

1 Adopted:
2 Effective:

3 SNOHOMISH COUNTY COUNCIL
4 Snohomish County, Washington
5

6 ORDINANCE NO. 24-044
7

8 RELATING TO GROWTH MANAGEMENT AND UPDATES TO DEVELOPMENT REGULATIONS PURSUANT TO
9 RCW 36.70A.130; SUPPORTING THE DEVELOPMENT OF PERMANENT SUPPORTIVE, EMERGENCY
10 HOUSING, EMERGENCY SHELTERS, AND AFFORDABLE HOUSING; AMENDING CHAPTERS 30.22, 30.28,
11 AND 30.91 OF THE SNOHOMISH COUNTY CODE
12

13 WHEREAS, the Growth Management Act (GMA), chapter 36.70A of the Revised Code of
14 Washington (RCW) requires Snohomish County (the "County") to plan for and accommodate housing
15 affordable to all economic segments of the community, promote a variety of residential densities and
16 housing types, and encourage preservation of existing housing stock; and
17

18 WHEREAS, RCW 36.70A.130(5) requires the County to review and update the Growth
19 Management Act Comprehensive Plan (GMACP) and development regulations by December 31, 2024,
20 and every 10 years thereafter; and
21

22 WHEREAS, since the previous GMACP update in 2015 the state legislature has passed a number
23 of laws relating to emergency housing, emergency shelters, permanent supportive housing, and
24 affordable housing; and
25

26 WHEREAS, RCW 36.70A.545, originally adopted in 2019 as House Bill 1377, requires that the
27 County allow an increased density bonus for any affordable housing development on property owned or
28 controlled by a religious organization within an urban growth area; and
29

30 WHEREAS, the Snohomish County development regulations currently only provide an affordable
31 density bonus for housing developed in the Urban Core zoning designation and do not provide an
32 affordable housing bonus for religious owned properties located outside that zone; and
33

34 WHEREAS, RCW 36.01.290, amended in 2020 with House Bill 1754, requires that the county
35 permit religious organizations to host the homeless on property that they own or control; and
36

37 WHEREAS, the Snohomish County Code does not currently address hosting the homeless on
38 religious-owned property; and
39

40 WHEREAS, RCW 36.01.227, originally adopted in 2021 as Senate Bill 5235, requires that the
41 County not limit the number of unrelated persons that may occupy a household or dwelling unit; and
42

1 WHEREAS, Snohomish County Code (SCC) defines family to include up to six unrelated persons
2 in SCC 30.91F.080; and
3

4 WHEREAS, Chapter 30.70A RCW, amended in 2021 with House Bill 1220, requires that the
5 Housing Element portion of the GMACP identify sufficient capacity of land for emergency housing,
6 emergency shelters, and permanent supportive housing; and
7

8 WHEREAS, SCC 30.91H.095 contains the definition of Health and Social Services Facilities (HSSF)
9 Levels I-III uses, which are the most appropriate uses to contain emergency housing, emergency
10 shelters, and permanent supportive housing uses; and

11 WHEREAS, on January 23, 2024, the Snohomish County Planning Commission (the "Planning
12 Commission") was briefed by PDS staff about the proposed code amendments contained in this
13 ordinance; and
14

15 WHEREAS, the Planning Commission held a public hearing on February 27, 2024, to receive
16 public testimony concerning the proposed code amendments contained in this ordinance; and
17

18 WHEREAS, at the conclusion of the Planning Commission's public hearing, the Planning
19 Commission deliberated on the proposed code amendments and voted to recommend approval of the
20 code amendments relating to emergency housing, emergency shelters, permanent supportive housing,
21 and affordable housing as shown in its recommendation letter dated March 15, 2024; and
22

23 WHEREAS, on _____, 2024, the County Council held a public hearing after proper
24 notice, and considered public comment and the entire record related to the code amendments
25 contained in this ordinance; and
26

27 WHEREAS, following the public hearing, the County Council deliberated on the code
28 amendments contained in this ordinance;
29

30 NOW, THEREFORE, BE IT ORDAINED:
31

32 Section 1. The County Council adopts the following findings in support of this ordinance:
33

34 A. The foregoing recitals are adopted as findings as if set forth in full herein.
35

36 B. This ordinance amends chapter 30.22 SCC in the following manner:
37

- 38 1. This ordinance amends SCC 30.22.100, the Urban Zone Categories Use Matrix, to allow
39 Health and Social Services Facility (HSSF) Level III as a permitted use in the NB zone
40 subject to existing reference note 136, consistent with the Hotel/Motel use, and adds a
41 new reference note 139 for the HSSF Level III use. The ordinance adds a new reference
42 note 140 to Dwelling, Attached Single Family; Dwelling, Cottage Housing; Dwelling,

Duplex; Dwelling, Mobile Home; Dwelling, Multiple Family; Dwelling, Single Family; and Dwelling Townhouse uses. These changes support the county in demonstrating sufficient capacity of emergency housing and emergency shelters, in line with the new requirements that HB 1220 made to RCW 36.70A.070 and with Washington State Department of Commerce guidance.

2. Additionally, the ordinance adds a new use to the Urban Zone Categories Use Matrix, SCC 30.22.100, Emergency Shelter, Religious-Owned Property, with a new reference note, 141. This use is allowed in all urban zones. This change supports the new requirements that HB 1754 made to RCW 36.01.290.
3. This ordinance amends SCC 30.22.110, the Rural and Resource Zone Categories Use Matrix, to allow HSSF Level III as a permitted use in the Rural Business (RB) and Rural Freeway Service (RFS) zone subject to a new reference note 139. This change supports the county in demonstrating sufficient capacity for emergency housing and emergency shelters, in line with the new requirements that HB 1220 made to RCW 36.70A.070. The ordinance adds a new use to the Rural and Resource Zone Categories Use Matrix, Emergency Shelter, Religious-Owned Property, with a new reference note, 141. This use is allowed in the Rural Diversification (RD), Rural 5-Acre (R-5), Rural Business (RB), and Clearview Rural Commercial (CRC) zones, to align with zones where the use church is currently allowed. This change supports the new requirements that HB 1754 made to RCW 36.01.290 and is consistent with Washington State Department of Commerce Guidance regarding emergency housing and emergency shelters and rural areas.
4. This ordinance amends SCC 30.22.130 to add reference note 139 for HSSF Level III uses to specify that emergency shelters and emergency housing as defined in RCW 36.70A.030 are the only Level III HSSF allowed in rural zones, as well as a reference note 140 directing the reader to the new SCC provision for affordable housing located on property owned by a religious organization and reference note 141 directing the reader to the new SCC provision for emergency shelters on property owned by a religious organization.

