035 Traffic study – when required.**

23
24 (1) A development adding more than fifty peak-hour trips shall be required to provide a
25 traffic study to enable the department of public works to make a concurrency
26 determination in accordance with SCC 30.66B.125, unless the department determines
27 at the pre-submittal conference that a study is not required.

28
29 (2) Applicants for mineral operations submitted in accordance with chapter (~~30.31D~~)
30 30.32C SCC shall be required to provide a traffic study to enable the department of
31 public works to analyze and assess appropriate mitigation for impacts to the road
32 system resulting from the activity.

33
34 (3) A traffic study may be required of a developer to analyze a potential inadequate
35 road condition pursuant to SCC 30.66B.210.

36
37 (4) A developer shall provide a traffic study for developments that add three or more
38 peak-hour trips when the department of public works determines there is a need for
39 additional information on:

40
41 (a) Impacts of the development on any arterial units in arrears and/or designated
42 ultimate capacity arterial units;

43
44 (b) A development's traffic distribution;

1 (c) A possible inadequate road condition;

2
3 (d) Adequacy of any road system impact fee required pursuant to this chapter, in
4 representing reasonable and/or adequate mitigation for that particular
5 development; or

6
7 (e) A suspected traffic impact that may warrant mitigation beyond that provided
8 through the road system impact fee payment system.

9
10 (5) The traffic study will consist of at least a traffic generation and distribution analysis
11 but may be as extensive as analyzing all arterial units on the road system wherever
12 three or more peak-hour trips from the development are added.

13
14 (6) A traffic study or other additional information may be required as a result of changes
15 in the development proposal.

16
17 (7) The director of public works may waive the requirement for a traffic study and so
18 state the finding in the pre-submittal conference-scoping sheet, if the director finds there
19 is sufficient information known about a development's road system from previous traffic
20 studies. In such cases, the existing information will be used to establish any necessary
21 traffic mitigation requirements to be recommended in the review of the development.

22
23 (8) Developments impacting roads under the jurisdiction of the WSDOT, a city or
24 another county, shall provide a traffic study to address impacts of the development, as
25 may be required in an interlocal agreement pursuant to SCC 30.61.230(6) with the
26 WSDOT, city or other county.

27
28 Section 45. Snohomish County Code Section 30.66B.080, last amended by
29 Ordinance 16-010 on June 1, 2016, is amended to read:

30
31 **30.66B.080 Authorization for administrative rules.**

32
33 The director of the department of public works is authorized to adopt administrative
34 rules pursuant to chapter 30.82 SCC to administer this chapter. The administrative rules
35 shall set forth any necessary procedural requirements to allow for the efficient
36 processing of development applications. The director of public works shall adopt
37 administrative rules that include, but are not limited to, the following topics:

38
39 (1) *Traffic studies*. scope, format, required elements, processing and review in
40 accordance with sound transportation engineering and planning principles;

41
42 (2) *Level-of-service determination*. methodology, data collection, forecasting;

43
44 (3) *Multimodal arterials*. criteria for designating arterials as multimodal;

- 1 (4) *Inadequate road conditions*. criteria for identification;
- 2
- 3 (5) *Frontage improvements*. standards, variables;
- 4
- 5 (6) *Mitigation measures*. extent, timing, and agreements;
- 6
- 7 (7) *Master road improvement programs*. processing;
- 8
- 9 (8) Transportation demand management (TDM) for developments;
- 10
- 11 (9) Review of applications for mineral operations submitted in accordance with chapter
- 12 (~~30.31D~~) 30.32C SCC generating significant numbers of large trucks including traffic
- 13 study requirements, impact analysis, and mitigation requirements;
- 14
- 15 (10) Ultimate capacity designations consistent with SCC 30.66B.110; and
- 16
- 17 (11) Concurrency requirements for certain public facilities needed to support residential
- 18 development.

