

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

MOTION NO. 24-299

REFERRING A PROPOSED ORDINANCE REGARDING WAREHOUSE AS A
PERMITTED USE IN THE PLANNED COMMUNITY BUSINESS (PCB) ZONE
TO PLANNING AND DEVELOPMENT SERVICES (PDS)
AND THE SNOHOMISH COUNTY PLANNING COMMISSION

WHEREAS, the County Council wishes to obtain a recommendation from the Snohomish County Planning Commission regarding proposed code amendments related to warehouse as a permitted use in the PCB zone; and

WHEREAS, the code revisions are Type 3 legislative actions pursuant to Chapter 30.73 SCC; and

WHEREAS, SCC 30.73.040 provides that the Planning Commission shall hold a public hearing on a Type 3 proposal referred to it by the county council within 90 days or within a time specified by the County Council; and

WHEREAS, the County Council requests a prompt review of the proposed code amendments by the Planning Commission, but wishes to provide flexibility in timing in recognition of the Planning Commission's existing workload; and

WHEREAS, the subject matter experts in PDS and other county departments could offer suggestions to proposed code language and findings; and

WHEREAS, the logical time for input from county departments would be prior County Council receipt of to an approved as to form recommendation from the Planning Commission; and

NOW, THEREFORE ON MOTION, the County Council hereby refers the potential code revisions, attached as "Exhibit A", to the Departments of Planning and Development Services (PDS) and DPW for action as follows:

1. Pursuant to chapters 2.08 and 30.73 SCC, the County Council refers the potential code revisions to the Director of PDS acting in the capacity of Secretary to the Snohomish County Planning Commission for its review, consideration, and a recommendation to the Council.
2. As provided in SCC 30.73.045, the County Council will be the department responsible for preparing a report summarizing the proposal for transmittal to the Planning Commission and that Council staff is hereby directed to seek and include information from county departments including PDS in the report to Planning Commission.

3. The County Council requests that a public hearing be held before the Planning Commission and a recommendation be provided to the County Council prior to December 2, 2024.


DATED this 24th day of July 2024.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



Council Chair

ATTEST:



Deputy Clerk of the Council

**EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE**

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

ORDINANCE NO. 24-

RELATING TO GROWTH MANAGEMENT;
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE;
AMENDING SECTIONS 30.22.100 AND 30.22.130 OF THE SNOHOMISH COUNTY
CODE

WHEREAS, the Growth Management Act (GMA), chapter 36.70A RCW, establishes planning goals to guide development and adoption of comprehensive plans and development regulations for those counties and cities planning under the GMA, including Goal 5 related to Economic Development (RCW 36.70A.020(5)); and

WHEREAS, the Countywide Planning Policies (CPPs) guide development of local plans, including CPP DP-42 which provides that the county “should conserve designated industrial land for future industries and related jobs by protecting industrial land from encroachment by incompatible uses”; and

WHEREAS, the GMA requires Snohomish County (the “County”) to adopt a comprehensive plan and implementing codes and regulations related to land use and development within the County’s jurisdiction that are consistent with the CPPs and the local comprehensive plan; and

WHEREAS, the County’s Growth Management Act Comprehensive Plan (GMACP) which contains policies that guide the codes and regulations adopted in Title 30 of Snohomish County Code (“Title 30 SCC”); and

WHEREAS, the GMACP says in part that the “Urban Commercial plan designations within the Maltby UGA [Urban Growth Area] shall be implemented through the Planned Community Business (PCB) zone; and

WHEREAS, on June 4, 2024, the County Council received testimony during its Planning and Community Development Committee discussion of the 2024 Comprehensive Plan Update requesting that Warehouse should be a permitted use in the PCB zone within the Maltby UGA; and

WHEREAS, the testimony received on June 4, 2024, discussed a large vacant parcel that has split zoning including PCB, non-conforming General Commercial zoning and Industrial Park (IP) zoning; and

**EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE**

WHEREAS, the PCB zone allows both residential and non-residential uses but does not currently allow Warehouse as a permitted use; and

WHEREAS, SCC 30.21.025(1)(c)(ii) states that the intent and function of the PCB zone is to “provide for community business enterprises in areas desirable for business but having highly sensitive elements of vehicular circulation, or natural site and environmental conditions while minimizing impacts upon these elements through the establishment of performance criteria. Performance criteria for this zone are intended to control external as well as internal effects of commercial development. It is the goal of this zone to discourage ‘piecemeal’ and strip development by encouraging development under unified control”; and

WHEREAS, the GC allows warehouse as a permitted use; and

WHEREAS, the GC zone has different building bulk regulations than the PCB zone; and

WHEREAS, the scenario of split zoning with different development standards on each part of a parcel makes it difficult to achieve the “unified control” part of the purpose of PCB zoning; and

WHEREAS, warehouses are a type of community business enterprise consistent with the purpose of PCB zoning; and

WHEREAS, County Council staff briefed the Planning Commission on [REDACTED], 2024, and

WHEREAS, on [REDACTED], 2024, the Planning Commission held a public hearing to receive public testimony concerning the code amendments contained in this ordinance; and