C. This ordinance amends Chapter 30.28 SCC in the following manner:

1. This ordinance adds a new section to Chapter 30.28 SCC to address affordable housing located on property owned or controlled by a religious organization. The new SCC 30.28.130 outlines a density bonus incentive for affordable housing on a property owned by a religious organization. This change is in line with the requirements of RCW 36.70A.545.
2. This ordinance adds a new section to Chapter 30.28 SCC to address emergency shelters located on property owned by a religious organization. The new SCC 30.28.131 addresses a new use "Emergency Shelter, Religious-Owned Property," which includes

1 indoor shelters, outdoor shelters, temporary small housing on site, and vehicle resident
2 safe parking. This change is in line with RCW 36.01.290.
3

4 D. This ordinance amends Chapter 30.91 SCC in the following manner:
5

6 1. This ordinance amends SCC 30.91F.080, which defines “family” to remove the limit on
7 the number of unrelated persons living together in a household. This change complies
8 with RCW 36.01.227 that establishes that jurisdictions may not limit the number of
9 unrelated persons in a household.
10

11 2. This ordinance amends SCC 30.91H.095, which defines “Health and social services
12 facilities.” This change clarifies that permanent supportive housing, as defined in RCW
13 36.70A.030, is a HSSF Level I use and that emergency housing and emergency shelters
14 are a HSSF Level III use. This change is in line with RCW 36.70A.070.
15

16 E. In developing the proposed amendments, the County considered the GMA goal related to housing.
17 In particular, the proposed amendments are consistent with and promote:
18

19 GMA Goal 4 – “Housing. Plan for and accommodate housing affordable to all economic
20 segments of the population of this state, promote a variety of residential densities and housing
21 types, and encourage preservation of existing housing stock.”
22

23 The code amendments support the housing goal by encouraging the development of affordable housing,
24 emergency housing, emergency shelters, and permanent supportive housing. The proposed changes
25 include establishing an affordable housing density bonus for affordable housing built on property owned
26 or controlled by religious organizations. The changes also amend the definition of HSSF to explicitly
27 include permanent supportive housing, emergency housing, and emergency shelters, and establish a
28 new use Emergency Shelter, Religious-Owned Property.

29 F. The proposed amendments support achievement of the housing goal in the Multicounty Planning
30 Policies (MPP) from the Puget Sound Regional Council VISION 2050 and maintain consistency with
31 the following MPPs:
32

33 MPP-H-3 – Achieve and sustain – through preservation, rehabilitation, and new development – a
34 sufficient supply of housing to meet the needs of low-income, moderate-income, middle-
35 income, and special needs individuals and households that is equitably and rationally distributed
36 throughout the region.
37

38 MP-H-4 – Address the need for housing affordable to low- and very low-income households,
39 recognizing that these critical needs will require significant public intervention through funding,
40 collaboration, and jurisdictional action.
41

1 MPP-H-11 Encourage interjurisdictional cooperative efforts and public-private partnerships to
2 advance the provision of affordable and special needs housing.
3

4 The proposed code amendments include amending the definition of HSSF uses to make permanent
5 supportive housing a Level I use and emergency housing and emergency shelters a Level III, which
6 would support the development of permanent supportive housing, emergency housing, and
7 emergency shelters which are all types of special need housing. Following guidance provided by the
8 Washington State Department of Commerce, the proposed code changes expand the zones in which
9 HSSF Level III is a permitted use to match the zones in which the use Hotel/Motel is permitted to
10 address the need for emergency housing and emergency shelters. The code amendments expand
11 the definition of family, consistent with RCW 36.01.227, and remove a barrier to unrelated persons
12 sharing a household. These changes support the intent of MPP-H-3 to achieve and maintain a
13 sufficient supply of housing to meet the needs of low-income households and special needs
14 households. The proposed amendments also include code provisions to facilitate the development
15 of both permanent affordable housing, emergency housing, and emergency shelters on property
16 owned or controlled by religious organizations. These changes support the intent of MPP-H 4 and
17 MPP H-11 to engage in cooperative efforts to advance the provision of affordable and special needs
18 housing.
19

20 G. The proposed amendments are consistent with the following countywide planning policies (CPP):
21

22 HO-3 The county and cities should participate in multi-jurisdictional affordable housing
23 programs and engage in other cooperative efforts to promote and contribute to an adequate
24 supply of affordable, special needs, and diverse housing countywide.
25

26 HO-14 The county and cities should incentivize and promote the development and preservation
27 of long-term affordable housing through the use of zoning, taxation, and other tools, including
28 height or density bonuses, property tax incentives and parking requirement reductions. The
29 incentives should apply where feasible to encourage affordable housing.
30

31 The proposed amendments include code provisions to facilitate the development of both
32 permanent affordable housing and emergency housing and emergency shelters on property owned
33 or controlled by religious organizations. This supports the intent of CPP HO-3 to engage in
34 cooperative efforts to advance the provision of affordable and special needs housing. The proposed
35 amendments also include a density bonus for affordable housing on property owned or controlled
36 by religious organizations; this supports the intent of CPP-HO-14 which direct the county and cities
37 to implement density bonuses and other tools support the development of affordable housing.
38

39 H. The proposed amendments maintain consistency with the Snohomish County Growth Management
40 Act Comprehensive Plan (GMACP) General Policy Plan (GPP). The following policies apply to the
41 proposed code amendments:
42

1 HO Policy 1.C.3 The county shall encourage for-profit and non-profit sector production of new
2 housing units that are affordable to and occupied by low income households.

3
4 Subsection a. Explore and evaluate various fiscal and regulatory tools and funding resources and
5 strategies to encourage housing providers to increase the supply of affordable housing units
6 generally, and particularly within mixed-income developments and communities.

7
8 Subsection b. Provide incentives that encourage for-profit and non-profit residential developers
9 to address low- and moderate-income housing needs, such as priority permit processing and
10 exemptions or reductions in impact fee mitigation payments for low-income projects with long-
11 term affordability commitments.

12
13 Subsection c. Evaluate the feasibility of reducing minimum permitted lot sizes in non-PRD
14 developments.

15
16 Subsection d. Encourage through incentives and other techniques a balance of affordable and
17 market-rate housing within urban centers and along transit emphasis corridors.

18
19 HO Policy 1.C.12 The county should encourage developments that include units affordable to a
20 spectrum of incomes, including low and moderate income households.

21
22 The proposed amendments maintain consistency with the goal of the GMACP by implementing state
23 law that encourages religious organizations to develop affordable housing by providing a density
24 bonus and by implementing state law that encourages religious organizations to host the homeless
25 on property owned or controlled by them. The amendments include establishing an affordable
26 housing density bonus for 100 percent affordable housing developments on property owned or
27 controlled by religious organizations.

28
29 I. Procedural requirements.

- 30
31 1. Under Snohomish County Code, this ordinance is a Type 3 legislative action pursuant to SCC
32 30.73.010.
33
34 2. As required by RCW 36.70A.106(1), a notice of intent to adopt this ordinance was transmitted to
35 the Washington State Department of Commerce on February 6, 2024.
36
37 3. State Environmental Policy Act (SEPA), chapter 43.21C RCW, requirements with respect to this
38 non-project action have been satisfied through the completion of an environmental checklist
39 and the issuance of a determination of non-significance on February 6, 2024.
40

4. The public participation process used in the adoption of this ordinance complies with all applicable requirements of the GMA and the SCC, including but not limited to, RCW 36.70A.035, RCW 36.70A.140, and chapter 30.73 SCC.
5. The Planning Commission was briefed on the proposed amendments at its January 23, 2024, meeting and conducted a public hearing on the proposed amendments at its February 27, 2024, meeting, resulting in its letter of March 15, 2024, recommending approval. The version of the code amendments that the Planning Commission recommended for approval, through a typographical error, omitted the use Dwelling, Cottage Housing in the Urban Zone Categories Use Matrix in SCC 30.22.100 and therefore did not show the proposed inclusion of new reference note 140 to that use. The code amendments contained within this ordinance have corrected that omission.
6. 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 Snohomish County in objectively evaluating the regulatory changes proposed by this ordinance.

J. This ordinance is consistent with the record.

1. The County is required to identify sufficient capacity of land for emergency housing, emergency shelters, and permanent supportive housing. Existing code language classifies these uses as HSSF uses, however, it is not clear which level of use applies. The proposed code amendments clarify that permanent supportive housing is a HSSF Level I use and emergency housing and emergency shelters are a HSSF Level III use. The amendments also expand emergency housing and emergency shelter uses as a permitted use in the same zones that hotels and motels are allowed as a permitted use, in keeping with Commerce guidance.
2. Existing code language includes a definition of family that limits the number of unrelated persons in a household to six. The code amendments would bring the definition of family into line with state law, removing the limit on the number of unrelated persons in a household.
3. The code amendments proposed by this ordinance support the development of emergency housing, emergency shelters, and affordable housing which furthers the County's housing goal in planning for housing affordable to economic segments. The amendments establish an affordable housing density bonus for affordable housing built on religious-owned property and create a new use for emergency shelters and emergency housing on religious-owned property.