19
20 Section 46 Snohomish County Section 30.67.220, added by Amended Ordinance
21 No. 12-025 on June 6, 2012, is amended to read:

22
23 **30.67.220 Shoreline environment designation maps.**

- 24
- 25 (1) The shoreline environment designation maps generally depict the location of
 - 26 shoreline jurisdiction, however, the determination of whether a specific site is within
 - 27 shoreline jurisdiction is determined case-by-case based on the property's location and
 - 28 physical characteristics and features. For property determined to be located within
 - 29 shoreline jurisdiction and not designated on the official maps and not subject to SCC
 - 30 30.67.220(2), the shoreline environment designation shall be based on the shoreline
 - 31 environment designation criteria and the following additional criteria as applicable:
 - 32
 - 33 (a) Property or portions of property, including associated wetlands, located
 - 34 waterward of the ordinary high water mark (OHWM), shall be considered Aquatic;
 - 35
 - 36 (b) Property or portions of property located landward of the OHWM on bars and
 - 37 islands on rivers and streams shall be considered Natural;
 - 38
 - 39 (c) Property or portions of property located landward of the OHWM and within an
 - 40 urban growth area shall be considered Urban and subject to further review for
 - 41 designation as Urban Conservancy based on the criteria in section 2.2.6 of
 - 42 Shoreline Management Program: Shoreline Environment Designations, Policies
 - 43 and Regulations;

1 (d) Property or portions of a property located landward of the OHWM and
2 outside of an urban growth area, and not zoned A-10, F, or F&R(~~(, or MC,)~~) shall
3 be considered Rural Conservancy and subject to further review for designation
4 as Natural based on the criteria in section 2.2.2 of Shoreline Management
5 Program: Shoreline Environment Designations, Policies and Regulations;
6

7 (e) Property or portions of a property located landward of the OHWM and
8 outside of an urban growth area and zoned A-10, F, or F&R(~~(, or MC,)~~) shall be
9 considered Resource and subject to further review for designation as Natural
10 based on the criteria in section 2.2.2 of Shoreline Management Program:
11 Shoreline Environment Designations, Policies and Regulations; and
12

13 (f) Associated wetlands located landward of the ordinary high water mark
14 (OHWM) shall be designated consistent with the adjacent designation of the
15 associated shoreland.
16

17 (2) Non-federal lands lying within the exterior boundaries of federal lands and those
18 federal lands leased by the federal government to other persons, which fall within the
19 definition of shorelines of the state or shorelands and are subject to the county's SMP,
20 shall be designated as follows:
21

22 (a) The Aquatic shoreline environment shall be applied below the ordinary high
23 water mark;
24

25 (b) The Natural shoreline environment shall be applied to all shoreline
26 jurisdiction above the ordinary high water mark when federal lands are within a
27 designated wilderness area; and
28

29 (c) The Resource shoreline environment designation shall be applied to all
30 shoreline jurisdiction not meeting the criteria in 30.67.220(2)(a) or (b).
31

32 (3) Unless otherwise specified by the shoreline environment designation criteria or
33 other established points, lines, or features, the designation boundary lines are the
34 ordinary high water mark of water bodies, and the centerlines of rights-of-way, public
35 alleys, parkways, or railroad rights-of-way.
36

37 (4) Shoreline environment designations shall not change as a result of the vacation of a
38 right-of-way, a road or an alley.
39

40 (5) All shoreline boundary determinations shall be consistent with the designation
41 criteria for the shoreline environment designations.
42

43 Section 47. Snohomish County Code Section 30.67.560, added by Amended
44 Ordinance No. 12-025 on June 6, 2012, is amended to read:
45

1 **30.67.560 Mining.**

2
3 Mining is the removal and primary processing of naturally occurring materials including
4 sand, gravel, rock, soil, peat or precious metals for economic use. Mining activities also
5 include in-water and in-channel dredging activities related to mineral extraction.
6

7 (1) The following general regulations apply to mining activities in shorelines:

8
9 (a) Mining activities are allowed in shoreline jurisdiction only when necessary as
10 an integral part of the following project types:

11
12 (i) Ecological restoration or enhancement;

13
14 (ii) Flood hazard management, provided that:

15
16 (A) The project is recommended in a Snohomish County flood
17 hazard management plan and is consistent with chapter SCC 30.65
18 SCC and SCC 30.67.540; and

19
20 (B) A geotechnical or engineering analysis demonstrates that the
21 proposed mining will result in long-term flood hazard reduction
22 benefits;

23
24 (iii) To alleviate an emergency situation as defined in SCC 30.91E.100
25 and subject to the following conditions:

26
27 (A) The mining activity is the minimum necessary to alleviate the
28 emergency situation;

29
30 (B) The permit procedures for emergency modifications or
31 construction in SCC 30.67.470 are satisfied; and

32
33 (C) When related to alleviation of a flood hazard emergency, the
34 mining activity meets the standards in SCC 30.44.280;

35
36 (iv) Mineral extraction and use for forest practices, provided that:

37
38 (A) The mining activity is conducted more than 200 feet from the
39 ordinary high water mark of shorelines of statewide significance;
40 and