WHEREAS, at the conclusion of the Planning Commission’s public hearing, the Planning Commission recommended adoption of the code amendments contained in this ordinance; and

WHEREAS, on [REDACTED], 2024, the County Council held a public hearing after proper notice, and considered public comment and the entire record related to the code amendments contained in this ordinance; and

**EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE**

WHEREAS, following the public hearing, the County Council deliberated on the code amendments contained in this ordinance;

NOW, THEREFORE, BE IT ORDAINED:

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

- A. The foregoing recitals are adopted as findings as if set forth in full herein.
- B. This ordinance will amend provisions in SCC 30.22.100 and 30.22.130 to allow Warehouse as a permitted use in PCB zoning when in the Maltby UGA and subject to the bulk regulations of GC zoning; and
- C. In considering the proposed amendments, the County evaluated factors including the need to provide land uses and implementing regulations reasonably designed to meet the growth targets associated with the GMACP.
- D. In considering the proposed amendments, the County considered the goals and standards of the GMA. The proposed amendments are consistent with:
 - 1. GMA Goal 5 – Economic Development. Encourage economic development that is consistent with adopted comprehensive plans.

This ordinance encourages employment growth in the Maltby UGA consistent with the growth targets adopted and proposed for that UGA.

- E. The proposed amendments will better achieve, comply with, and implement the Housing Goal of the CPPs, including policy CPP DP-42 by allowing warehouse uses on PCB-zoned property adjacent to industrial land, thereby reducing the likelihood of additional residential development which may not be as compatible with industrial uses as warehouse development would be.
- G. In considering the proposed amendments, the County considered the goals, objectives, and policies of the Snohomish County GMACP. The proposed amendments will work to support, implement, and balance the following goals, objectives, and policies in the GPP:

**EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE**

1. Goal LU 1 – Establish and maintain compact, clearly defined, well designed UGAs.

Objective LU 1.A – Establish UGAs with sufficient capacity to accommodate the majority of the county’s projected population, employment, and housing growth over the next 20 years.

The amendment proposed by this ordinance would allow for development that is compatible with the adopted and proposed targets.

I. Procedural requirements.

1. State Environmental Policy Act (SEPA), chapter 43.21C RCW, requirements with respect to this non-project action have been satisfied through the completion of an environmental checklist and the issuance on [REDACTED], [REDACTED], 2024, of a Determination of Non-Significance (DNS) for this non-project proposal to Amend Title 30 Snohomish County Code (SCC).
2. The proposal is a Type 3 legislative action pursuant to SCC 30.73.010.
3. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance was transmitted to the Washington State Department of Commerce for distribution to state agencies on June 24, 2024 2024, and assigned material number 2024-S-7165.
4. The public participation process used in the adoption of this ordinance complies with all applicable requirements of the GMA and the SCC.
5. The Washington State Attorney General last issued an advisory memorandum, as required by RCW 36.70A.370, in September of 2018 entitled “Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property” to help local governments avoid the unconstitutional taking of private property. The process outlined in the State Attorney General’s 2018 advisory memorandum was used by the County in objectively evaluating the regulatory changes proposed by this ordinance.

Section 2. The County Council makes the following conclusions:

EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE

1. The proposed amendments are consistent with the goals, policies, and objectives of the MPPs, CPPs, and GMACP.
2. The proposed amendments are consistent with applicable federal, state, and local laws and regulations.
3. The County has complied with all SEPA requirements with respect to this non-project action.
4. The regulations proposed by this ordinance do not result in an unconstitutional taking of private property for a public purpose.

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

Section 4. Snohomish County Code Section 30.22.100, last amended by Amended Ordinance No. 26-065 on [REDACTED], 2024, is amended to read:

SCC 30.22.100 Urban Zone Categories Use Matrix.

TYPE OF USE	R- 9,600 88	R- 8,400 88	R- 7,200 88	T	LDM R	M R	NB	PC B	CB ¹² 8	GC ¹² 8	IP ⁷ 6	BP	LI ⁵ 5, 76	HI ⁵ 5	MHP ¹ 14	UC ¹² 2	MUC ¹²²
Accessory Dwelling Unit ⁶²	P	P	P	P	P	P											
Adult Entertainment Business/Use ⁶⁷											P		P	P			
Agriculture ^{41, 107}	P	P	P		P	P	P		P	P	P	P	P	P	P		
Airport, Stage 1 Utility ¹	C	C	C						P	P	P	P	P	P			
Airport-All Others											P	P	P	P			
Amusement Facility ^{41, 129}								P	P	P	P		P	P		P	P

