

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

ORDINANCE NO. 22-062

RELATING TO A COUNTY HEALTH DEPARTMENT; REPEALING CHAPTERS 7.04, 7.08, 7.12, 7.16, 7.20, 7.24, 7.28 AND 7.32 OF THE SNOHOMISH COUNTY CODE; AMENDING CHAPTERS 5.12, 6.01, 6.28, 6.40, 7.34, 7.35, 7.37, 7.41, 7.42, 7.44, 7.53, 9.12, 13.50, 30.22, 30.23, 30.28, 30.29, 30.31F, 30.41A, 30.41B, 30.41C, 30.41E, 30.42E, 30.50, 30.53A, 30.53C, 30.62C AND 30.86 OF THE SNOHOMISH COUNTY CODE

BE IT ORDAINED:

Section 1. The county council adopts the following findings in support of this ordinance:

A. This proposal is exempt State Environmental Policy Act (SEPA) requirements under WAC 197-11-800(14) and (19).

B. Review of this proposal by the Snohomish County Planning Commission is not required under SCC 30.73.040(2)(b) because the proposed amendments to Title 30 SCC are procedural in nature.

C. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance was transmitted to the Washington State Department of Commerce ("Commerce") on _____.

Section 2. Snohomish County Code Chapters 7.04, 7.12, 7.16, 7.20, 7.24, 7.28 and 7.32, last amended by resolution on December 17, 1962, are repealed.

Section 3. Snohomish County Code Chapter 7.08, last amended by resolution on August 14, 1967, is repealed.

Section 4. Snohomish County Code Section 5.12.100, last amended by Amended Ordinance No. 08-137 on November 10, 2008, is amended to read:

5.12.100 Food.

(1) *General Food Requirements.*

(a) At least three meals a day shall be served at regular intervals. The morning meal shall be served within 14 hours of the previous day's evening meal;

(b) The bureau may arrange for prepared meal service or serve frozen packaged meals, provided these meals conform to the other requirements of this section;

- 1 (c) Meals shall be served in a reasonable manner, hot food served hot, cold food
2 served cold.
- 3 (2) *Nutritional and Caloric Intake.*
- 4 (a) Menus shall be reviewed by a qualified nutrition consultant to insure that diets
5 approximate recommended dietary allowances;
- 6 (b) Diets ordered by medical staff shall be strictly observed.
- 7 (3) *Kitchen Facilities.*
- 8 (a) Kitchen facilities shall be maintained in a sanitary condition and inspected at least
9 annually by the ~~((local health district))~~ county health department. The health ~~((district))~~
10 department inspection will include the food serving process in prisoner housing areas. If
11 corrective responses are required, the bureau shall document compliance and arrange
12 for a re-inspection if required by the health ~~((district))~~ department.
- 13 (b) The bureau shall conduct regular inspections of the food service by a staff member
14 specially trained for this purpose.

15
16 Section 5. Snohomish County Code Section 6.01.010, last amended by
17 Amended Ordinance No. 02-083 on December 4, 2002, is amended to read:

18
19 **6.01.010 Definitions.**

20
21 In this title, the words and phrases used, unless the context otherwise indicates, shall
22 have the following meanings:

- 23 (1) "Abatement" means the termination of any license or permit violation by lawful and
24 reasonable means as determined by the licensing authority or his/her duly appointed
25 representative.
- 26 (2) "Applicant" means any person who is applying for a license or permit issued
27 pursuant to any license or permit ordinance.
- 28 (3) "Application" means any form designed by the licensing authority for use in securing
29 a new license or permit or on a renewal basis.
- 30 (4) "Bath" means any container, receptacle, or facility used for refreshing, washing or
31 soaking all or any part of the human body. The term includes, but is not limited to, a
32 Finnish bath, hot tub, Japanese bath, sauna, Swedish bath, Turkish bath, and baths
33 provided by air, steam, vapor, water, or electric cabinet.
- 34 (5) "Business premises" means the entire building in which an activity or business is
35 located together with the entire tract of land under one ownership upon which the
36 building is located.
- 37 (6) "Carnival" means every device, institution or assemblage of devices or institutions
38 for the purpose of providing entertainment, amusement, sport, pastime or merriment for
39 the patrons thereof and shall include roller coaster, merry-go-rounds, swings, Ferris
40 wheel, games of shooting, throwing, pitching, phenomenal exhibitions or everything of
41 like character.
- 42 (7) "Circus" means any institution whose general occupation is that of exhibiting wild
43 animals, feats, horsemanship, animal stunts, acrobatic or aquatic sports for admission
44 to which a fee is charged.
- 45 (8) "County" means Snohomish County.