Section 2. The County Council makes the following conclusions:

- A. The amendments proposed by this ordinance comply with the GMA, Washington State law, and the SCC.
- B. The amendments proposed by this ordinance are consistent with the MPPs and the CPPs.
- C. The amendments proposed by this ordinance comply with the Snohomish County GMACP.
- D. The County has complied with all SEPA requirements in respect to this non-project action.
- E. The public participation process used in the adoption of this ordinance complies with all applicable requirements of the GMA and Title 30 SCC.
- F. The amendments proposed by this ordinance do not result in an unconstitutional taking of private property for a public purpose.

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

Section 4. Snohomish County Code Section 30.22.100, last amended by Ordinance No. 23-009 on March 8, 2023, is amended to read:

30.22.100 Urban Zone Categories Use Matrix.

TYPE OF USE	R-9,600 ⁸⁸	R-8,400 ⁸⁸	R-7,200 ⁸⁸	T	LDMR	MR	NB	P C B	CB ₁₂₈	GC ₁₂₈	IP ₇₆	BP	LI _{55, 76}	HI ₅₅	MH ₁₁₄	UC 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
Antique Shop							P	P	P	P			P	P		P

TYPE OF USE	R-9,600 ⁸⁸	R-8,400 ⁸⁸	R-7,200 ⁸⁸	T	LDM R	MR	NB	P C B	CB ₁₂₈	GC ₁₂₈	IP ⁷ ₆	BP	LI ⁵⁵ _{, 76}	HI ⁵ ₅	MH _{p114}	UC ₁₂₂
Art Gallery ⁴¹	C	C	C		C	C	P	P	P	P	P	P	P	P		P
Auto Repair, Major								P	p ⁸ ₆	P	P	P	P	P		P
Auto Repair, Minor							P	P	p ⁸ ₆	P	P	P	P	P		P
Auto Towing													P	P		
Automobile Wrecking and Junkyards													C ⁴ ₄	p ⁴ ₄		
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
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
Clubhouse	C	C	C		C	C	P	P	P	P	P	P	P	P	P	P
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

TYPE OF USE	R- 9,60 0 ⁸⁸	R- 8,40 0 ⁸⁸	R- 7,20 0 ⁸⁸	T	LDM R	MR	NB	P C B	CB 128	GC 128	IP ⁷ 6	BP	LI ⁵⁵ , 76	HI ⁵ 5	MH p ¹¹⁴	UC 122
9 to 24 Resident Facility	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P
Construction Contracting										P	P	P	P	P		p ¹ 23
Day Care Center 2, 129	C	C	C		C	C	P	P	P	P	P	P	P	P	A	P
Distillation of Alcohol											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 Family¹⁴⁰	P	P	P	P	P	P						p ⁵ 1				
Dwelling, Cottage Housing 116, ¹⁴⁰	P	P	P	P	P							p ⁵ 1				
Dwelling, Duplex¹⁴⁰	P	P	P	P	P	P						p ⁵ 1				
Dwelling, Mobile Home¹⁴⁰	p ⁶	p ⁶	p ⁶	p ⁶	P	P									P	
Dwelling, Multiple Family ¹⁴⁰					P	P	P	P	P	P		p ⁵ 1				P
Dwelling, Single Family¹⁴⁰	P	P	P	P	P	P						p ⁵ 1			p ⁴	
Dwelling, Townhouse ^{5, 140}			P	P	P	P	P	P	P	P		p ⁵ 1				P
Electric Vehicle Infrastructure																

TYPE OF USE	R-9,600 ⁸⁸	R-8,400 ⁸⁸	R-7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ₁₂₈	GC ₁₂₈	IP ⁷ ₆	BP	LI ⁵⁵ _{,76}	HI ⁵ ₅	MHP ¹¹⁴	UC ₁₂₂
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
Electric Vehicle Charging Station - Public, Level 1 and Level 2							P	P	P	P	P	P	P	P		P
Electric Vehicle Charging Station, Level 3	C ¹² ₀	C ¹² ₀	C ¹² ₀	C ¹² ₀	C ¹²⁰	C ¹²⁰	P	P	P	P	P	P	P	P		P
Battery Exchange Stations	C ¹² ₀	C ¹² ₀	C ¹² ₀	C ¹ ₂₀	C ¹²⁰	C ¹²⁰	P	P	P	P	P	P	P	P		P
Explosives, Storage											P			P		
Fairgrounds										P	P	P	P	P		
<u>Emergency Shelter, Religious-Owned Property</u> ¹⁴¹	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Family Day Care Home ⁸	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

TYPE OF USE	R-9,600 ⁸⁸	R-8,400 ⁸⁸	R-7,200 ⁸⁸	T	LDM R	MR	NB	P C B	CB ₁₂₈	GC ₁₂₈	IP ⁷ ₆	BP	LI ⁵⁵ _{, 76}	HI ⁵ ₅	MH _{p114}	UC ₁₂₂
401 to 5,000 sq ft ⁹⁹																
Farmers Market ⁹³							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	
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													

TYPE OF USE	R-9,600 ⁸⁸	R-8,400 ⁸⁸	R-7,200 ⁸⁸	T	LDM R	MR	NB	P C B	CB ₁₂₈	GC ₁₂₈	IP ⁷ ₆	BP	LI ⁵⁵ _{, 76}	HI ⁵ ₅	MH _{p114}	UC ₁₂₂
Government Structures & Facilities ^{27, 41}	C	C	C	C	C	C	C	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	
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
Level II ^{41, 129}	C	C	C		C	C	C	P	P	P		P			C	P
Level III ¹³⁹						C	((€)) <u>p¹³⁶</u>	P	P	P	P		P	P	C	P
Home Occupation ¹¹	P	P	P	P	P	P	P		P	P					P	P
Hotel/Motel					C	C	p ¹³⁶	P	P	P			p ⁸ ₉			P
Kennel, ⁴¹ Commercial ¹²	C	C	C						P	P	P	P	P	P		

TYPE OF USE	R-9,600 ⁸⁸	R-8,400 ⁸⁸	R-7,200 ⁸⁸	T	LDM R	MR	NB	P C B	CB ₁₂₈	GC ₁₂₈	IP ⁷ ₆	BP	LI ⁵⁵ _{, 76}	HI ⁵ ₅	MH _{p114}	UC ₁₂₂
Kennel,⁴¹ Private-Breeding¹³	P	P	P		P	P	P		P	P	P	P	P	P		
Kennel,⁴¹ Private-Non-Breeding¹³	P	P	P		P	P	P		P	P	P					
Laboratory							P	P	P	P	P	P	P	P		P
Library⁴¹	C	C	C		C	C	C	P	P	P	P	P	P	P		P
Lumber Mill											P	P	P	P		
Lumberyard										P	P	P	P	P		
Manufacturing, Heavy⁸²											P			P		
Manufacturing-All Other Forms Not Specifically Listed⁸³											P	P	P	P		P ¹ ₂₃
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
Massage Parlor									P	P	P	P	P	P		P
Material Recovery Facility¹³⁴											C		C	C		
Mini Self-Storage								P	P	P	P	P	P	P		
Mobile Home Park³⁸					C	C			C	C					P	
Model Hobby Park⁷⁵												A	A	A		
Model House/Sales Office	P	P	P	P	P	P										