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TYPE OF USE	R- 9,600 88	R- 8,400 88	R- 7,200 88	T	LDM R	M R	NB	PC B	CB ¹² 8	GC ¹² 8	IP ⁷ 6	BP	LI ⁵ 5, 76	HI ⁵ 5	MHP ¹ 14	UC ¹² 2	MUC ¹²²
Antique Shop							P	P	P	P			P	P		P	P
Art Gallery ⁴¹	C	C	C		C	C	P	P	P	P	P	P	P	P		P	P
Auto Repair, Major								P	P ⁸⁶	P	P	P	P	P		P	P
Auto Repair, Minor							P	P	P ⁸⁶	P	P	P	P	P		P	P
Auto Towing													P	P			
Automobile Wrecking and Junkyards													C ⁴⁴	P ⁴⁴			
Bed and Breakfast Guesthouse ⁵⁸	A	A	A	A	A	A									A		
Billboards ⁴⁶																	
Non-digital										P			P	P			
Digital										P			P	P			
Boarding House	P ¹⁵	P ¹⁵	P ¹⁵		P	P	P		P	P					P	P	P
Boat Launch Facility, Commercial ³¹									C	C			C	C		P	
Boat Launch Facility, Non- commercial ³¹	C	C	C		C	C			C	C			C	C			
Caretaker's Quarters							P	P	P	P	P	P	P	P			
Cemetery and Funeral Home	C	C	C		C	C	P	P	P	P	P	P	P	P		P	
Church ^{41, 129}	C	C	C		P	P	P	P	P	P	P	P	P	P		P	P
Clubhouse	C	C	C		C	C	P	P	P	P	P	P	P	P	P	P	P

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TYPE OF USE	R- 9,600 88	R- 8,400 88	R- 7,200 88	T	LDM R	M R	NB	PC B	CB ¹² 8	GC ¹² 8	IP ⁷ 6	BP	LI ⁵ 5, 76	HI ⁵ 5	MHP ¹ 14	UC ¹² 2	MUC ¹²²
Commercial Vehicle Storage Facility										P	P	P	P	P			
Community Facilities for Juveniles ¹⁰³																	
1 to 8 Resident Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
9 to 24 Resident Facility	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P	P
Construction Contracting										P	P	P	P	P		P ¹²³	
Day Care Center 2, 129	C	C	C		C	C	P	P	P	P	P	P	P	P	A	P	P
Distillation of Alcohol											P	P	P	P		P	P
Dock & Boathouse, Private, Non- commercial ^{3, 41}	P	P	P	P	P	P	P		P	P	P	P	P	P			
Dwelling, Attached Single Family	P	P	P	P	P	P						P ⁵¹					
Dwelling, Cottage Housing ¹¹⁶	P	P	P	P	P							P ⁵¹					
Dwelling, Duplex	P	P	P	P	P	P						P ⁵¹					

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Dwelling, Mobile Home	P ⁶	P ⁶	P ⁶	P ⁶	P	P									P		
Dwelling, Multiple Family					P	P	P	P	P	P		P ⁵¹				P	P
Dwelling, Single Family	P	P	P	P	P	P						P ⁵¹			P ⁴		
Dwelling, Townhouse ⁵			P	P	P	P	P	P	P	P		P ⁵¹				P	
Electric Vehicle Infrastructure																	
Electric Vehicle Charging Station - Restricted, Level 1, and Level 2 ¹²¹	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Electric Vehicle Charging Station - Public, Level 1 and Level 2							P	P	P	P	P	P	P	P		P	P
Electric Vehicle Charging Station, Level 3	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	P	P	P	P	P	P	P	P		P	P
Battery Exchange Stations	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	C ¹²⁰	P	P	P	P	P	P	P	P		P	P

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Explosives, Storage											P			P			
Fairgrounds										P	P	P	P	P			
Family Day Care Home ⁸	P	P	P	P	P	P	P		P	P					P		P
Farm Product Processing																	
Up to 5,000 sq ft									P	P			P	P			
Over 5,000 sq ft ⁹⁴									A	P			P	P			
Farm Stand																	
Up to 400 sq ft ⁹	P	P	P						P	P			P	P		P	P
401 to 5,000 sq ft ⁹⁹																	
Farmers Market ⁹³							P	P	P	P		P	P	P		P	P
Fish Farm											P	P	P	P			
Forestry											P		P	P			
Foster Home	P	P	P	P	P	P	P		P	P					P		
Fuel Yard										P	P	P	P	P			
Garage, Detached Private Accessory ⁶⁰																	
Up to 2,400 sq ft	P	P	P	P	P	P					P	P	P	P	P		

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2,401 - 4,000 sq ft on More than 3 Acres 41, 59	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			
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			
2,401 sq ft and Greater 41, 59	C	C	C	C	C	C					C	C	C	C			
Golf Course, Driving Range and Country Club	C	C	C														
Government Structures & Facilities ^{27, 41}	C	C	C	C	C	C	C	P	P	P	P	P	P	P		P	P
Greenhouse, Lath House, & Nurseries							P	P	P	P	P	P	P	P			
Guest House ⁸⁵	P	P	P		P	P									P		