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AMENDING CERTAIN CHAPTERS OF 5, 6, 7, 9, 13 AND 30 SCC

- 1 (9) "Engaged in business" means, includes, and has reference to a particular
2 occupation or continuing course of commercial activity in which a person is regularly or
3 habitually engaged for the purpose of livelihood or gain.
- 4 (10) "Entertainment" means any act or event causing amusement, diversion or the
5 agreeable passing of time.
- 6 (11) "Examiner" means the county hearing examiner or other hearing examiner
7 appointed by the Snohomish County council.
- 8 (12) "Fire marshal" means the Snohomish county fire marshal or any of his authorized
9 representatives.
- 10 (13) "Float" means (1) with respect to boating tournaments or exhibitions, any anchored
11 man-made structure unattached to the shore where any vessel may dock, or (2) with
12 respect to parades, a low, flat, decorated vehicle for carrying exhibits, tableaux, etc. in a
13 parade.
- 14 (14) "Health officer" means the health officer or any authorized representative of the
15 ~~((Snohomish health district))~~ county health department.
- 16 (15) "Idling speed" means that speed of any motorboat while underway while its
17 propulsion machinery is set at the machine's slowest possible speed.
- 18 (16) "Length" as it refers to vessels means the overall distance measured in a straight
19 line parallel to the centerline from the foremost part of the vessel to the aftermost part of
20 the vessel, excluding bowsprits, bumpkins, rudders, outboard motors and brackets, and
21 similar fittings and attachments.
- 22 (17) "License" means any document issued by the licensing authority which authorizes
23 a person, to conduct an activity in Snohomish county as provided by this title.
- 24 (18) "Licensee" means any person to whom a license or renewal of license has been
25 issued pursuant to this title.
- 26 (19) "Licensing authority" means the duly elected auditor of Snohomish county or any
27 duly authorized representative
- 28 (20) "Massage" means the treatment of a human body by another person by rubbing,
29 kneading, hitting or any other manipulation, including the use of equipment, machinery,
30 or appliances in connection with the foregoing.
- 31 (21) "Massage parlor" means any place where massages are given or furnished for, or
32 in expectation of, any fee, compensation or monetary consideration.
- 33 (22) "Motorboat" means any vessel underway under propulsion in whole or in part by
34 machinery. The term shall include seaplanes while taxiing and/or while otherwise not
35 subject to any valid state or federal law or regulation governing the operation of
36 seaplanes.
- 37 (23) "Operator" means any person in actual physical control of any vessel.
- 38 (24) "Owner" means any person having an interest in or right of possession of any
39 property or business, or any person having control, custody or possession of an animal.
- 40 (25) "Parade" means any march or procession consisting of people, animals, bicycles,
41 vehicles in excess of 10 in number or combinations thereof, except wedding
42 processions and funeral processions, upon any county road, sidewalk, alley or other
43 county property which does not comply with normal and usual traffic, regulations or
44 controls.

- 1 (26) "Permit" means any document issued by the licensing authority which authorizes a
2 person to conduct an activity in Snohomish County as provided by this title.
- 3 (27) "Person" means any individual, partnership, firm, joint stock company, corporation,
4 association, trust, estate, limited liability company, limited liability partnership or other
5 legal entity.
- 6 (28) "Property" means any tangible property including, but not limited to goods, wares,
7 merchandise, animals, livestock, and land.
- 8 (29) "Public bathhouse or hot tub" means any place where baths or hot tubs of any kind
9 are given or furnished to the public for or in expectation of a fee or other compensation.
- 10 (30) "Public bathhouse or hot tub employee" means any person who works for a public
11 bathhouse or hot tub.
- 12 (31) "Public event/assembly" means any gathering or assembly of 100 or more persons
13 who have been charged admission or made a contribution towards the costs of such
14 gathering or assembly at a single place for the purpose of amusement, entertainment,
15 education or similar common purpose. Such definition shall not include any assembly or
16 gathering conducted for religious, political, or other constitutionally protected purpose.
- 17 (32) "Race-type boat" means any motorboat operated at a speed in excess of 35 miles
18 per hour.
- 19 (33) "Rowboat" means a small boat propelled by the use of oars or paddles.
- 20 (34) "Run" means a sponsored, organized procession to contend in a race consisting of
21 people, bicycles, wheelchairs, other non-motorized vehicles, or combinations thereof
22 containing 10 or more persons upon a county road, sidewalk, alley or other county
23 property. "Run" shall not include any training event or race participated in solely by
24 means of a bona fide school track team or teams.
- 25 (35) "Safety buoy" means any buoy established as herein provided and constructed to
26 conform to the State Uniform Waterway Marking System.
- 27 (36) "Safety buoy line" means the straight line between any two safety buoys or the
28 straight line between any safety buoy and the point on the shoreline closest to such
29 safety buoys.
- 30 (37) "Sailboat" means any vessel propelled by sail or in part by sail and in part
31 manually.
- 32 (38) "Sheriff" means the sheriff of Snohomish county or any duly appointed deputy
33 sheriff of Snohomish county.
- 34 (39) "Shoreline" means the land bordering any existing body of water.
- 35 (40) "Vessel" means any type of watercraft used or capable of being used as a means
36 of marine transportation.
- 37 (41) "Visible" as it refers to the hours of darkness, means capable of being seen on a
38 dark night with a clear atmosphere; as it refers to the daylight hours, means capable of
39 being seen on a dull day with the atmosphere clear of fog, haze, or rain.
- 40 (42) "Water-ski" means to plane over the water with or without any floating device while
41 being towed by any vessel. The term shall include water-skiing, freeboarding,
42 aquaplaning and similar devices and/or activities.
- 43 (43) "Wharf" means any manmade structure attached to the shore and to which any
44 vessel may dock.