41
42 (B) the appropriate notifications, approvals or permits are obtained
43 pursuant to chapter 76.09 RCW;

1 (v) Removal of mineral resources deposited above the ordinary high
2 water mark by flood events onto designated agricultural lands under the
3 county's comprehensive plan for the purpose of maintaining or restoring
4 land for agricultural activities; or

5
6 (vi) Dredging allowed pursuant to SCC 30.67.530.
7

8 (b) Removal of mineral resources shall comply with the following standards:
9

10 (i) The mining activity shall not occur in critical saltwater habitat, primary
11 association areas for critical species, or in salmonid spawning habitat
12 except in conjunction with an approved habitat restoration or
13 enhancement project;

14
15 (ii) Mining activities shall not disrupt natural hydrology or sedimentation
16 processes including but not limited to littoral drift, accretion, feeder bluffs
17 or other sediment transport;

18
19 (iii) Mining activities shall not result in channelization of normal stream
20 flows, interfere with natural hydraulic processes such as channel
21 migration, undermine existing structures or downstream stream banks, or
22 increase risk of stream avulsion;

23
24 (iv) Mining activities shall not result in a net loss of shoreline ecological
25 functions or impair migration of anadromous fish; and

26
27 (v) Mining activities waterward of the ordinary high water mark of a river,
28 including bars and islands, shall not be permitted unless:

29
30 (A) Removal of specified quantities of sand and gravel or other
31 materials at specific locations will not adversely affect the natural
32 processes of gravel transportation for the river system as a whole;

33
34 (B) The mining and any associated permitted activities will not
35 have significant adverse impacts on habitat for critical species or
36 cause a net loss of ecological functions of the shoreline;

37
38 (C) The determinations made pursuant to SCC
39 30.67.560(1)(b)(v)(A) and (B) shall be made consistent with RCW
40 90.58.100(1) and WAC 173-26-201(2)(a). Such evaluation of
41 impacts should be appropriately integrated with relevant critical
42 area and environmental review requirements pursuant to chapters
43 30.61, 30.62A and 30.62B SCC; and
44

1 (D) In considering renewal, extension or reauthorization of gravel
2 bar and other in-channel mining operations in locations where they
3 have previously been conducted, the department shall require
4 compliance with the SMP and chapter ((30.31D)) 30.32C SCC.
5

6 (c) Permit requirements for mining should be coordinated with the requirements
7 of chapter 78.44 RCW and chapters ((30.31D)) 30.32C and 30.44 SCC.
8

9 (d) Mining activities which meet the definition of "dredging" in SCC 30.91D.445
10 shall comply with SCC 30.67.530.
11

12 (e) Mining within any channel migration zone that is within shoreline jurisdiction
13 shall require a shoreline conditional use permit.
14

15 (f) Proposed subsequent use of mined property shall be consistent with the
16 provisions of the shoreline environment designation in which the property is
17 located and reclamation of disturbed shoreline areas shall restore all shoreline
18 ecological functions adversely impacted by the mining activities.
19

20 (2) In addition to the general regulations contained in SCC 30.67.560(1), the following
21 shoreline environment designation-specific regulations for mining apply:
22

23 (a) Mining activities allowed pursuant to SCC 30.67.560(1)(a) are conditionally
24 permitted in all shoreline environments, except that mining activities related to
25 forest practices as described in SCC 30.67.560(1)(a)(iv) are permitted in the
26 Resource and Municipal Watershed Utility environments unless subject to a
27 conditional use permit pursuant to SCC 30.67.560(1)(e).
28

29 (b) Except when allowed pursuant to SCC 30.67.560(1)(a), mining activities for
30 the sole purpose of obtaining fill or commercial sale or processing of mineral
31 resources are prohibited in all shoreline environments.
32

33 (c) Non-conforming mining activities are subject to the requirements in SCC
34 30.44.125.
35

36 Section 48. A new section is added to Snohomish County Code Chapter 30.91A
37 to read:
38

39 **30.91A.241 Approaching depletion.**
40

41 "Approaching depletion" means the point when, at current extraction rates, the material
42 being extracted will reach depletion within five years.
43

44 *This definition applies only to "Mineral Resource Lands" regulations in chapter 30.32C*
45 *SCC.*

1
2 Section 49. A new section is added to Snohomish County Code Chapter 30.91D
3 to read:

4
5 **30.91D.145 Depletion.**

6
7 "Depletion" means that all mineral resources that are commercially significant for
8 extraction have been extracted. A mineral site may not be considered depleted if it
9 meets criteria for mineral resource overlay designation under the comprehensive plan
10 and under RCW 36.70A.050.