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Hazardous Waste Storage & Treatment Facilities, Offsite ⁶⁶											C	C	C	C			
Hazardous Waste Storage & Treatment Facilities, Onsite ⁶⁵							P	P	P	P	P	P	P	P			
Health and Social Service Facilities ⁹⁰																	
Level I	P	P	P	P	P	P	P	P	P	P		P			P	P	P
Level II ^{41, 129}	C	C	C		C	C	C	P	P	P		P			C	P	P
Level III						C	C	P	P	P	P		P	P	C	P	P
Home Occupation ¹¹	P	P	P	P	P	P	P		P	P					P	P	P
Hotel/Motel					C	C	P ¹³ 6	P	P	P			P ⁸⁹			P	P
Kennel, ⁴¹ Commercial ¹²	C	C	C						P	P	P	P	P	P			
Kennel, ⁴¹ Private-Breeding ¹³	P	P	P		P	P	P		P	P	P	P	P	P			
Kennel, ⁴¹ Private-Non-Breeding ¹³	P	P	P		P	P	P		P	P	P						
Laboratory							P	P	P	P	P	P	P	P		P	P
Library ⁴¹	C	C	C		C	C	C	P	P	P	P	P	P	P		P	P

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Lumber Mill											P	P	P	P			
Lumberyard										P	P	P	P	P			
Manufacturing, Heavy ⁸²											P			P			
Manufacturing- All Other Forms Not Specifically Listed ⁸³											P	P	P	P		P ¹²³	
Marijuana Processing ^{125,} ¹³¹											P	P	P	P			
Marijuana Production ^{125,} ¹³¹											P	P	P	P			
Marijuana Retail ^{131, 132}							P	P	P	P		P	P	P		P	P
Massage Parlor									P	P	P	P	P	P		P	P
Material Recovery Facility ¹³⁴											C		C	C			
Mini Self- Storage								P	P	P	P	P	P	P			P
Mobile Home Park ³⁸					C	C			C	C					P		
Model Hobby Park ⁷⁵												A	A	A			
Model House/Sales Office	P	P	P	P	P	P											

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Motocross Racetrack ¹²⁹										C ¹¹³	C ¹¹ 3	C ¹¹ 3	C ¹¹ 3	C ¹¹ 3			
Museum ⁴¹	C	C	C		C	C	C	P	P	P	P	P	P	P		P	P
Neighborhood Services					A, C ⁸⁶ , 138	A, C ⁸⁶ , 138	P	P	P ⁸⁶	P	P	P	P	P		P	P
Office and Banking							P	P	P	P	P	P	P	P		P	P
Park, Public ¹⁴	P	P	P		P	P	P	P	P	P	P	P	P	P		P	P
Park-and-Pool Lot	C	C	C	C	C	P	P	P	P	P	P	P	P	P		P	P
Park-and-Ride Lot	C	C	C	C	C	P	P	P	P	P	P	P	P	P		P	P
Personal Wireless Service Facilities ^{27, 41, 104, 106}	C	C	C	C	C	C	C	C	C	C	P	P	P	P	C	P ¹¹⁹	P
Printing Plant								P		P	P	P	P	P		P ¹²³	
Race Track ^{24, 41, 129}										C	P	P	P	P			
Railroad Right-of-way	C	C	C	C	C	C	P	P	P	P	P	P	P	P		P	P
Recreational Facility Not Otherwise Listed	C	C	C		C	C	P	P	P	P	P	P	P	P		P	P
Recreational Vehicle Park									C	C					C		

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Recycling Facility ¹³⁷										C	C		C	C			
Rendering of Fat, Tallow, or Lard ¹²⁹											P			P			
Restaurant							P	P	P	P	P ⁴⁹	P ⁴⁹	P	P		P	P
Retail, General						A ¹³ 5	P	P	P	P		P ⁵³	P	P		P	P
Retirement Apartments				P	P	P	P	P	P	P					P	P	P
Retirement Housing				P	P	P	P	P	P	P					P	P	P
Sanitary Landfill ¹²⁹	C	C	C						C	C	C	C	C	C			
Schools																	
K-12 & Preschool ^{41, 68, 129}	C	C	C		C	C	C ¹³ 6		P	P	P	P	P	P		P	P
College ^{41, 68}	C	C	C		C	C	C ¹³ 6		P	P	P	P	P	P		P	P
Other ^{41, 68}					C	C	C ¹³ 6		P	P	P	P	P	P		P	P
Service Station ⁴¹							P	P	P ⁸⁶	P			P	P		P	P
Shooting Range ⁹²											P	P	P	P			
Sludge Utilization ³⁹	C ⁵⁶	C ⁵⁶	C ⁵⁶		C ⁵⁶	C ⁵⁶			C ⁵⁶	C ⁵⁶	C ⁵⁶		C ⁵⁶	P C ⁵⁰			
Small Animal Husbandry ⁴¹	C ³⁷	C ³⁷	C ³⁷				P		P	P	P	P	P	P			

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Small Workshop									P ⁸⁶	P	P	P	P	P		P	P
Stables	P	P	P		P	P	P	P	P	P	P	P	P	P			
Stockyard or Slaughter House ¹²⁹											P			P			
Storage, Retail Sales Livestock Feed									P	P			P	P			
Storage Structure, Accessory ⁶⁰																	
Up to 2,400 sq ft	P	P	P	P	P	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	P	P	P	P		
2,401 - 4,000 on Less than 3 acres ^{41, 59}	A	A	A	A	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	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	P	P	P	P	P	
2,401 sq ft and Greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		

**EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE**

TYPE OF USE	R- 9,600 88	R- 8,400 88	R- 7,200 88	T	LDM R	M R	NB	PC B	CB ¹² 8	GC ¹² 8	IP ⁷ 6	BP	LI ⁵ 5, 76	HI ⁵ 5	MHP ¹ 14	UC ¹² 2	MUC ¹²²
Studio ⁴¹	C ⁷⁷	C ⁷⁷	C ⁷⁷		C ⁷⁷	C ⁷⁷	P	P	P ⁸⁶	P	P	P	P	P		P	P
Supervised Drug Consumption Facility																	
Swimming/Wading Pool ^{17, 41}	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Television/Radio Stations													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	A	A	A							
Temporary Residential Sales Coach ⁷³	A	A	A													A	
Transit Center	C	C	C	C	C	P	P	P	P	P	P	P	P	P		P	P
Ultralight Airpark ²⁰											P						
Utility Facilities, Electromagnetic Transmission & Receiving Facilities ^{27, 129}	C	C	C	C	C	C	C	P	P ⁸⁶	P	P	P	P	P			
Utility Facilities, Transmission Wires, Pipes & Supports ²⁷	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE

TYPE OF USE	R- 9,600 88	R- 8,400 88	R- 7,200 88	T	LDM R	M R	NB	PC B	CB ¹² 8	GC ¹² 8	IP ⁷ 6	BP	LI ⁵ 5, 76	HI ⁵ 5	MHP ¹ 14	UC ¹² 2	MUC ¹²²
Utility Facilities- All Other Structures ^{27, 41}	C	C	C	C	C	C	C	P	P ⁸⁶	P	P	P	P	P	C	P	P
Vehicle, Vessel and Equipment Sales and Rental									P ²³	P			P	P			
Veterinary Clinic					C	C	P	P	P ⁸⁶	P	P	P	P	P		P	P
Warehouse								<u>P</u> ¹³⁹		P	P	P	P	P		P ¹²³	
Wholesale Establishment								P	P ⁸⁶	P	P	P	P	P		P ¹²³	
Woodwaste Recycling and Woodwaste Storage											A ⁶³		A ⁶³	A ⁶³			
All other uses not otherwise mentioned											P	P	P	P			

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	

Section 5. Snohomish County Code Section 30.22.130, last amended by Amended Ordinance No. 22-062 on October 26, 2022, is amended to read:

**EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE**

30.22.130 Reference notes for use matrices.

(1) *Airport, Stage 1 Utility.*

- (a) Not for commercial use and for use of small private planes;
- (b) In the RU zone, they shall be primarily for the use of the resident property owner; and
- (c) When the airport is included in an airpark, the disclosure requirements of SCC 30.28.005 shall apply.

(2) *Day Care Center.*

- (a) In WFB, R-7,200, R-8,400, R-9,600, R-12,500, R-20,000, and SA-1 zones, shall only be permitted in connection with and secondary to a school facility or place of worship; and
- (b) Outdoor play areas shall be fenced or otherwise controlled, and noise buffering provided to protect adjoining residences.

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

- (a) The height of any covered over-water structure shall not exceed 12 feet as measured from the line of ordinary high water;
- (b) The total roof area of covered, over-water structures shall not exceed 1,000 square feet;
- (c) The entirety of such structures shall have a width no greater than 50 percent of the width of the lot at the natural shoreline upon which it is located;
- (d) No over-water structure shall extend beyond the mean low water mark a distance greater than the average length of all preexisting over-water structures along the same shoreline within 300 feet of either side of the parcel on which the structure is proposed. Where no such preexisting structures exist within 300 feet, the pier length shall not exceed 50 feet;

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

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

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

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

(6) *Dwelling, Mobile Home.*

EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE

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

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

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

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

(ii) a perimeter masonry foundation;

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

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

(7) RESERVED for future use.

(8) *Family Day Care Home.*

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

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

(9) *Farm Stand.*

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

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

(10) *Farm Worker Dwelling.*

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

(b) An applicant for a building permit for a farm worker dwelling shall provide a declaration of farm worker occupancy on a form available from the department to the department for review and approval. The applicant shall record the declaration with the county auditor and provide a copy of the recorded declaration to the department prior to issuance of the building permit for the farm worker dwelling. Within 30 days of a sale or transfer of the property, the new property owner(s) shall record a declaration of farm worker occupancy with the county auditor and provide the department with a copy of the recorded declaration;

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

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

EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE

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

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

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

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

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

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

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

(c) No amusement devices for hire are permitted.

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

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

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

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

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

(18) *Temporary Dwelling for a Relative*.

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

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

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

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

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

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

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

EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE

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

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

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

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

(19) *Recreational Vehicle.*

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

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

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

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

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

(iii) Subject to subsections (19)(a) and (19)(b) of this section and SCC 30.65.120(6), temporary overnight use in a mobile home park, which has been in existence continuously since 1970 or before, that provides septic or sewer service, water and other utilities, and that has an RV flood evacuation plan that has been approved and is on file with the department of emergency management and department of planning and development services.