1 All other terms, phrases or words not defined by this chapter shall be known by their
2 common and ordinary meaning and usage in the English language.

3
4 Section 6. Snohomish County Code Section 6.01.070, last amended by
5 Ordinance No. 95-004 on February 15, 1995, is amended to read:

6
7 **6.01.070 Protest by public officials.**

8
9 The sheriff, director of planning and development services, prosecuting attorney,
10 director of public works, fire marshal, health ((~~district director~~)) department
11 administrative officer or any other county official, while an application is pending for any
12 license/permit provided for under the provisions of this chapter, may petition the
13 licensing authority to deny the license/permit. The petitioner shall file a copy of the
14 petition with the licensing authority who shall promptly submit a copy of the petition to
15 the applicant in person or by certified mail. The applicant may respond thereto in writing
16 within 10 days of receipt of the petition. If the petition fails to set forth in detail alleged
17 facts that show the issuance of the license/permit will result in a violation of the zoning
18 or license/permit code, or violation of other laws, the petition shall be summarily stricken
19 by the licensing authority and the licensing authority may direct the license/permit to be
20 issued. If the petition does set forth such allegations, the licensing authority shall direct
21 an investigation of said allegations and may deny the license/permit if the allegations
22 are found to be true.

23
24 Section 7. Snohomish County Code Section 6.28.020, last amended by
25 Ordinance No. 96-043 on June 24, 1996, is amended to read:

26
27 **6.28.020 License application-Report by county departments.**

28
29 Any person seeking a panoram location license or panoram device license shall file a
30 written application with the licensing authority for that purpose. The licensing authority,
31 upon presentation of such application and before acting upon the same, shall refer such
32 application to the sheriff's office, which shall make a full investigation as to the truth of
33 the statements contained therein, and shall forward the location license applications
34 only to the fire marshal, the ((~~Snohomish health district~~)) health department, and the
35 department of planning and development services, which shall investigate and provide
36 information to the licensing authority concerning compliance of the premises and
37 devices sought to be licensed with this and other applicable county and state health,
38 zoning, building, fire and safety ordinances and laws.

39
40 Section 8. Snohomish County Code Section 6.28.030, last amended by
41 Ordinance No. 96-043 on June 24, 1996, is amended to read:

42
43 **6.28.030 Inspection of adult arcade (panoram) premises.**

1 (1) Applicants for any license authorized to be issued under this chapter shall allow the
2 premises and devices sought to be licensed to be inspected in accordance with
3 subsection (2) of this section by authorized inspectors from the licensing authority,
4 sheriff's office, fire marshal's office, ((Snohomish health district)) health department, and
5 department of planning and development services.

6 (2) Licensees operating premises and devices licensed under this chapter shall hold
7 open for routine regulatory inspections by the county during normal business hours,
8 those areas upon the premises which are accessible to the public.
9

10 Section 9. Snohomish County Code Section 6.40.060, last amended by
11 Ordinance No. 93-066 on August 18, 1993, is amended to read:
12

13 **6.40.060 Permit application referral.**
14

15 Upon receipt of an application for permit, the county licensing authority shall take the
16 following action:

17 (1) Refer copies of the application:

18 (a) To the parks division manager for his comments on desirability of the event and for
19 the posting of notices at each public access to the lake involved;

20 (b) To the county sheriff for comments on the qualifications of patrol personnel, on
21 traffic safety and on noise problems; and

22 (c) To the health ((~~district~~)) department for comments on the adequacy of sanitation
23 facilities.
24

25 Section 10. Snohomish County Code Section 7.34.020, last amended by
26 Ordinance No. 96-097 on January 15, 1997, is amended to read:
27

28 **7.34.020 Composition of committee.**
29

30 Membership of the solid waste advisory committee shall be as follows:

31 (1) *Regular Members*. The solid waste advisory committee shall consist of:

32 (a) One member from each city and town in Snohomish county which is a signatory to
33 the effective county comprehensive solid waste management plan, to be nominated by
34 the legislative authority for that municipality and appointed by the county council.

35 (b) One member from each city or town in Snohomish county which has its own
36 comprehensive solid waste management plan, to be nominated by the legislative
37 authority for that municipality and appointed by the county council.

38 (c) Five members, each representing the unincorporated area of one of the five county
39 council districts. The five members shall be recommended by the executive and
40 appointed by the county council. The executive shall recommend candidates
41 representing a spectrum of citizens, public interest groups and businesses. Candidates
42 shall be residents of Snohomish county or firms licensed to do business in Snohomish
43 county.

44 (d) Four members shall be selected, two to represent commercial solid waste collection
45 firms, one voting and one non-voting; and two to represent commercial recycling firms,

1 one voting and one non-voting. These members shall be recommended by the
2 executive and appointed by the county council.

3 (e) One ex officio, non-voting representative from the Snohomish county solid waste
4 division.

5 (f) One ex officio, non-voting representative from the department of ecology.

6 (g) One ex officio, non-voting representative from the ((Snohomish health district))
7 county health department.