TYPE OF USE	R-9,600 ⁸⁸	R-8,400 ⁸⁸	R-7,200 ⁸⁸	T	LDMR	MR	NB	P C B	CB ₁₂₈	GC ₁₂₈	IP ₇₆	BP	LI _{55, 76}	HI ₅₅	MHP ₁₁₄	UC ₁₂₂
Motocross Racetrack ¹²⁹										C ₁₃ ¹	C ₁₃ ¹	C ₁₃ ¹	C ₁₃ ¹	C ₁₃ ¹		
Museum ⁴¹	C	C	C		C	C	C	P	P	P	P	P	P	P		P
Neighborhood Services					A, C ₁₃₈ ⁸⁶	A, C ₁₃₈ ⁸⁶	P	P	P ₆ ⁸	P	P	P	P	P		P
Office and Banking							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
Park-and-Pool Lot	C	C	C	C	C	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
Personal Wireless Service Facilities ^{27, 41, 104, 106}	C	C	C	C	C	C	C	C	C	C	P	P	P	P	C	P ₁₉ ¹
Printing Plant								P		P	P	P	P	P		P ₂₃ ¹
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
Recreational Facility Not Otherwise Listed	C	C	C		C	C	P	P	P	P	P	P	P	P		P
Recreational Vehicle Park									C	C					C	
Recycling Facility ¹³⁷										C	C		C	C		
Rendering of Fat, Tallow, or Lard ¹²⁹											P			P		
Restaurant							P	P	P	P	P ₉ ⁴	P ₉ ⁴	P	P		P

TYPE OF USE	R-9,600 ⁸⁸	R-8,400 ⁸⁸	R-7,200 ⁸⁸	T	LDM R	MR	NB	P C B	CB ₁₂₈	GC ₁₂₈	IP ₇₆	BP	LI _{55, 76}	HI ₅₅	MH _{p114}	UC ₁₂₂
Retail, General						A ¹³⁵	P	P	P	P		P ⁵³	P	P		P
Retirement Apartments				P	P	P	P	P	P	P					P	P
Retirement Housing				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 ¹³⁶		P	P	P	P	P	P		P
College ^{41, 68}	C	C	C		C	C	C ¹³⁶		P	P	P	P	P	P		P
Other ^{41, 68}					C	C	C ¹³⁶		P	P	P	P	P	P		P
Service Station ⁴¹							P	P	P ⁸⁶	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 ⁵⁰		
Small Animal Husbandry ⁴¹	C ³⁷	C ³⁷	C ³⁷				P		P	P	P	P	P	P		
Small Workshop									P ⁸⁶	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

TYPE OF USE	R-9,600 ⁸⁸	R-8,400 ⁸⁸	R-7,200 ⁸⁸	T	LDM R	MR	NB	P C B	CB ₁₂₈	GC ₁₂₈	IP ⁷ ₆	BP	LI ⁵⁵ _{, 76}	HI ⁵ ₅	MH _{p114}	UC ₁₂₂
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	
Studio ⁴¹	C ⁷⁷	C ⁷⁷	C ⁷⁷		C ⁷⁷	C ⁷⁷	P	P	P ⁸ ₆	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
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

TYPE OF USE	R-9,600 ⁸⁸	R-8,400 ⁸⁸	R-7,200 ⁸⁸	T	LDMR	MR	NB	PCB	CB ₁₂₈	GC ₁₂₈	IP ₇₆	BP	LI _{55, 76}	HI ₅₅	MHP ₁₁₄	UC ₁₂₂
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
Utility Facilities-All Other Structures ^{27, 41}	C	C	C	C	C	C	C	P	P ₈₆	P	P	P	P	P	C	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
Warehouse										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 ₃ ⁶		A ₃ ⁶	A ₃ ⁶		
All other uses not otherwise mentioned											P	P	P	P		

1
2

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</p>
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A - Administrative Conditional Use	<p style="text-align: center;">SCC 30.22.130.</p> <p style="text-align: center;">Check other matrices in this chapter if your use is not listed above.</p>
C - Conditional Use	
S - Special Use	

Section 5. Snohomish County Code Section 30.22.110, last amended by Ordinance No. 23-009 on March 8, 2023, is amended to read:

30.22.110 Rural and Resource Zone Categories Use Matrix.

TYPE OF USE	Rural Zones							Resource Zones		
	RD	RTT-10	R-5	RB ²⁶	CR _C	RFS	RI	F	F&R	A-10
Accessory Dwelling Unit ⁶²	P	P	P	P	P			P	P	P
Agriculture ^{41, 107}	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										
Auto Repair, Major							P			
Auto Repair, Minor				P	P	P	P			
Auto Towing	C		C							
Auto Wrecking and Junkyards							A ⁴ ₄			
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	

TYPE OF USE	Rural Zones							Resource Zones		
	RD	RTT-10	R-5	RB ²⁶	CR C	RFS	RI	F	F&R	A-10
Caretaker's Quarters	P		C	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							
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
Dwelling, Single Family	P	P	P		P			P	P	P
<u>Emergency Shelter, Religious-Owned Property</u> ¹⁴¹	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>					
Equestrian Center ^{41, 70, 72}	P	C	C ¹¹⁵					C	P	C ⁷⁰

TYPE OF USE	Rural Zones							Resource Zones		
	RD	RTT-10	R-5	RB ²⁶	CR C	RFS	RI	F	F&R	A-10
Excavation & Processing of Minerals²⁸	A, C	A, C	A, C				A, C	A, P, C	A, C	
Explosives, Storage	C	C	C				C	P	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 ft⁹⁴	A	A	A ¹¹⁵	A			A	A		A
Farm Support Business⁹⁴	A	A	A ¹¹⁵	A			P			A
Farm Stand										
Up to 400 sq ft⁹	P	P	P ^{100, 115}	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
Farm Workers Dwelling										P ¹⁰
Farmers Market⁹³	P	P	P ¹⁰¹ A ^{101, 115}	P	P	P	P			P
Farmland Enterprises⁹⁵		A	A ¹¹⁵							A
Fish Farm	P	P	P ¹¹⁵					P	P	P
Forestry	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 Yard⁴³							P			
Garage, Detached Private Accessory⁶⁰										
Up to 2,400 sq ft	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

TYPE OF USE	Rural Zones							Resource Zones		
	RD	RTT-10	R-5	RB ²⁶	CR C	RFS	RI	F	F&R	A-10
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
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 ¹¹⁵	P						C ⁷⁴
Government Structures & Facilities ^{27, 41}	C	C	C ¹¹⁵	C	P		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	
Health and Social Service Facility ⁹⁰										
Level I	P	P	P ¹¹⁵	P	P			P	P	
Level II ^{41, 91, 129}			C ¹¹⁵	C						
Level III ¹³⁹				P ¹³⁹		P ¹³ ₂				
Home Occupation ¹¹	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

TYPE OF USE	Rural Zones							Resource Zones		
	RD	RTT-10	R-5	RB ²⁶	CR C	RFS	RI	F	F&R	A-10
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}				P	P					
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	
Museum ^{41, 130}	C		C ¹¹⁵	P						C ⁶¹
Neighborhood Services				P	p ¹³³					
Office and Banking				P	p ¹³³					

TYPE OF USE	Rural Zones							Resource Zones		
	RD	RTT-10	R-5	RB ²⁶	CR C	RFS	RI	F	F&R	A-10
Off-road vehicle use area, private									C ¹⁰ ₉	
Park, Public ^{14, 130}	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
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
Recreational Facility Not Otherwise Listed ⁹⁸	C		C ¹¹⁵		P		P ⁷ ₉	A, C ¹²⁷	A, C ¹² ₇	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		
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		

TYPE OF USE	Rural Zones							Resource Zones		
	RD	RTT-10	R-5	RB ²⁶	CR C	RFS	RI	F	F&R	A-10
Sludge Utilization ³⁹	C	C, P ⁵⁰	C ¹¹⁵					C		C
Small Animal Husbandry ⁴¹	P		P		P			P	P	P
Small Workshop				P			P			
Stables	P	P	P	P			P	P	P	P
Stockyard or Slaughter House ¹²⁹							C ⁴ ₈			
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
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
Storage Structure, 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
Studio ⁴¹	C ⁷⁷		C ^{77, 115}							
Supervised Drug Consumption Facility										
Swimming/Wading Pool ^{17, 41}	P	P	P					P	P	P
Temporary Dwelling During Construction	A	A	A	A	A	A	A	A	A	A

TYPE OF USE	Rural Zones							Resource Zones		
	RD	RTT-10	R-5	RB ²⁶	CR C	RFS	RI	F	F&R	A-10
Temporary Dwelling For Relative ¹⁸	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	
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
Utility Facilities, Transmission Wires or Pipes & Supports ²⁷	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
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		

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

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.