(20) *Ultralight Airpark.*

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

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

(c) Approval shall be dependent upon a determination by the county decision maker that all potential impacts such as noise, safety hazards, sanitation, traffic, and parking are compatible with the site and neighboring land uses, particularly those involving residential uses or livestock or small animal husbandry; and further that the

EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE

proposed use can comply with Federal Aviation Administration regulations (FAR Part 103), which state that ultralight vehicle operations will not:

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

(21) RESERVED for future use.

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

(23) *Vehicle, Vessel and Equipment Sales and Rental*. In the CB and CRC zone, all display, storage, and sales activities shall be conducted within a structure enclosed by walls on at least two sides.

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

(25) *Rural Industry*.

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

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

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

(d) Outside storage, loading or employee parking in the RD zone shall provide 15-foot wide Type A landscaping as defined in SCC 30.25.017.

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

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

(28) *Excavation and Processing of Minerals*.

(a) This use, as described in SCC 30.32C.010(2), is allowed in the identified zones only where these zones coincide with the mineral lands designation in the comprehensive plan (mineral resource overlay or MRO).

(b) An Administrative Conditional Use Permit or a Conditional Use Permit is required pursuant to SCC 30.32C.030.

EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE

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

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

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

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

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

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

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

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

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

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

(32) *Campground.*

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

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

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

(33) *Commercial Vehicle Home Basing.*

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

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

(c) The vehicles shall be in operable condition.

(34) *Distillation of Alcohol.*

EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE

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

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

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

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

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

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

(38) *Mobile Home Park*. Such development must fulfill the requirements of chapter 30.42E SCC.

(39) *Sludge Utilization*. See SCC 30.28.085.

(40) *Homestead Parcel*. See SCC 30.28.055.

(41) Special Setback Requirements for this use are contained in SCC 30.23.110(26) or SCC 30.67.595 if within shoreline jurisdiction.

(42) In the R-12,500 and WFB zones, the minimum lot size for duplexes shall be one and one-half times the minimum lot size for single-family dwellings.

(43) *Petroleum Products and Gas, Bulk Storage*.

(a) All above ground storage tanks shall be set back from all property lines in accordance with requirements in the International Fire Code (IFC); and

(b) Storage tanks below ground shall be set back no closer to the property line than a distance equal to the greatest dimensions (diameter, length or height) of the buried tank.

(44) *Auto Wrecking Yards and Junkyards*. A sight-obscuring fence a minimum of seven feet high shall be established and maintained to the interior side of the required perimeter landscaping area in the LI and RI zones. For perimeter landscaping requirements for this use in all zones, see SCC 30.25.020.

(45) *Antique Shops*. When established as a home occupation as regulated by SCC 30.28.050(1); provided further that all merchandise sold or offered for sale shall be predominantly "antique" and antique-related objects.

(46) *Billboards*. See SCC 30.27.080 for specific requirements.

(47) RESERVED for future use.

(48) *Stockyard and Livestock Auction Facility*. The minimum lot size is 10 acres.

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

EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE

- (50) *Sludge Utilization*. A conditional use permit is required for manufacture of materials by a non-governmental agency containing stabilized or digested sludge for a public utilization.
- (51) See SCC 30.31A.140.
- (52) RESERVED for future use.
- (53) *Retail Store*. See SCC 30.31A.120 for specific requirements for retail stores in the BP zone.
- (54) Retail Sales of Hay, Grain, and Other Livestock Feed are permitted on site in conjunction with a livestock auction facility.
- (55) Noise of Machines and Operations in the LI and HI zones shall comply with chapter 10.01 SCC and machines and operations shall be muffled so as not to become objectionable due to intermittence, beat frequency, or shrillness.
- (56) *Sludge Utilization*. Only at a completed sanitary landfill or on a completed cell within a sanitary landfill, subject to the provision of SCC 30.28.085.
- (57) *Woodwaste Recycling and Woodwaste Storage Facility*. See SCC 30.28.095.
- (58) *Bed and Breakfast Guesthouses and Bed and Breakfast Inns*. See SCC 30.28.020.
- (59) *Detached Accessory or Non-Accessory Private Garages and Storage Structures*. Subject to the following requirements:
- (a) Special setback requirements for these uses are contained in SCC 30.23.110(20);
 - (b) Artificial lighting shall be hooded or shaded so that direct outside lighting, if any, will not result in glare when viewed from the surrounding property or rights-of-way;
 - (c) The following compatibility standards shall apply:
 - (i) proposals for development in existing neighborhoods with a well-defined character should be compatible with or complement the highest quality features, architectural character and siting pattern of neighboring buildings. Where there is no discernable pattern, the buildings shall complement the neighborhood. Development of detached private garages and storage structures shall not interrupt the streetscape or dwarf the scale of existing buildings of existing neighborhoods. Applicants may refer to the Residential Development Handbook for Snohomish County Communities to review techniques recommended to achieve neighborhood compatibility;
 - (ii) building plans for all proposals larger than 2,400 square feet in the Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and rural cluster subdivisions shall document the use of building materials compatible and consistent with existing on-site residential development exterior finishes;
 - (iii) in the Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and rural cluster subdivisions, no portion of a detached accessory private garage or storage structure shall extend beyond the building front of the existing single-family

EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE

dwelling, unless screening, landscaping, or other measures are provided to ensure compatibility with adjacent properties; and

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

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

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

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

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

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

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

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

(64) RESERVED for future use.