11
12 *This definition applies only to "Mineral Resource Lands" regulations in chapter 30.32C*
13 *SCC.*

14
15 Section 50. Snohomish County Code Section 30.91.E.230, added by Amended
16 Ordinance No. 15-034 on September 2, 2015, is amended to read:

17
18 **30.91E.230 Excavation.**

19
20 "Excavation" means the mining or quarrying or other mechanical removal of sand,
21 gravel, bedrock or precious metals including underground shaft operations, but
22 excluding:

- 23
24 (1) Land disturbing activity for building construction where such construction is
25 authorized by a valid building permit; or
26
27 (2) Tilling of soil for agricultural purposes; or
28
29 (3) Any excavation:
30
31 (a) Which does not alter a drainage course, and
32
33 (b) Which has less than two feet of mean average depth, or which does not
34 create a cut slope greater than five feet in height and steeper than one and one-
35 half horizontal to one vertical, and
36
37 (c) Located in an MR, LDMR, R-7200, R-8400, R-9600, R-12,500 or WFB zone,
38 where the cubic yardage excavated from contiguous land under common
39 ownership shall never exceed 500 cubic yards, and
40
41 (d) Located in any zone other than those listed in the preceding subsection,
42 where the cubic yardage excavated from contiguous land under common
43 ownership shall never exceed 2,000 cubic yards. The distinction between

1 zones which is provided in this and the preceding subsections shall be observed
2 notwithstanding cross-referencing between zones which may be found
3 elsewhere in this title.

4
5 *This definition applies only to chapters 30.22, 30.23, 30.25, (~~30.31D,~~) 30.32C and*
6 *30.63B SCC.*

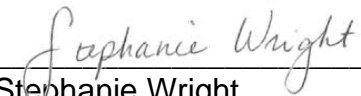
7
8 Section 51. The official zoning maps maintained pursuant to SCC 30.21.030 shall
9 be revised to reflect the zoning change adopted by the County Council as indicated in
10 Exhibit C to this ordinance, which is attached hereto and incorporated by reference into
11 this ordinance.

12
13 Section 52. The County Council directs the code reviser to update SCC
14 30.10.060 pursuant to SCC 1.02.020(3)

15
16 Section 53. Severability and Savings. If any section, sentence, clause or phrase
17 of this ordinance shall be held to be invalid by the Growth Management Hearings Board
18 (Board), or unconstitutional by a court of competent jurisdiction, such invalidity or
19 unconstitutionality shall not affect the validity or constitutionality of any other section,
20 sentence, clause or phrase of this ordinance. Provided, however, that if any section,
21 sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by
22 the Board or court of competent jurisdiction, then the section, sentence, clause or
23 phrase in effect prior to the effective date of this ordinance shall be in full force and
24 effect for that individual section, sentence, clause or phrase as if this ordinance had
25 never been adopted.

26
27 PASSED this 6th day of October, 2021.

28
29
30 SNOHOMISH COUNTY COUNCIL
31 Snohomish County, Washington

32
33
34 
35 _____
36 Stephanie Wright
37 Council Chair

38 ATTEST:

39 
40 _____
41 Debbie Eco, CMC
42 Clerk of the Council

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APPROVED
 EMERGENCY
 VETOED

DATE: 10/12/2021



County Executive

ATTEST:

Melissa Geraghty

Approved as to from only:

Deputy Prosecuting Attorney

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Exhibit A
Amended Ordinance No. 21-060
Amendments to the Land Use Chapter of the GPP

Mineral Lands

Snohomish County has a wealth of mineral resources including sand, gravel and bedrock with additional deposits of precious metals located primarily in the mountainous region within the national forest lands. It is the intent of the county to preserve these resource areas for future access to the minerals. However, it is also the intent of the county to identify adjacent incompatible uses and to balance the resource land needs with those of the surrounding land owners and the environment.

The mineral resource lands subelement is intended to:

- identify and designate mineral resource lands;
- ensure that these lands continue to be available for mining;
- minimize the impacts of mining on the environment, communities, and other land uses; and
- ensure that mining sites are left in a condition compatible with subsequent uses.

The foundation of the mineral resource lands subelement is the goals and requirements of the GMA (RCW 36.70A), the minimum guidelines for classifying resource lands (WAC 365-190) and the direction provided in the 1995 General Policy Plan for detailed mineral lands planning.