- 1
2 (4) *Dwelling, Single-Family.* In the MHP zone, single-family detached dwellings are limited to one per
3 existing single legal lot of record.
4
- 5 (5) See chapter 30.31E SCC for rezoning to Townhouse zone, and chapter 30.23A SCC for design
6 standards applicable to single-family attached dwelling, mixed townhouse, and townhouse
7 development.
8
- 9 (6) *Dwelling, Mobile Home.*
10 (a) Shall be multi-sectioned by original design, with a width of 20 feet or greater along its entire
11 body length;
12 (b) Shall be constructed with a non-metallic type, pitched roof;
13 (c) Except where the base of the mobile home is flush to ground level, shall be installed either with:
14 (i) skirting material which is compatible with the siding of the mobile home; or
15 (ii) a perimeter masonry foundation;
16 (d) Shall have the wheels and tongue removed; and
17 (e) In the RU zone the above only applies if the permitted lot size is less than 20,000 square feet.
18
- 19 (7) RESERVED for future use.
20
- 21 (8) *Family Day Care Home.*
22 (a) No play yards or equipment shall be located in any required setback from a street; and
23 (b) Outdoor play areas shall be fenced or otherwise controlled.
24
- 25 (9) *Farm Stand.*
26 (a) There shall be only one stand on each lot; and
27 (b) At least 50 percent by farm product unit of the products sold shall be grown, raised or harvested
28 in Snohomish County, and 75 percent by farm product unit of the products sold shall be grown,
29 raised or harvested in the state of Washington.
30
- 31 (10) *Farm Worker Dwelling.*
32 (a) At least one person residing in each farm worker dwelling shall be employed full time in the
33 farm operation;
34 (b) An applicant for a building permit for a farm worker dwelling shall provide a declaration of farm
35 worker occupancy on a form available from the department to the department for review and
36 approval. The applicant shall record the declaration with the county auditor and provide a copy
37 of the recorded declaration to the department prior to issuance of the building permit for the
38 farm worker dwelling. Within 30 days of a sale or transfer of the property, the new property
39 owner(s) shall record a declaration of farm worker occupancy with the county auditor and
40 provide the department with a copy of the recorded declaration;
41 (c) The number of farm worker dwellings shall be limited to one per each 20 acres under single
42 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
- (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;
- (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 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.

(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.*

(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;

- 1 (b) Such distillation shall be only one of several products of normal agricultural activities occurring
2 on the premises; and
3 (c) By-products created in this process shall be used for fuel or fertilizer on the premises.
4
5 (35) RESERVED for future use (Group Care Facility – DELETED by Amended Ord. 04-010 effective March
6 15, 2004)
7
8 (36) Churches are exempt from the Rural Business zone performance standards in SCC 30.31F.110(1)
9 and (2).
10
11 (37) *Small Animal Husbandry*. There shall be a five-acre minimum site size.
12
13 (38) *Mobile Home Park*. Such development must fulfill the requirements of chapter 30.42E SCC.
14
15 (39) *Sludge Utilization*. See SCC 30.28.085.
16
17 (40) *Homestead Parcel*. See SCC 30.28.055.
18
19 (41) Special Setback Requirements for this use are contained in SCC 30.23.110(26) or SCC 30.67.595 if
20 within shoreline jurisdiction.
21
22 (42) In the R-12,500 and WFB zones, the minimum lot size for duplexes shall be one and one-half times
23 the minimum lot size for single-family dwellings.
24
25 (43) *Petroleum Products and Gas, Bulk Storage*.
26 (a) All above ground storage tanks shall be set back from all property lines in accordance with
27 requirements in the International Fire Code (IFC); and
28 (b) Storage tanks below ground shall be set back no closer to the property line than a distance
29 equal to the greatest dimensions (diameter, length or height) of the buried tank.
30
31 (44) *Auto Wrecking Yards and Junkyards*. A sight-obscuring fence a minimum of seven feet high shall be
32 established and maintained to the interior side of the required perimeter landscaping area in the LI
33 and RI zones. For perimeter landscaping requirements for this use in all zones, see SCC 30.25.020.
34
35 (45) *Antique Shops*. When established as a home occupation as regulated by SCC 30.28.050(1); provided
36 further that all merchandise sold or offered for sale shall be predominantly "antique" and antique-
37 related objects.
38
39 (46) *Billboards*. See SCC 30.27.080 for specific requirements.
40
41 (47) RESERVED for future use.
42

- 1 (48) *Stockyard and Livestock Auction Facility*. The minimum lot size is 10 acres.
2
- 3 (49) *Restaurants and Personal Service Shops*. Located to service principally the constructed industrial
4 park uses.
5
- 6 (50) *Sludge Utilization*. A conditional use permit is required for manufacture of materials by a non-
7 governmental agency containing stabilized or digested sludge for a public utilization.
8
- 9 (51) See SCC 30.31A.140.
10
- 11 (52) RESERVED for future use.
12
- 13 (53) *Retail Store*. See SCC 30.31A.120 for specific requirements for retail stores in the BP zone.
14
- 15 (54) Retail Sales of Hay, Grain, and Other Livestock Feed are permitted on site in conjunction with a
16 livestock auction facility.
17
- 18 (55) Noise of Machines and Operations in the LI and HI zones shall comply with chapter 10.01 SCC and
19 machines and operations shall be muffled so as not to become objectionable due to intermittence,
20 beat frequency, or shrillness.
21
- 22 (56) *Sludge Utilization*. Only at a completed sanitary landfill or on a completed cell within a sanitary
23 landfill, subject to the provision of SCC 30.28.085.
24
- 25 (57) *Woodwaste Recycling and Woodwaste Storage Facility*. See SCC 30.28.095.
26
- 27 (58) *Bed and Breakfast Guesthouses and Bed and Breakfast Inns*. See SCC 30.28.020.
28
- 29 (59) *Detached Accessory or Non-Accessory Private Garages and Storage Structures*. Subject to the
30 following requirements:
31 (a) Special setback requirements for these uses are contained in SCC 30.23.110(20);
32 (b) Artificial lighting shall be hooded or shaded so that direct outside lighting, if any, will not result
33 in glare when viewed from the surrounding property or rights-of-way;
34 (c) The following compatibility standards shall apply:
35 (i) proposals for development in existing neighborhoods with a well-defined character
36 should be compatible with or complement the highest quality features, architectural
37 character and siting pattern of neighboring buildings. Where there is no discernable
38 pattern, the buildings shall complement the neighborhood. Development of detached
39 private garages and storage structures shall not interrupt the streetscape or dwarf the
40 scale of existing buildings of existing neighborhoods. Applicants may refer to the
41 Residential Development Handbook for Snohomish County Communities to review
42 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 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.