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

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

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

EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE

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

(69) RESERVED for future use.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) plat construction plans have been approved;

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

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

EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE

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

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

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

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

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

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

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

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

(78) RESERVED for future use.

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

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

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

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

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

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

EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE

- (d) The on-site fueling of vehicles shall be prohibited; and
- (e) The storage of inoperable vehicles and hazardous or earth materials shall be prohibited.
- (82) Manufacturing, Heavy includes the following uses: Distillation of wood, coal, bones, or the manufacture of their by-products; explosives manufacturing; manufacture of fertilizer; extraction of animal or fish fat or oil; forge, foundry, blast furnace or melting of ore; manufacturing of acid, animal black/black bone, cement or lime, chlorine, creosote, fertilizer, glue or gelatin, potash, pulp; rendering of fat, tallow and lard, rolling or booming mills; tannery; or tar distillation and manufacturing. See SCC 30.91M.028.
- (83) "All other forms of manufacture not specifically listed" is a category which uses manufacturing workers, as described under the Dictionary of Occupational Titles, published by the U.S. Department of Labor, to produce, assemble or create products and which the director finds consistent with generally accepted practices and performance standards for the industrial zone where the use is proposed. See SCC 30.91M.024 and 30.91M.026.
- (84) RESERVED for future use.
- (85) A single-family dwelling may have only one guesthouse.
- (86) Outdoor display or storage of goods and products is prohibited on site.
- (87) *Wedding Facility.*
 - (a) A wedding facility is permitted only:
 - (i) on vacant and undeveloped land;
 - (ii) on developed land, but entirely outside of any permanent structure;
 - (iii) partially outside of permanent structures and partially inside of one or more permanent structures which were legally existing no less than eight years prior to the date of the submittal of a permit application for the wedding facility; or
 - (iv) entirely inside of one or more permanent structures which were legally existing no less than eight years prior to the date of the submittal of a permit application for the wedding facility;
 - (b) A wedding facility, including any structures and adjacent outdoor space used 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 board of health code provisions;
 - (iv) adequate on-site parking shall be provided for the use pursuant to SCC 30.26.035; and

EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE

(v) all other applicable regulations in Title 30 SCC including, but not limited to, flood hazard regulations in hazard regulations in chapter 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 siting criteria of state law. Every effort shall be made by the county through the available state procedures to ensure strict compliance with all relevant public safety concerns, such as emergency response time, minimum distances to be maintained by the SCTF from "risk potential" locations, electronic monitoring of individual residents, household security measures and program staffing.

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

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

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

EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE

- (92) The area of the shooting range devoted to retail sales of guns, bows, and related equipment shall not exceed one-third of the gross floor area of the shooting range and shall be located within a building or structure.
- (93) *Farmers Market*. See SCC 30.28.036.
- (94) *Farm Product Processing and Farm Support Business*. See SCC 30.28.038.
- (95) *Farmland Enterprise*. See SCC 30.28.037.
- (96) *Public Events/Assemblies on Farmland*. Such event or assembly shall:
- (a) Comply with the requirements of SCC 30.53A.800; and
 - (b) Not exceed two events per year. No event shall exceed two weeks in duration.
- (97) *Bakery, Farm*. The gross floor area of the use shall not exceed 1,000 square feet.
- (98) *Recreational Facility Not Otherwise Listed in A-10 zone, Forestry (F), or Forestry and Recreation (F&R) zones*. See SCC 30.28.076.
- (99) *Farm Stand*. See SCC 30.28.039.
- (100) *Farm Stand*. Allowed as a Permitted Use (P) when sited on land designated riverway commercial farmland, upland commercial farmland or local commercial farmland in the comprehensive plan. Allowed as an Administrative Conditional Use (A) when sited on land not designated riverway commercial farmland, upland commercial farmland or local commercial farmland in the comprehensive plan.
- (101) *Farmers Market*. Allowed as a Permitted Use (P) when sited on land designated riverway commercial farmland, upland commercial farmland or local commercial farmland in the comprehensive plan. Allowed as an Administrative Conditional Use (A) when sited on land not designated riverway commercial farmland, upland commercial farmland or local commercial farmland in the comprehensive plan.
- (102) Community Facilities for Juveniles in R-5 zones must be located within one mile of an active public transportation route at the time of permitting.
- (103) All community facilities for juveniles shall meet the performance standards set forth in SCC 30.28.025.
- (104) Personal wireless service facilities are subject to development standards in chapter 30.28A SCC, parking standards in SCC 30.26.030, setback requirements in SCC 30.23.110(26) or SCC 30.67.595 if within shoreline jurisdiction, and landscaping standards in chapter 30.25 SCC.
- (105) RESERVED for future use.
- (106) See SCC 30.28A.050(2) for instances when a personal wireless service facility does not require a conditional use permit.
- (107) *Agricultural Composting Requirements*.
- (a) On-farm site agricultural composting operations that comply with the requirements established in this section are allowed in the A-10 zone. These composting facilities and operations shall be constructed and operated in compliance with all applicable federal, state and local laws, statutes, rules and regulations. The

EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE

Nutrient Management Plan portion of the farm's Snohomish Conservation District Farm Plan or any other established nutrient management plan must be on file with the department when any application for a land use permit or approval is submitted to the department for the development of an agricultural composting facility. Farm site agricultural composting operations shall also comply with the following criteria:

- (i) The composting operation shall be limited to 10 percent of the total farm site area;
- (ii) At least 50 percent of the composted materials shall be agricultural waste;
- (iii) At least 10 percent of the agricultural wastes must be generated on the farm site;
- (iv) A maximum of 500 cubic yards of unsuitable incidental materials accumulated in the agricultural waste such as rock, asphalt, or concrete over three inches in size may be stored at the farm composting facility until its proper removal. All incidental materials must be removed from the site yearly; and
- (v) A minimum of 10 percent of the total volume of the finished compost produced annually shall be spread on the farm site annually.

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

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

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

(110) RESERVED for future use.

(111) RESERVED for future use.

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

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

EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE

- (114) New AM Radio Towers are prohibited. AM radio towers either constructed before October 13, 2010, or with complete applications for all permits and approvals required for construction before October 13, 2010, shall not be considered nonconforming uses and they may be repaired, replaced, and reconfigured as to the number and dimensions of towers so long as the repair, replacement, or reconfiguration occurs on the parcel where the tower was originally constructed or permitted and it does not increase the number of AM radio towers constructed on the parcel.
- (115) This use is prohibited in the R-5 zone with the Mineral Resource Overlay (MRO). Public park is a permitted use on reclaimed portions of mineral excavation sites with the MRO.
- (116) See cottage housing design standard requirements in chapter 30.41G SCC.
- (117) RESERVED for future use.
- (118) RESERVED for future use.
- (119) Only building mounted personal wireless service facilities or personal wireless service facilities located on utility poles, streetlight poles, or traffic signal poles as specified in SCC 30.28A.055 shall be permitted.
- (120) Allowed as a conditional use only with a Park-and-Pool Lot or a Park-and-Ride Lot.
- (121) Permitted as an incidental use with a permitted use, conditional use or administrative conditional use.
- (122) Products or merchandise offered for sale or storage by a business may be located outdoors; provided, that:
- (a) The area occupied by the display shall not exceed 500 square feet; and
 - (b) Public sidewalks shall not be enclosed as space for sales or storage by fencing or other means that effectively limits public use of the sidewalk.
- (123) Such uses, except those as provided for in SCC 30.34A.010(4)(d), are permitted only in structures which are legally existing on May 29, 2010. Such uses, except those as provided for in SCC 30.34A.010(4)(d), shall also comply with subsection (122) of this section.
- (124) The minimum lot size for marijuana related facilities is 100,000 square feet. Marijuana production and marijuana processing are allowed indoors and outdoors, including in greenhouses and other structures pursuant to chapter 314-55 WAC. In the A-10 zone, marijuana uses shall be subject to the same regulations that apply to agricultural uses and not subject to any more restrictive regulations except as specifically provided in this title and in state law. Marijuana processing is only allowed when there is a marijuana production facility on site. Marijuana facilities are subject to special setbacks pursuant to SCC 30.23.110(28).
- (125) Marijuana production and processing is permitted indoors only; no outdoor production or processing is allowed.

EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE

(126) RESERVED for future use.

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

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

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

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

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

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

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

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

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

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

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

The provisions of subsections (130)(a) through (130)(f) of this section do not apply to any land under ownership or acquired before May 24, 2015, by any local, county, regional, or state agency for recreation, public park and/or trail purposes. Any new development, alterations or reconstruction on these properties shall meet subsection (130)(g) of this section and the requirements of the A-10 zone. All buildings and parking areas shall be set back a minimum of 50 feet from the property boundaries. If the park or trail use produces adverse conditions that will unduly affect an adjacent agricultural

EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE

use, the director may impose a larger setback to alleviate the effects of such adverse conditions, which include but are not limited to noise, vibration, dust, and light.

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

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

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

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

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

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

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

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

(139) Warehouses shall only be permitted in the PCB zone within the Maltby Urban Growth Area and subject to the bulk regulations in SCC 30.23.030 for the General Commercial zone.

Section 6. Severability and Savings. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid by the Growth Management Hearings Board (Board), or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided, however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by the Board or court

**EXHIBIT A – PROPOSED CODE REVISIONS
ALLOWING WAREHOUSE AS A PERMITTED USE IN THE PCB ZONE**

of competent jurisdiction, then the section, sentence, clause or phrase in effect prior to the effective date of this ordinance shall be in full force and effect for that individual section, sentence, clause or phrase as if this ordinance had never been adopted.

PASSED this ____ day of ____, 2024.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Council Chair

ATTEST:

Deputy Clerk of the Council

() APPROVED
() EMERGENCY
() VETOED

DATE: _____

County Executive

ATTEST:

Approved as to form only:

Deputy Prosecuting Attorney