8 (2) *Auxiliary Members*. The regular membership of the solid waste advisory committee
9 may appoint auxiliary members for a specific time period to serve on the committee in a
10 non-voting capacity, for the purpose of providing specific information, technical advice,
11 information of a general nature which is pertinent to the committee's activities or any
12 other form of assistance which will aid the committee in carrying out its purposes.

13 (3) *Term of Office*. Terms of office for regular members shall be for a two-year period
14 from the date of appointment, whether the member is appointed at the commencement
15 of an initial term or at a point thereafter.

16
17 Section 11. Snohomish County Code Section 7.35.020, last amended by
18 Amended Ordinance No. 11-002 on February 16, 2011, is amended to read:

19
20 **7.35.020 Definitions.**

21
22 (1) "Agricultural wastes" means waste resulting from the production of farm or
23 agricultural products including manures;

24 (2) "Approval" or "approved" by the county executive or authorized designee means an
25 approval given after all other permitting processes have been completed;

26 (3) "Ashes" means the residue of burning of combustible materials;

27 (4) "Authorized designee" means the director of the department of public works of
28 Snohomish County unless by order of the county executive another public official shall
29 be designated to carry out such duties under this chapter;

30 (5) "Board of health" means the board of health of ((the)) Snohomish ((health district))
31 county;

32 (6) "Chapter" shall mean chapter 7.35 SCC and amendments thereto;

33 (7) "Collecting agent" means any person involved in the collection and disposal of solid
34 waste generated in the unincorporated areas of Snohomish County;

35 (8) "Composting" means the controlled microbial degradation of organic waste yielding
36 a nuisance-free product;

37 (9) "Comprehensive Plan" or "Snohomish County Comprehensive Solid Waste
38 Management Plan" means the plan heretofore adopted by Snohomish County by
39 Resolution No. 82-004 adopted January 11, 1982 and approved by the department of
40 ecology and any amendments thereto governing, among other things, the disposal of
41 solid waste in Snohomish County;

42 (10) "Construction, demolition and land-clearing waste" (CDL wastes) means any
43 recyclable or non-recyclable waste that results from construction, remodeling, repair or
44 demolition of buildings, roads, or other structures, or from land-clearing for

- 1 development, and that is removed from the site of construction, demolition or land
2 clearing.
- 3 (11) "Council" means the county council of Snohomish County;
- 4 (12) "Department of ecology" means the Washington state department of ecology;
- 5 (13) "Director" means the director of the department of public works of Snohomish
6 County;
- 7 (14) "Disposal site" means an approved site or sites where any final treatment,
8 utilization, processing, or deposition of solid waste is permitted and occurs. This
9 includes, but is not limited to, transfer stations and intermodal facilities (included as part
10 of the disposal system of the county), sanitary landfills, incinerators, composting plants,
11 and the location of a facility for the recovery of energy resources from solid wastes or
12 the conversion of the energy in such wastes to more useful forms or combinations
13 thereof;
- 14 (15) "Garbage" means and includes all putrescible wastes, except sewage and body
15 wastes, including vegetables, animal offal and carcasses of dead animals, but not
16 including recognized industrial by-products, and shall include all such substances from
17 all public and private establishments and from all residences;
- 18 (16) "Hazardous wastes" means and includes, but is not limited to explosives, medical
19 wastes, radioactive wastes, pesticides and chemicals which are potentially harmful to
20 the public health or the environment;
- 21 (17) "Health ~~((district))~~ department" means the ~~((Snohomish health district))~~ county
22 health department;
- 23 (18) "Health officer" means the health officer of the ~~((Snohomish health district))~~ county
24 health department;
- 25 (19) "Incineration" means the controlled combustion of solid waste that yields
26 satisfactory nonputrescible residues and air effluents;
- 27 (20) "Incinerator" means a furnace and associated building designed to burn solid
28 wastes under controlled conditions of more than 50-pounds-per-hour capacity;
- 29 (21) "Industrial wastes" means waste by-products of manufacturing and/or processing
30 operations;
- 31 (22) "Inert waste" means material meeting the criteria for inert waste in WAC 173-350-
32 990.
- 33 (23) "Intermodal container" means any fully enclosed or open-top container designed
34 and destined for rail shipment that is closed and sealed with a security identification tag
35 and is not opened during transit or at the intermodal facility.
- 36 (24) "Intermodal facility" means any facility at which intermodal containers of waste are
37 transferred from trucks for rail shipment and at which the containers are not opened for
38 further treatment, processing or consolidation of the waste prior to final disposal. Any
39 intermodal facility currently in use by Snohomish County or hereafter created or
40 contracted by it, is part of the Snohomish County solid waste disposal system.
- 41 (25) "Nuisance" means unlawfully doing an act, or failing to perform an act which act or
42 omission either unreasonably annoys, or injures, or unreasonably endangers the
43 comfort, repose, health or safety of others or unlawfully interferes with, obstructs or
44 could obstruct any navigable waterway or any publicly travelled place or unreasonably