- 1 (65) *On-Site Hazardous Waste Treatment and Storage Facilities*. Allowed only as an incidental use to
2 any use generating hazardous waste which is otherwise allowed; provided that such facilities
3 demonstrate compliance with the state siting criteria for dangerous waste management facilities
4 pursuant to RCW 70.105.210 and WAC 173-303-282, as now written or hereafter amended.
5
- 6 (66) An application for a conditional use permit to allow an off-site hazardous waste treatment and
7 storage facility shall demonstrate compliance with the state siting criteria for dangerous waste
8 management facilities pursuant to RCW 70.105.210 and WAC 173-303-282 as now written or
9 hereafter amended.
10
- 11 (67) *Adult Entertainment Uses*. See SCC 30.28.015.
12
- 13 (68) Special Building Height provisions for this use are contained in SCC 30.23.050(2)(d).
14
- 15 (69) RESERVED for future use.
16
- 17 (70) *Equestrian Centers*. Allowed with a conditional use permit on all lands zoned A-10 except in that
18 portion of the special flood hazard area of the lower Snohomish and Stillaguamish rivers designated
19 density fringe as described in chapter 30.65 SCC.
20
- 21 (71) Mini-Equestrian Centers are allowed as a permitted use on all lands zoned A-10 except in that
22 portion of the special flood hazard area of the lower Snohomish and Stillaguamish rivers designated
23 density fringe as described in chapter 30.65 SCC.
24
- 25 (72) Equestrian Centers and Mini-equestrian Centers require the following:
26 (a) Five-acre minimum site size for a mini-equestrian center;
27 (b) Covered riding arenas shall not exceed 15,000 square feet for a mini-equestrian center;
28 provided that stabling areas, whether attached or detached, shall not be included in this
29 calculation;
30 (c) Any lighting of an outdoor or covered arena shall be shielded so as not to glare on surrounding
31 properties or rights-of-way;
32 (d) On sites located in RC and R-5 zones, Type A landscaping as defined in SCC 30.25.017 is required
33 to screen any outside storage, including animal waste storage, and parking areas from adjacent
34 properties;
35 (e) Riding lessons, rentals, or shows shall only occur between 8:00 a.m. and 9:00 p.m.;
36 (f) Outside storage, including animal waste storage, and parking areas shall be set back at least 30
37 feet from any adjacent property line. All structures shall be set back as required in SCC
38 30.23.110(8); and
39 (g) The facility shall comply with all applicable county building, health, and fire code requirements.
40
- 41 (73) *Temporary Residential Sales Coach (TRSC)*.

- 1 (a) The commercial coach shall be installed in accordance with all applicable provisions within
2 chapter 30.54A SCC;
- 3 (b) The TRSC shall be set back a minimum of 20 feet from all existing and proposed road rights-of-
4 way and five feet from proposed and existing property lines;
- 5 (c) Vehicular access to the temporary residential sales coach shall be approved by the county or
6 state; and
- 7 (d) Temporary residential sales coaches may be permitted in approved preliminary plats, prior to
8 final plat approval, when the following additional conditions have been met:
- 9 (i) plat construction plans have been approved;
- 10 (ii) the fire marshal has approved the TRSC proposal;
- 11 (iii) proposed lot lines for the subject lot are marked on site; and
- 12 (iv) the site has been inspected for TRSC installation to verify compliance with all applicable
13 regulations and plat conditions, and to assure that land disturbing activity, drainage,
14 utilities infrastructure, and native growth protection areas are not adversely affected.

15

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

19

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

21

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

25

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

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

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

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

39

40 (78) RESERVED for future use.

41

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

1
2 (80) The gross floor area of the use shall not exceed 4,000 square feet.
3

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

6 (a) The use complies with all of the performance standards required by SCC 30.31F.100 and
7 30.31F.110;

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

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

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

14 (e) The storage of inoperable vehicles and hazardous or earth materials shall be prohibited.
15

16 (82) Manufacturing, Heavy includes the following uses: Distillation of wood, coal, bones, or the
17 manufacture of their by-products; explosives manufacturing; manufacture of fertilizer; extraction of
18 animal or fish fat or oil; forge, foundry, blast furnace or melting of ore; manufacturing of acid,
19 animal black/black bone, cement or lime, chlorine, creosote, fertilizer, glue or gelatin, potash, pulp;
20 rendering of fat, tallow and lard, rolling or booming mills; tannery; or tar distillation and
21 manufacturing. See SCC 30.91M.028.
22

23 (83) "All other forms of manufacture not specifically listed" is a category which uses manufacturing
24 workers, as described under the Dictionary of Occupational Titles, published by the U.S. Department
25 of Labor, to produce, assemble or create products and which the director finds consistent with
26 generally accepted practices and performance standards for the industrial zone where the use is
27 proposed. See SCC 30.91M.024 and 30.91M.026.
28

29 (84) RESERVED for future use.
30

31 (85) A single-family dwelling may have only one guesthouse.
32

33 (86) Outdoor display or storage of goods and products is prohibited on site.
34

35 (87) *Wedding Facility.*

36 (a) A wedding facility is permitted only:

37 (i) on vacant and undeveloped land;

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

39 (iii) partially outside of permanent structures and partially inside of one or more permanent
40 structures which were legally existing no less than eight years prior to the date of the
41 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
 - (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.

(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.

- 1
2 (103) All community facilities for juveniles shall meet the performance standards set forth in SCC
3 30.28.025.
4
5 (104) Personal wireless service facilities are subject to development standards in chapter 30.28A SCC,
6 parking standards in SCC 30.26.030, setback requirements in SCC 30.23.110(26) or SCC 30.67.595 if
7 within shoreline jurisdiction, and landscaping standards in chapter 30.25 SCC.
8
9 (105) RESERVED for future use.
10
11 (106) See SCC 30.28A.050(2) for instances when a personal wireless service facility does not require a
12 conditional use permit.
13
14 (107) *Agricultural Composting Requirements.*
15 (a) On-farm site agricultural composting operations that comply with the requirements established
16 in this section are allowed in the A-10 zone. These composting facilities and operations shall be
17 constructed and operated in compliance with all applicable federal, state and local laws,
18 statutes, rules and regulations. The Nutrient Management Plan portion of the farm's Snohomish
19 Conservation District Farm Plan or any other established nutrient management plan must be on
20 file with the department when any application for a land use permit or approval is submitted to
21 the department for the development of an agricultural composting facility. Farm site agricultural
22 composting operations shall also comply with the following criteria:
23 (i) The composting operation shall be limited to 10 percent of the total farm site area;
24 (ii) At least 50 percent of the composted materials shall be agricultural waste;
25 (iii) At least 10 percent of the agricultural wastes must be generated on the farm site;
26 (iv) A maximum of 500 cubic yards of unsuitable incidental materials accumulated in the
27 agricultural waste such as rock, asphalt, or concrete over three inches in size may be
28 stored at the farm composting facility until its proper removal. All incidental materials
29 must be removed from the site yearly; and
30 (v) A minimum of 10 percent of the total volume of the finished compost produced
31 annually shall be spread on the farm site annually.
32 (b) In all other zones except A-10 where agriculture is a permitted use, incidental agricultural
33 composting of agricultural waste generated on a farm site is permitted. The agricultural
34 composting facility shall be constructed and operated in compliance with all applicable federal,
35 state and local laws, statutes, rules and regulations. The Nutrient Management Plan portion of
36 the farm's Snohomish Conservation District Farm Plan or any other established nutrient
37 management plan must be on file with the department when any permit application is
38 submitted to the department for the development of an agricultural composting facility.
39
40 (108) RESERVED for future use. (Urban Center Demonstration Program projects – DELETED by Ord. 09-
41 079)
42