The Growth Management Act requires counties to identify and conserve natural resource lands (RCW 36.70A.060). This

includes designating mineral resource lands that are not already characterized by urban growth and that have long-term significance for the extraction of minerals (RCW 36.70A.170). Conservation in this context is intended to maintain such lands for potential mineral extraction. Counties must also protect these lands by ensuring that the use of adjacent lands does not interfere with mineral extraction. (RCW 36.70A.060(1)).

Policies in the 1995 Snohomish County General Policy Plan directed the county to identify and designate an adequate supply of mineral resource deposits to meet the 20-year projected demand in Snohomish County. In 1997, Snohomish County initiated the mineral resource lands planning project to fulfill this directive. A Mineral Lands Task Force was established in 1998 to provide input to the county during the planning process.

A geologic inventory was completed in 1999 and identification and classification of mineral resource lands was completed in 2000 after analysis of alternative designation approaches. Associated policy and regulatory measures were then developed and evaluated in a Draft Supplemental Environmental Impact Statement issued November 21, 2001, an Addendum issued July 5, 2002, and a Final Supplemental Environmental Impact Statement issued August 6, 2003. Five public workshops were conducted between January and July, 2002.

Public hearings were held by the planning commission in November 2002 and the county council in July and August 2003. Public input prompted further review and analysis to address land use compatibility, traffic impacts and groundwater concerns. In 2004, representatives from the mineral resource industry participated in analysis of the supply and demand for minerals expected through 2025 and forecasts of the resulting heavy truck traffic.

Mineral resource land designation and the associated policies in this subelement are based on:

- a geologic inventory supplemented by parcel specific resource data;
- a hierarchical classification of resources based on resource quality and quantity;
- designation criteria consistent with WAC 365-190-170 addressing resource value, land use compatibility and environmental concerns; and
- policies to minimize potential land use, environmental and transportation conflicts while recognizing the economic necessity of the mineral resource industry.

The mineral resource land designation represents a reduction in area from the overall resource inventory, which identified 177,000 acres of potentially viable mineral resource deposits. Areas were excluded from consideration based on jurisdictional and legal issues, environmental constraints and land use compatibility. Of the 177,000 acres identified in the inventory, 131,000 acres are designated as an overlay (Mineral Resource Overlay or MRO) on the Future Land Use Map (FLUM). This represents all of the mineral resource deposits in the county which meet the criteria for volume, quality and extractability; are

under county jurisdiction and are not slated for more intensive urban development; and are located in predominantly undeveloped, low density rural (10-20 acre lot size) or forest areas where land use incompatibility issues have been addressed at a countywide level. Mineral resources are also designated in limited 5-acre rural areas at the request of landowners where it was determined that the individual sites met all of the designation criteria established in the policies.

Some mineral resource lands will see all of their commercially significant minerals extracted, the site depleted, and will require a transition to post-extractive land uses.

The volume of mineral resources designated on the FLU map will meet demand well beyond the 20-year planning horizon. The designation and the associated policies balance the goals of the GMA to protect the resource lands, provide for a variety of rural land uses and support economic opportunities in rural areas. Designation of mineral resources in predominantly undeveloped rural areas allows rural land owners the opportunity to extract minerals from their property, provides policy direction for development patterns which can be compatible with mineral resource uses and reduces transportation costs by designating some resource supply closer to urban market areas.

Mineral resource land designation is an overlay with forest resource or rural designations underneath. Where mineral resources are designated in forest areas, mineral resource uses are allowed with appropriate permits. Where mineral resources are designated in rural areas, mineral resource uses will be preferred and other uses which would preclude future mineral extraction will be limited or required to utilize innovative site design techniques to preserve the resource deposits for future use.

Designation means that mineral resources are present, planning level environmental review has been completed and designated sites are eligible to apply for the permits needed for extraction and/or processing of minerals. Designation does *not* mean that all designated lands will become active mines or quarries.

Every proposal for extraction or processing must complete additional environmental review at the project level and obtain the required permits.

1

2 **GOAL LU 9**

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7

Conserve mineral resource lands for mineral extraction, minimize the detrimental effects of mineral extraction on the environment and other land uses, and plan for the eventual post-extractive use of mine sites.

8 **Objective LU 9.A**

9

10

11

Identify and designate mineral resource lands that are not already characterized by urban growth and that have long term significance for the extraction of minerals.