- 1 renders other persons, acting in good faith, insecure in their actions or the use of their
2 property;
- 3 (26) "Open burning" means the burning of solid wastes in an open area, or pile, or in a
4 barrel or furnace with inadequate controls which yields an unsatisfactory residue and an
5 unsatisfactory air effluent;
- 6 (27) "Permit" means a solid waste disposal site permit issued by the ((Snohomish))
7 health ((district)) department at a site consistent with the comprehensive plan and
8 approved as such by the county executive or authorized designee;
- 9 (28) "Person" is an individual, firm, association, co-partnership, political subdivision,
10 government agency, municipality, industry, public or private corporation, or any other
11 entity whatsoever;
- 12 (29) "Processing" means the conversion of solid waste into a useful product or
13 otherwise prepares solid waste for sale and reuse;
- 14 (30) "Putrescible material" means any organic material which will decompose and may
15 give rise to foul-smelling, offensive products;
- 16 (31) "Reclamation" means the process conducted at a reclamation site which consists
17 of hand and/or mechanical segregation of source separated recyclable solid waste for
18 sale and reuse. Materials which can be removed through reclamation include but are
19 not limited to paper, metal, glass, plastics, aggregates and wood waste processed for
20 feedstock for new products or as hog fuel and used for energy recovery. Reclamation
21 does not include combustion of solid waste, preparation of a fuel from solid waste (other
22 than hog fuel), use of solid waste as alternative daily cover or use of solid waste as an
23 industrial waste stabilizer;
- 24 (32) "Reclamation site" means a facility compliant with local, state and federal
25 regulations used for the processing or the storage of reclaimed material. Reclamation
26 sites do not include locations or facilities where wastes are initially generated, such as
27 businesses, construction sites or demolition sites;
- 28 (33) "Recyclable materials" means those solid wastes that are separated from other
29 wastes for anaerobic digestion, composting, recycling or reuse, including but not limited
30 to papers, metals, glass, plastics, aggregates, fabrics, yard debris, food waste,
31 manures, wood waste and other materials that are identified as recyclable material in
32 the Snohomish County comprehensive solid waste management plan, and are recycled.
33 Wood waste processed as hog fuel and used for energy recovery shall be considered a
34 recyclable material for purposes of this chapter.
- 35 (34) "Recycling" means the transformation or remanufacturing of recyclable waste
36 materials into usable or marketable materials for use other than landfill disposal,
37 alternative daily cover, industrial waste stabilizer or incineration;
- 38 (35) "Resource recovery facility" means a facility for the recovery of energy resources
39 from solid wastes or the conversion or processing of solid waste to a more useful form
40 or a combination thereof;
- 41 (36) "Sanitary landfill" means a method of disposing of solid waste on land without
42 creating nuisances or hazards to public health or safety, by utilizing the principles of
43 engineering to confine the solid waste to the smallest practical area, to reduce it to the
44 smallest practical volume, and to cover it with a layer of earth at the conclusion of each
45 day's operation or at such more frequent intervals as may be necessary;

1 (37) "Solid waste" means all putrescible and non-putrescible wastes, whether in solid or
2 in liquid form, except liquid-carried industrial wastes and sewage, and including
3 garbage, rubbish, ashes, industrial wastes, swill, construction, demolition and land-
4 clearing wastes, abandoned vehicles or parts thereof, discarded home and industrial
5 appliances, manure, digested sludge, vegetable or animal solid and semi-solid wastes,
6 dead animals, and other discarded solid and semi-solid materials;

7 (38) "Solid waste disposal system facility" means a facility owned and operated by the
8 solid waste division or a facility operated under contract with the solid waste division
9 which performs activities identified as being part of the solid waste disposal system in
10 the Snohomish County comprehensive solid waste management plan, which includes,
11 but is not limited to, county owned and operated transfer stations and neighborhood
12 recycling and disposal centers (drop boxes), and the county's contracted intermodal
13 facilities.

14 (39) "Solid waste handling" means the storage, collection, transportation, treatment,
15 utilization, processing, and final disposal of solid waste;

16 (40) "Source separation" means the segregation of recyclable materials from other
17 solid waste for the purpose of recycling, conducted by or for the generator of the
18 materials on the premises at which they were generated. Source separation does not
19 require that different types of recyclable materials be separated from each other.

20 (41) "Special wastes" means those solid wastes which require special handling either
21 due to their posing a potential health hazard, or due to their bulky or abrasive nature
22 which could damage transfer equipment, and which are designated as "special wastes"
23 by the authorized designee;

24 (42) "Transfer station" means a staffed, fixed, supplemental,
25 collection/transportation/disposal facility, used by collection agents, or other persons or
26 route collection vehicles to deposit solid wastes into a larger transfer vehicle for
27 transport to a disposal site. This does not include a detachable container or solid waste
28 drop box. Any transfer station currently in use by Snohomish County or hereafter
29 created by it is part of the Snohomish County solid waste disposal system;

30 (43) "Wood waste" means a by-product resulting from the handling and processing of
31 wood, including, but not limited to, hog fuel, sawdust, shavings, chips, bark, small
32 pieces of wood, stumps, limbs, or any other material composed largely of wood which
33 has no significant commercial value at the time in question, but shall not include slash
34 developed from logging operations unless disposed of on a different site.