- 1 (109) Privately operated off-road vehicle (ORV) use areas shall be allowed by conditional use permit
2 on Forestry and Recreation (F&R) zoned property designated Forest on the comprehensive plan
3 future land use map. These areas shall be identified by an F&R ORV suffix on the zoning map.
4 Privately operated ORV use areas are regulated pursuant to SCC 30.28.080 and 30.28.086 and other
5 applicable county codes.
6
- 7 (110) RESERVED for future use.
8
- 9 (111) RESERVED for future use.
10
- 11 (112) RESERVED for future use. (Transfer of Development Rights receiving area overlay – DELETED by
12 Amended Ord. 13-064)
13
- 14 (113) *Privately Operated Motocross Racetracks.* Allowed by conditional use permit, and are regulated
15 pursuant to SCC 30.28.100 and 30.28.105, and other applicable county codes. Motocross racetracks
16 are allowed in the Forestry and Recreation (F&R) zone only on commercial forest lands.
17
- 18 (114) New AM Radio Towers are prohibited. AM radio towers either constructed before October 13,
19 2010, or with complete applications for all permits and approvals required for construction before
20 October 13, 2010, shall not be considered nonconforming uses and they may be repaired, replaced,
21 and reconfigured as to the number and dimensions of towers so long as the repair, replacement, or
22 reconfiguration occurs on the parcel where the tower was originally constructed or permitted and it
23 does not increase the number of AM radio towers constructed on the parcel.
24
- 25 (115) This use is prohibited in the R-5 zone with the Mineral Resource Overlay (MRO). Public park is a
26 permitted use on reclaimed portions of mineral excavation sites with the MRO.
27
- 28 (116) See cottage housing design standard requirements in chapter 30.41G SCC.
29
- 30 (117) RESERVED for future use.
31
- 32 (118) RESERVED for future use.
33
- 34 (119) Only building mounted personal wireless service facilities or personal wireless service facilities
35 located on utility poles, streetlight poles, or traffic signal poles as specified in SCC 30.28A.055 shall
36 be permitted.
37
- 38 (120) Allowed as a conditional use only with a Park-and-Pool Lot or a Park-and-Ride Lot.
39
- 40 (121) Permitted as an incidental use with a permitted use, conditional use or administrative
41 conditional use.
42

- 1 (122) Products or merchandise offered for sale or storage by a business may be located outdoors;
2 provided, that:
3 (a) The area occupied by the display shall not exceed 500 square feet; and
4 (b) Public sidewalks shall not be enclosed as space for sales or storage by fencing or other means
5 that effectively limits public use of the sidewalk.
6
- 7 (123) Such uses, except those as provided for in SCC 30.34A.010(4)(d), are permitted only in structures
8 which are legally existing on May 29, 2010. Such uses, except those as provided for in SCC
9 30.34A.010(4)(d), shall also comply with subsection (122) of this section.
10
- 11 (124) The minimum lot size for marijuana related facilities is 100,000 square feet. Marijuana
12 production and marijuana processing are allowed indoors and outdoors, including in greenhouses
13 and other structures pursuant to chapter 314-55 WAC. In the A-10 zone, marijuana uses shall be
14 subject to the same regulations that apply to agricultural uses and not subject to any more
15 restrictive regulations except as specifically provided in this title and in state law. Marijuana
16 processing is only allowed when there is a marijuana production facility on site. Marijuana facilities
17 are subject to special setbacks pursuant to SCC 30.23.110(28).
18
- 19 (125) Marijuana production and processing is permitted indoors only; no outdoor production or
20 processing is allowed.
21
- 22 (126) RESERVED for future use.
23
- 24 (127) Campgrounds and recreational facilities not otherwise listed are not allowed on land designated
25 Local Forest in the comprehensive plan.
26
- 27 (128) Development applications for all non-tribally owned, fee-simple properties designated
28 Reservation Commercial on the Snohomish County Future Land Use Map must include an
29 archaeology site report pursuant to SCC 30.32D.200(3)(b) or relocate the project to avoid impacts to
30 any archaeological resources.
31
- 32 (129) Development within an airport compatibility area is subject to the requirements of chapter
33 30.32E SCC.
34
- 35 (130) On land designated as riverway commercial farmland, upland commercial farmland or local
36 commercial farmland or land zoned A-10 the following additional requirements apply:
37 (a) the applicant must demonstrate that the use is incidental to the primary use of the site for
38 agricultural purposes and supports, promotes or sustains agricultural operations and
39 production;
40 (b) the use must be located, designed, and operated so as to not interfere with, and to support the
41 continuation of, the overall agricultural use of the property and neighboring properties;

- 1 (c) the use and all activities and structures related to the use must be consistent with the size,
2 scale, and intensity of the existing agricultural use of the property and the existing buildings on
3 the site;
- 4 (d) the use and all activities and structures related to the use must be located within the general
5 area of the property that is already developed for buildings and residential uses;
- 6 (e) where the property is less than 10 acres in size, the use and all structures and activities related
7 to the use shall not convert more than 10 percent of agricultural land to nonagricultural uses;
- 8 (f) where the property is 10 acres in size or more, the use and all structures and activities related to
9 the use shall not convert more than one acre of agricultural land to nonagricultural uses; and
- 10 (g) any land disturbing activity required to support the use shall be limited to preserve prime
11 farmland.

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

21
22 (131) Marijuana-related facilities are prohibited within the exterior boundaries of the Tulalip Indian
23 Reservation.

24
25 (132) *Marijuana Retail*. See SCC 30.28.120.

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

31
32 (134) Material Recovery Facility. See SCC 30.28.110.

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

- 38 (a) The retail use has frontage on an arterial road as shown on the Countywide Arterial Circulation
39 Map;
- 40 (b) The gross leasable area of retail space may not exceed 6,000 square feet; and
- 41 (c) Products or merchandise offered for sale or storage by a business may be located outdoors
42 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) *Health and Social Services Uses – Level III*. Emergency shelters or emergency housing, as defined in RCW 36.70A.030, are the only allowed Level III Health and Social Service Facilities within the rural zones.

(140) See SCC 30.28.130 Affordable housing located on property owned by a religious organization.

(141) See SCC 30.28.131 Emergency shelters on property owned by a religious organization.

Section 7. A new section is added to Chapter 30.28 of the Snohomish County Code to read:

SCC 30.28.130 Affordable housing located on property owned by a religious organization.

(1) For purposes of this section "religious organization" has the same meaning as in RCW 36.01.290.

(2) For any affordable housing development located on property owned or controlled by a religious organization, the maximum number of dwelling units permissible shall be 200 percent of the maximum number of dwelling units permitted by the underlying zone as determined in subsection (3) of this section, except that existing dwelling units may be retained as part of new development without counting towards the maximum number of new units, provided that:

(a) The residential use is allowed within the underlying zone and one hundred percent of the proposed dwelling units are to be occupied exclusively by low-income households, defined in this section as households with incomes that are less than 80% of the HUD Area Median Income. These units shall be at a sales price or rent amount that may not exceed thirty percent of the household income limits for low-income housing units;

(b) The affordable housing development is part of a lease or other binding obligation that requires the development to be used exclusively for affordable housing purposes for at least fifty years, even if the religious organization no longer owns the property; and

(c) The affordable housing development does not discriminate against any person who qualifies as a member of a low-income household based on race, creed, color, national origin, sex, veteran

1 or military status, sexual orientation, or mental or physical disability; or otherwise act in
2 violation of the federal fair housing amendments act of 1988 (42 U.S.C. Sec. 3601 et seq.).
3

- 4 (3) The maximum number of affordable housing dwelling units permitted on property owned or
5 controlled by a religious organization shall be computed as follows:
6 (a) Determine the site area on the project site.
7 (b) Divide the site area by the minimum lot area permitted by the underlying zone, or where LDMR
8 and MR standards apply, by 4,000 square feet and 2,000 square feet respectively.
9 (c) Multiply the resulting number of dwelling units from subsection (2)(b) of this section by 2.
10
11 (4) Whenever the calculated number of affordable housing dwelling units results in a fractional
12 equivalent of five-tenths or greater, the fraction shall be rounded up to the next whole number.
13 Fractions of less than five-tenths shall be rounded down.
14
15 (5) An affordable housing development created by a religious institution must be located within an
16 urban growth area as defined in RCW 36.70A.110.
17
18 (6) The religious organization developing the affordable housing development must pay all fees,
19 mitigation costs, and other charges required through the development of the affordable housing
20 development.
21
22 (7) This section applies to any religious organization rehabilitating an existing affordable housing
23 development.