12 **LU Policies** 9.A.1

13

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19

The county shall use the “Prospect Identification and Preliminary Classification” inventory report and maps completed December 1998, and as subsequently revised and updated based on further site-specific geologic data, to identify sand, gravel and bedrock resources potentially eligible for designation as mineral resource land. Determination of eligibility for designation considers the following criteria:

20

21

22

23

24

- physical properties of the resource including quality and type;
- depth of the resource;
- depth of the overburden; and
- life of the resource.

25 9.A.2

26

27

28

The county shall exclude selected mineral resources identified on the inventory from potential designation because of legal, environmental or policy conflicts. Lands which shall be excluded are those:

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31

- located within incorporated city, Urban Growth Area, or National Forest boundaries;
- identified as Tulalip Tribal Trust Lands;

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- developed at densities greater than or equal to 0.15 lot per acre (average lot size of 6.67 acres) in neighborhoods with 5 or more homes;
- containing hard-to-replace public facilities (cemeteries, schools/colleges, hospitals, libraries, parks and trails);
- designated Riverway Commercial Farmland, Upland Commercial Farmland, or Local Commercial Farmland by the Snohomish County comprehensive plan;
- designated as a shoreline environment by the Snohomish County Shoreline Management Master Program;
- located within a 300-foot Chinook Salmon/Bull Trout corridor;
- located within a 100-year floodplain;
- isolated islands less than 10 acres, except as provided in 9.A.3; and/or
- land with 5-acre or smaller underlying land use designation and/or zoning, except in cases in which the landowner requests mineral resource designation and the site otherwise meets the criteria in 9.A.1 and 9.A.2.

9.A.3 The county shall consider proposals for mineral resource designations or extraction on islands less than 10 acres under the following conditions:

- the resource is needed for emergency purposes;
- the resource is of an exceptional quality needed to satisfy requirements of a specific project;
- the resource, including precious metals, is part of an official mining claim within the boundaries of the National Forest; or
- the landowner requests mineral resource designation and the site otherwise meets all criteria in 9.A.1 and 9.A.2.

9.A.4 Mineral resource lands are classified and designated in the comprehensive plan as shown on the Mineral Resource Lands Map (Map 2) and in greater detail in the county’s Geographic Information System (GIS) coverage. The mineral resource land designation is an “overlay,” referred to as the Mineral Resource Overlay (MRO), to the Future Land Use Map designation of the comprehensive plan.

9.A.5 When interpreting the Mineral Resource Lands Map at the project level, any parcel shown on the map to contain any amount of designated mineral resource shall be considered to be designated for the purpose of eligibility to submit permit applications.

- 1 9.A.6 Designation as mineral resource land signifies that the use of
2 mineral lands has been anticipated and evaluated at an area-
3 wide level in terms of potential environmental impacts. The
4 environmental documents associated with the mineral lands
5 subelement may be used, as permitted by the SEPA rules,
6 when making threshold determinations and/or preparing
7 environmental documents.
- 8 9.A.7 Designation as mineral resource land indicates eligibility for
9 permitting by the county as a mineral excavation site and
10 that, at the comprehensive plan level, such land is potentially
11 appropriate for mineral excavation.
- 12 9.A.8 Designation as mineral resource land does not substitute for
13 any permit or approval required for mineral extraction and
14 should not create a presumption of approval for any required
15 permits.
- 16 9.A.9 Certain undesignated lands are eligible for permitting by the
17 county under the following conditions:
- 18 • expansion of existing legally established mineral
19 operations onto adjacent undesignated land where a
20 portion of the existing site has been designated or
21 zoned Mineral Conservation;
 - 22 • private actions within National Forest boundaries for
23 extraction of mineral resources, including precious
24 metals, where the proponent’s rights to the minerals
25 have been acknowledged by the Bureau of Land
26 Management; or
 - 27 • mining activities allowed and subject to standards of
28 the Shoreline Management Program as an integral
29 part of certain projects, including, but not limited to:
30
 - 31 ○ Ecological restoration or enhancement
 - 32 ○ Flood hazard management
 - 33 ○ To alleviate an emergency situation
 - 34 ○ For use in forest practices
 - 35 ○ Removal of mineral resources deposited
36 above the ordinary high water mark by flood
37 events onto designated agricultural lands
38 under the county’s comprehensive plan for
39 the purpose of maintaining or restoring land
40 for agricultural activities; or
 - 41 ○ Dredging.