35
36 Section 12. Snohomish County Code Section 7.35.060, added by Ordinance
37 No. 83-151 on December 28, 1983, is amended to read:

38
39 **7.35.060 Establishment and operation of solid waste disposal sites.**
40

41 No disposal site in Snohomish county, whether acquired publicly or privately, shall be
42 established, altered, expanded or improved, or hereafter operated or maintained without
43 prior compliance with the following:

44 (1) The disposal site shall be as designated by the county in accord with its
45 comprehensive solid waste management plan; and

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- 1 (2) The disposal site shall be constructed, operated and maintained in accord with
2 terms of permit from the health ((~~district~~)) department and such other permits as are
3 required by law; and
4 (3) The disposal site shall be approved by conditional use permit as required by the
5 County Code and in all respects comply with chapter 43.21C RCW; and
6 (4) The proposed operation shall be a sanitary landfill, composting plant, incinerator, or
7 resource recovery facility constructed and operated in compliance with all applicable
8 federal, state and local laws, statutes, rules and regulations.
9

10 Section 13. Snohomish County Code Section 7.35.070, added by Ordinance
11 No. 83-151 on December 28, 1983, is amended to read:
12

13 **7.35.070 Exempt operations.**
14

15 Only such solid waste operations as are exempt from the permit requirements and other
16 regulations of the ((~~Health District~~)) health department are exempt from the provisions of
17 this chapter; PROVIDED, That such operation may be subject to prosecution under
18 SCC 7.35.120 and 7.35.130 or otherwise subject to civil and/or criminal prosecution for
19 the maintenance of a nuisance or a violation of any provision of the Snohomish County
20 Code not contained in this chapter. Any exempted solid waste operation must be
21 established, maintained, managed and/or operated in compliance with all other
22 requirements of local, state or federal health rules.

23 The following shall remain exempt from the operation of this chapter, provided that this
24 exemption shall not affect any authority of the health ((~~district~~)) department to control,
25 through permits or otherwise, any of the following solid waste disposal operations.

- 26 (1) Dumping or depositing solid waste generated by a single family or household
27 produced incidental to routine household activities onto or under the surface of the
28 ground owned or leased by that family or household.
29 (2) Wrecking automobiles and parts thereof including storage and handling facilities,
30 minor reclamation of scrap metal, glass, discarded clothing, paper, and their associated
31 facilities which leads to resale or reuse of said material.
32 (3) Depositing soil, rock, tree stumps, gravel, broken concrete, broken asphalt, and
33 similar inert wastes onto the surface of the ground whereby such depositing is to be
34 temporary in nature, graded, and otherwise worked to fill an existing depression or low
35 area of ground.
36 (4) Depositing agricultural solid waste onto or under the surface of the ground when
37 said waste is being utilized primarily for fertilizer or a soil conditioner, or is being
38 deposited on ground owned or leased by the person responsible for the production of
39 said waste, as long as depositing such waste does not create a nuisance.
40 (5) Depositing sewage and/or sewage sludge onto or under the surface of the ground
41 at a disposal site which has otherwise been issued a permit by a local, state or federal
42 agency to be operated, maintained or managed for that purpose.
43 (6) Depositing hazardous waste onto or under the surface of the ground at a disposal
44 site which has otherwise been issued a permit by a local, state or federal agency to be
45 operated, maintained or managed for this purpose.

1 (7) Establishment and operation of a woodwaste landfill site.
2

3 Section 14. Snohomish County Code Section 7.35.080, added by Ordinance
4 No. 83-151 on December 28, 1983, is amended to read:
5

6 **7.35.080 Reclamation.**
7

8 Nothing in this chapter shall be construed to prohibit or inhibit reclamation of solid waste
9 at reclamation sites so long as otherwise conducted in accord with applicable laws,
10 rules and regulations. A reclamation site shall be subject to permit requirements of the
11 health ((district)) department.
12

13 Section 15. Snohomish County Code Section 7.35.090, last amended by
14 Ordinance No. 90-019 on May 14, 1990, is amended to read:
15

16 **7.35.090 Solid waste disposal site permits – Regulations.**
17

18 Adoption of regulations governing the establishment, alteration, expansion,
19 improvement, operation and maintenance of all solid waste disposal sites within the
20 county and applying for processing, reviewing, and suspending permits therefor is within
21 the jurisdiction of the health ((district)) department. Such regulations set procedures,
22 standards and conditions for the issuance of solid waste disposal site permits designed
23 to assure that disposal sites and facilities are located, maintained and operated in a
24 manner so as to properly protect the public health, prevent air and water pollution, and
25 avoid the creation of nuisances. Such regulations are consistent with, but may be more
26 stringent than, the minimum functional standards adopted by the Washington state
27 department of ecology (chapter 173-301 WAC), and the guidelines for sanitary landfill
28 design and operation adopted by the United States Environmental Protection Agency.
29

30 Section 16. Snohomish County Code Section 7.35.100, last amended by
31 Ordinance No. 90-019 on May 14, 1990, is amended to read:
32

33 **7.35.100 Nonconforming sites and facilities.**
34

35 Nonconforming sites and facilities within the county shall comply with the health
36 ((district's)) department's regulations applicable to nonconforming sites.
37

38 Section 17. Snohomish County Code Section 7.35.110, last amended by
39 Ordinance No. 90-019 on May 14, 1990, is amended to read:
40

41 **7.35.110 Abandoned sites.**
42

43 All existing solid waste disposal sites within the county which are abandoned shall be
44 compacted, covered and reseeded in compliance with the regulations of the health
45 ((district)) department.