24 Section 8. A new section is added to Chapter 30.28 of the Snohomish County Code to read:
25

26 **SCC 30.28.131 Emergency shelters on property owned by a religious organization.**

- 27 (1) For purposes of this section "religious organization" and "managing agency" have the same meaning
28 as in RCW 36.01.290.
29
30 (2) A religious organization may provide emergency shelter, including indoor overnight shelter, outdoor
31 shelter, temporary small housing on site, or vehicle resident safe parking for the unhoused on
32 property owned or controlled by that organization.
33
34 (3) Prior to the opening of an emergency shelter the county shall require the religious organization, and
35 any managing agency using property owned or controlled by the religious organization for providing
36 emergency shelter, to enter into a memorandum of understanding to protect public health and
37 safety under RCW 36.01.290. The memorandum of understanding shall, at a minimum, include:
38 (a) A management plan. The management plan shall, at a minimum, address the details of the
39 facility operation and responsibilities, restroom access, and include a shelter resident code of
40 conduct. If children under the age of eighteen are allowed in the facility, specific provisions must
41 be identified in the management plan to ensure the safety, security, and well-being of minors.

(b) A fire safety plan, subject to the limits outlined in RCW 36.01.290.

(4) Prior to the opening of an emergency shelter, the religious organization must host a public meeting, unless the use is in response to a declared emergency.

(a) The religious organization must provide written notice of the meeting to the county at least one week, but no later than ninety-six hours prior to the meeting.

(b) The notice must specify the time, place, and purpose of the meeting.

(c) The county shall, at a minimum, publish the notice on the county website and in the official county newspaper.

Section 9. Snohomish County Code Section 30.91F.080, last amended by Amended Ordinance No. 04-010 on March 3, 2004, is amended to read:

30.91F.080 Family.

"Family" means ~~((one or more))~~ persons related by blood, marriage, or adoption, or a group ~~((of not more than six persons (excluding servants),))~~ not related by blood or marriage, living together as a single housekeeping unit in a dwelling unit. The term "family" shall also include consensual living arrangements of any number of disabled persons living in a family-like setting which are protected by the provisions of the Federal Fair Housing Act and the Washington Housing Policy Act, RCW 36.70.990 and 36.70A.410.

Section 10. Snohomish County Code Section 30.91H.095, last amended by Amended Ordinance No. 04-010 on March 3, 2004, is amended to read:

30.91H.095 Health and social service facilities – Levels I, II and III.

"Health and social service facilities - Levels I, II and III" means:

(1) *Level I Health and Social Service Facility (Level I HSSF)*. A Level I HSSF means a use which occupies a residential structure used by the disabled as a residence along with their family members and caregivers. Permanent supportive housing, as defined in RCW 36.70A.030, is included in this category. By way of illustration and not limitation, this definition shall include:

(a) Group homes for the disabled and consensual living arrangements equivalent to a familial setting which are protected by state or federal law as residential uses;

(b) Adult family homes, licensed pursuant to chapter 70.128 RCW;

(c) Foster homes licensed pursuant to chapter 74.15 RCW for the placement of youth, disabled or expectant mothers in a residential setting, including but not limited to foster family homes, community group care facilities and crisis residential centers; and

(d) Any other residential facilities for the disabled which must be accommodated in a single family zone pursuant to RCW 36.70.990 or 36.70A.410.

(2) *Level II Health and Social Service Facility (Level II HSSF)*. A Level II HSSF means a use which is licensed or regulated by the state to provide emergency medical treatment on a 24-hour per day basis or

1 which houses persons in an institutional setting that provides chronic care or medical service on
2 regular recurring basis to its residents and which includes, but are not limited to a:
3 (a) Hospital (including acute alcoholism/drug, psychiatric and state mental hospitals);
4 (b) Nursing home;
5 (c) Private adult treatment home;
6 (d) Mental health facility, adult and child residential;
7 (e) Soldiers' home and veterans' home;
8 (f) Large institutional boarding home for the care of senior citizens and the disabled sometimes
9 known as assisted living facilities or continuous care retirement communities with emphasis on
10 assisted living that may also include independent living and congregate care;
11 (g) State residential school for hearing and visually impaired;
12 (h) Alcoholism and drug residential treatment facility;
13 (i) Child birthing center/facility; and
14 (j) Hospice.

15
16 (3) *Level III Health and Social Service Facility (Level III HSSF)*. A Level III HSSF means a use, including
17 commercial enterprises and charitable institutions, which provides social, medical, counseling or
18 other forms of treatment in a clinical setting or on an outpatient basis. (~~Shelters providing services~~
19 ~~to the homeless or other transients shall be included~~) Emergency housing and emergency shelters
20 are in this category. Level III HSSF includes, but are not limited to an:

21 (a) Ambulatory surgical center;
22 (b) Blood bank;
23 (c) Medical claims processing facility;
24 (d) Counseling, psychological and psychiatric treatment clinics in an office setting;
25 (e) Eye bank;
26 (f) Renal disease center and kidney dialysis treatment center;
27 (g) Home health care agency;
28 (h) Medical laboratory;
29 (i) Occupational and physical therapy facility;
30 (j) Rehabilitation facility; and
31 (k) (~~Homeless and transient shelter~~) Emergency housing or emergency shelter as defined in RCW
32 36.70A.030.

33
34 (4) The terms used herein are based upon categories established by the State of Washington through its
35 various licensing agencies. As the director interprets the provisions of this title pursuant to chapter
36 30.83 SCC, or classifies unlisted uses pursuant to SCC 30.22.040, the director shall use and/or
37 analogize to the applicable licensing categories and definitions developed by the state of
38 Washington and agencies such as the Department of Social and Health Services in order to
39 determine whether or not any particular use falls within the categories established for health and
40 social service facilities.

41
42 (5) The term "Health and social services facilities - Level I, II and III" shall not include:

- (a) Correctional facilities, including but not limited, to prisons and jails when proposed as a governmental facility pursuant to this title;
- (b) Community facilities as defined in RCW 72.05.020; and
- (c) secure community transition facilities proposed under the authority of, and consistent with the provisions of chapter 71.09 RCW.
- (6) Nothing herein is intended to preclude the housing of children in the custody of the state within health and social service facilities, levels I, II, and III as defined in this section, provided that such facility is not a community facility as defined in RCW 72.05.020.

Section 11. 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 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 _____, 20__.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Council Chair

ATTEST:

Asst. Clerk of the Council

() APPROVED
() EMERGENCY
() VETOED

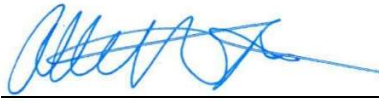
DATE:

County Executive

ATTEST:

1
2
3
4
5
6

Approved as to form only:

 4/18/2024

Deputy Prosecuting Attorney