- 1 9.A.10 Presence or absence of a mineral resource land designation
2 does not change the current conditional use or legal
3 non-conforming use status of existing mining sites.
- 4 9.A.11 Retention of conditional use or non-conforming use status
5 for existing mine sites shall not exclude county monitoring,
6 review or certification under updated policies and rules
7 developed after the effective date of the Growth
8 Management Act.
- 9 9.A.12 Landowner requests for changes in the mineral resource land
10 designations shall be subject to the county's GMA
11 comprehensive plan amendment process. Such requests
12 should be reviewed for consistency with LU Policies 9.A.1,
13 9.A.2 and 9.A.3.
- 14 9.A.13 The county shall remove(~~(, by amendment of the~~
15 ~~comprehensive plan,))~~ the mineral resource land designation
16 ((~~any mineral site certified as restored by~~)) of mineral sites
17 for which reclamation permits have been canceled by the
18 Washington Department of Natural Resources and that no
19 longer meet mineral resource land designation criteria. If the
20 mineral site lies within the exterior boundaries of, or within
21 one mile of a tribal reservation or Urban Growth Area
22 boundary, the county shall consult with the affected tribe or
23 city regarding the comprehensive plan amendment.
- 24 9.A.14 For active mineral sites that are approaching depletion of
25 commercially-significant mineral resources and that will no
26 longer meet mineral resource land designation criteria at the
27 completion of mining, the county should work proactively to
28 provide for an orderly and efficient transition from active
29 mining into post-extraction uses. The county may enter into
30 development agreements to comprehensively plan for this
31 transition, subject to the following:
- 32 a. Development agreements shall prohibit final
33 subdivision or issuance of building permits until
34 commercially-significant mineral resources are
35 depleted on the site and the Washington State
36 Department of Natural Resources has cancelled all
37 reclamation permits on the site.
- 38 b. Where lands adjacent or nearby the site addressed
39 by the development agreement are designated
40 mineral resource land, provisions of the
41 development agreement shall be compatible with
42 future mineral extraction activities on the adjacent
43 or nearby lands.

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~~((9.A.14))~~ 9.A.15

The county may consider removing the mineral resource designation, by amendment to the comprehensive plan, from sites where substantial evidence of unique circumstances determines that mineral excavation is not an appropriate use for the site.

~~((9.A.15))~~ 9.A.16

RESERVED

~~((9.A.16))~~ 9.A.17

The county shall investigate the economic viability requirements of the mineral industry and review and amend, as appropriate, the mineral lands designation criteria in Policy LU 9.A.2.

Objective LU 9.B

Protect designated mineral resource lands from development that would prevent future excavation on those lands.

LU Policies 9.B.1

The county shall establish and retain a rural residential or commercial forest comprehensive plan designation and implementing zoning for mineral resource land.

9.B.2

The county shall prohibit residential subdivision where the MRO coincides with a 5-acre rural residential designation, although development agreements may provide for a transition to post-extractive uses under LU Policy 9.A.14. Where the MRO covers only a portion of a rural 5-acre designated parcel, the parcel may be subdivided provided that:

- a. minimum lot size requirements can be met according to underlying zoning;
- b. rural cluster subdivision is used; and
- c. the portion of the property having the MRO overlay shall be preserved for future mineral resource use by adequate buffers, setbacks and open space.

9.B.3

Any subdivision of mineral resource land outside of 5-acre rural designations (e.g. 1 du/10 acres, 1 du/20 acres, or local forest) shall utilize site planning and design opportunities, including rural cluster subdivisions, to retain the maximum amount of land for potential mineral resource use. Open space provisions will preserve the option for future mineral resource extraction.

1 9.B.4 The county will maintain mineral resource maps and/or GIS
2 data and provide this resource information to landowners
3 who wish to investigate resource potential on their lands.

4 **Objective LU 9.C Ensure that the use of lands adjacent to
5 designated mineral resource lands does not
6 interfere with the use of these lands for the
7 extraction of minerals.**

8 **LU Policies 9.C.1 A mineral lands notice ordinance shall require that all plats,
9 short plats, development permits, and building permits issued
10 for development activities on or within two thousand feet of
11 lands designated as mineral resource contain a notice that the
12 subject property is within or near designated mineral resource
13 lands on which a variety of commercial activities may occur
14 that are not compatible with residential development for
15 certain periods of limited duration. The notice shall also
16 inform that an application might be made for mining-related
17 activities, including mining, extraction, washing, crushing,
18 stockpiling, blasting, transporting, and recycling of
19 minerals.**

20 9.C.2 The county shall maintain five-acre or larger minimum lot
21 size comprehensive plan designations of rural lands adjacent
22 to designated mineral resource lands.