RELATING TO A COUNTY HEALTH DEPARTMENT;
REPEALING CERTAIN CHAPTERS OF TITLE 7 SCC;
AMENDING CERTAIN CHAPTERS OF 5, 6, 7, 9, 13 AND 30 SCC

1
2 Section 18. Snohomish County Code Section 7.35.125, last amended by
3 Amended Ordinance No. 11-002, on February 16, 2011, is amended to read:
4

5 **7.35.125 Disposal of solid waste.**
6

7 (1) Except as permitted by state law or as provided by virtue of this chapter, it is
8 unlawful for any collecting agent or other person to deliver or deposit any solid waste
9 generated and collected within the unincorporated areas of the county at a facility that is
10 not a solid waste disposal system facility located in Snohomish County.

11 (2) Except as otherwise specified in this chapter, the collection of solid waste from a
12 generator and the transportation of it in an intermodal container directly to an intermodal
13 facility inside or outside of the Snohomish County solid waste disposal system is
14 prohibited. This subsection does not apply to unacceptable waste types identified in
15 SCC 7.41.050, residuals from industrial combustion processes, and wastes identified in
16 the county's waste acceptance policy as unacceptable for disposal at system facilities
17 owned or operated by the county. Unacceptable wastes and residuals from industrial
18 combustion processes may be directly transported to an intermodal facility in an
19 intermodal container.

20 (3) The contents of any container marked pursuant to the requirements of SCC
21 7.35.140 as "solid waste for disposal", "land fill", or "garbage" and the contents of any
22 other container of solid waste consisting of 10% or more, by volume, of non-recyclable
23 materials must be disposed of at a county owned and operated solid waste system
24 facility, except as otherwise permitted by this chapter. The contents of any container
25 consisting of 90% or more, by volume, of recyclable materials may be delivered to any
26 reclamation site, no matter where it is located, including a site that is not a county solid
27 waste disposal system facility. For containers that do not consist of 90% or more, by
28 volume, of recyclable materials, these containers can be further sorted to reduce the
29 volume of non-recyclable waste, prior to being transported off-site, to qualify as a
30 container of recyclable materials.

31 (4) Source-separated recyclable materials collected from residents in scheduled-
32 routed-curbside programs may be delivered to any reclamation site, no matter where it
33 is located, including a site that is not a county solid waste disposal system facility.

34 (5) Inert waste may be delivered to any site, no matter where located, including a site
35 that is not a county solid waste disposal system facility, provided the site meets the
36 following requirements:

37 (a) The site is subject to a currently valid Washington State department of natural
38 resources mining and reclamation permit.

39 (b) The site is subject to a currently valid inert waste landfill permit issued by the
40 jurisdictional board of health or health ((district)) department.

41 (c) The site is not permitted to operate as any other category of landfill than an inert
42 waste landfill.

43 (6) Residual waste generated from a reclamation site where the processing of
44 recyclable materials has occurred may be transported directly to an intermodal facility

- 1 which is part of the Snohomish county solid waste disposal system only if the
2 reclamation site complies with the following requirements:
- 3 (a) The reclamation site is compliant with local, state and federal regulations.
 - 4 (b) The reclamation site operator submits monthly reports to the county solid waste
5 division indicating the quantities of in-bound materials accepted at the facility, the
6 quantities of recyclable materials reclaimed listed by commodity type and the names
7 and addresses of the persons obtaining such recyclable materials, and quantities and
8 disposal site locations of residual waste sent for disposal, utilizing a report format
9 specified by the county.
 - 10 (c) The reclamation site operator permits the county solid waste division or its agents to
11 conduct audits of its business records related to in-bound and out-bound materials and
12 to conduct unscheduled inspections of the reclamation site during normal business
13 hours.
 - 14 (d) Residual waste delivered to the intermodal facility is transported in intermodal
15 containers that are sealed with a security identification tag provided by the county solid
16 waste division.
 - 17 (e) The reclamation site operator pays the county solid waste service fee for disposal of
18 residual waste using an intermodal container delivered to the intermodal yard.
 - 19 (f) The reclamation site operator maintains a credit account with the solid waste division
20 in accordance with the provisions of Section 7.41.030 for payment of the solid waste
21 service fee. Cash will not be accepted at the intermodal facility.
 - 22 (7) Residual waste generated from a reclamation site where the processing of
23 recyclable waste has occurred must be disposed of at a county owned and operated
24 solid waste disposal system facility if the reclamation site does not comply with the
25 requirements of subsection (6).
 - 26 (8) Removal of solid waste from the container in which it was transported into
27 Snohomish County, shall be considered the generation of solid waste within Snohomish
28 County for purposes of this chapter.