23 9.C.3 The county shall require the use of rural cluster subdivision
24 for subdivision of rural residential lands (e.g. 1 du/5 acres, 1
25 du/10 acres, or 1 du/20 acres) adjacent to designated mineral
26 resource lands. Residential lots within the development shall
27 be located as far as possible from designated resource lands.

28 9.C.4 The county shall consider open space, forestry, rural industry,
29 agriculture or recreational uses as preferred land uses on
30 parcels adjacent to designated mineral resource lands in future
31 amendments to the comprehensive plan.

32 **Objective LU 9.D Ensure that the impacts of mineral extraction,
33 processing and transporting are adequately
34 addressed and mitigated in the permit review
35 process.**

36 **LU Policies 9.D.1 The county shall adequately address and mitigate on-site and
37 off-site impacts of mineral operations and transporting in the
38 permit review process. Impact assessment shall include, at a
39 minimum:**

- 40 • Evaluation of impacts to the natural environment and
41 critical areas both on- and off-site with particular

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attention to geologic hazards, impacts to groundwater used for potable supply, and fish habitat;

- Evaluation of impacts to adjacent properties including use compatibility, health, safety and welfare; and
- Evaluation of traffic impacts including safety, congestion, road characteristics and conditions, and non-vehicular users along roads impacted by large trucks generated by mineral operations taking into consideration the size, weight and performance characteristics of the large trucks.

9.D.2 As part of the permit review process for mineral extraction and processing uses, the county shall consider the impact analysis completed for this plan’s environmental documents, which identifies areas with moderate to high land use, watershed and/or transportation impacts, when requesting information for permit applications, making threshold determinations or preparing site-specific environmental documents.

9.D.3 The county will evaluate transportation and hauling impacts as part of an individual site specific permit application.

9.D.4 The county shall coordinate with the mineral industry and stakeholder groups to develop a mineral lands strategy addressing education and outreach; data collection and tracking; and economic development.

9.D.5 Protection of groundwater resources is of primary importance thus the county shall require hydrogeologic site evaluations, mitigation plans and/or groundwater monitoring programs when conditions merit. The county shall also require contingency plans for alternate potable water supply in the event of groundwater contamination or aquifer breach directly resulting from mineral operations.

9.D.6 Application of the criteria in policy 9.A.2 results in elimination of Shorelines of the State from mineral resource designation. Therefore, proposals including mineral operations within Shorelines of the State shall not be eligible for permits from the county.

Objective LU 9.E Ensure that jurisdictions potentially affected by mineral extraction activities are consulted when mineral permit applications are submitted to the county.

1	LU Policies	9.E.1	Request-for-review comments on mining proposals shall be
2			solicited from all nearby and affected cities, Indian Tribes and
3			state and federal landowners.
4		9.E.2	The county shall consider interlocal agreements with
5			jurisdictions already impacted by established mines,
6			including, but not limited to: Gold Bar, Sultan, Monroe and
7			Granite Falls.
8		9.E.3	The county shall coordinate with affected jurisdictions when
9			reviewing new applications for mineral operations.
10	Objective LU 9.F		Ensure that mining site approval does not
11			preclude or inhibit the planned post-extractive
12			use of the mine site or the planned future use of
13			adjacent lands.
14	LU Policies	9.F.1	Post-extractive uses should be identified, at the time of
15			permitting, for mineral resource lands that are consistent with
16			adjacent and nearby comprehensive plan designations.
17			Where adjacent or nearby lands are designated mineral
18			resource land, the post-extractive use of the permitted site
19			should be compatible with future mineral extraction activities
20			on the adjacent or nearby lands.
21		9.F.2	The county shall utilize available opportunities to ensure that
22			mine site excavation and reclamation are consistent with
23			county, city and tribal land use plans and the state Surface
24			Mine Reclamation Act (RCW 78.44).
25		9.F.3	The county shall pursue innovative reclamation plans in
26			concert with private landowners for the final conversion of
27			exhausted mineral resource lands into desirable uses (park
28			land, open space, forest land, community lakes, etc.). Such
29			reclamation plans will be considered as favorable
30			mitigations of the mining activity during the county's SEPA
31			review process.
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Exhibit B
Amended Ordinance No. 21-060
Amendments to Map 2 – Mineral Resource Lands of the GPP

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Exhibit C
Amended Ordinance No. 21-060
Amendments to the Zoning Map

[INSERT UPDATED MAP HERE]