29
30 Section 19. Snohomish County Code Section 7.37.032, last amended by
31 Amended Ordinance No. 02-008, on April 15, 2002, is amended to read:

32
33 **7.37.032 Illegal dumping and littering prevention and remediation grants.**
34

- 35 (1) All grants made under this section shall be based on the amount of illegally
36 deposited waste which must be disposed of.
- 37 (2) The total net annual cost of cleanup services and reduced disposal fees provided
38 under these grant programs shall not exceed the amount budgeted by council for these
39 programs.
- 40 (3) *Grants to Landowners.* The director shall develop and implement a grant program
41 designed to provide a reduced disposal fee for those landowners who must pay
42 disposal costs to the county for disposing of waste illegally deposited upon their lands.
43 Before a grant is made the following conditions must be met:

1 (a) The grantee must notify the ((Snohomish)) health ((district)) department of the
2 illegally deposited waste, and comply with any conditions imposed by the health
3 ((district)) department designed to reduce future illegal deposit of waste.

4 (b) The grantee must notify the director in writing of the nature and quantity of waste
5 being disposed of, and certify that the waste was not generated by the landowner but
6 instead was deposited upon his lands by parties unknown to the landowner and without
7 the landowner's permission.

8 (c) The grantee must certify to the director that the land upon which the waste was
9 illegally deposited was either public land or not fenced, not posted, and available to the
10 public for recreational purposes at the time of the deposit of the waste, and is currently
11 public land or unfenced and available to the public for recreational purposes, and will
12 remain so for one year after receipt of the grant.

13 The director may require additional documentation if the director has concerns as to
14 whether the above requirements have been met. Before awarding a grant the director,
15 based on the information provided by the grantee and by and to the health ((district))
16 department, must find that the waste was illegally deposited, that conditions imposed
17 by the health ((district)) department to minimize future illegal deposit of waste have
18 been met by the grantee, and that the land upon which the waste was illegally deposited
19 was and is currently public land or available to the public for recreational purposes.

20 (4) *Grants to Groups and Individuals*. The director shall develop and implement a grant
21 program designed to provide a reduced disposal fee for those groups or individuals who
22 must pay disposal costs to the county for disposing of waste illegally deposited upon
23 public lands or upon lands available for public recreation. Before a grant is made the
24 following conditions must be met:

25 (a) The grantee must notify the ((Snohomish)) health ((district)) department of the
26 illegally deposited waste.

27 (b) The grantee, or if the grantee is a group an individual representing the group, must
28 notify the director in writing of the nature and quantity of waste being disposed of, and
29 certify that the waste was not generated by the group or its members, or individual
30 seeking the grant.

31 (c) The grantee, or if the grantee is a group an individual representing the group, must
32 certify to the director that the land upon which the waste was illegally deposited was
33 either public land or not fenced, not posted, and available to the public for recreational
34 purposes at the time the waste was removed.

35 The director may require additional documentation if the director has concerns as to
36 whether the above requirements have been met. Before awarding a grant the director,
37 based on the information provided by the grantee and by and to the health ((district))
38 department, must find that the waste was illegally deposited and that the land upon
39 which the waste was illegally deposited was either public land or available to the public
40 for recreational purposes.

41 (5) *Cleanup Grants to Landowners*. The director shall develop and implement a grant
42 program designed to assist landowners with the cleanup and disposal of waste illegally
43 deposited upon their lands. Following written authorization from the landowner, solid
44 waste staff may provide cleanup and disposal services for illegally dumped materials for
45 which the landowner will pay compensation to the county based on volume or weight of

1 material removed from the landowner's property. Before a grant is made the following
2 conditions must be met:
3 (a) The grantee must notify the ((Snohomish)) health ((district)) department of the
4 illegally deposited waste, and comply with any conditions imposed by the health
5 ((district)) department designed to reduce future illegal deposit of waste.
6 (b) The grantee must notify the director in writing of the nature and quantity of waste
7 being cleaned up and disposed of, and certify that the waste was not generated by the
8 landowner but instead was deposited upon his lands by parties unknown to the
9 landowner and without the landowner's permission.
10 (c) The grantee must certify to the director that the land upon which the waste was
11 illegally deposited was either public land or not fenced, not posted, and available to the
12 public for recreational purposes at the time of the deposit of the waste, and is currently
13 public land or unfenced and available to the public for recreational purposes, and will
14 remain so for one year after receipt of the grant. The director may require additional
15 documentation if the director has concerns as to whether the above requirements have
16 been met. Before awarding a grant the director, based on the information provided by
17 the grantee and by and to the health ((district)) department, must find that the waste
18 was illegally deposited, that conditions imposed by the health ((district)) department to
19 minimize future illegal deposit of waste have been met by the grantee, and that the land
20 upon which the waste was illegally deposited was and is currently public land or
21 available to the public for recreational purposes.
22

23 Section 20. Snohomish County Code Section 7.41.010, last amended by
24 Amended Ordinance No. 11-002, on February 16, 2011, is amended to read:
25

26 **7.41.010 Definitions.**
27

28 As used in this chapter unless context requires another meaning:

- 29 (1) "Bulky waste" means large items of refuse, such as appliances, furniture, and other
30 oversize wastes which would typically not fit into reusable or disposable containers.
31 (2) "Clean wood" means dimensional lumber and wood pieces typically resulting from
32 the demolition or construction of buildings, and wood pieces gathered as a by-product
33 or waste from the manufacture of wood products which do not contain laminates or
34 glues, and which have not been painted or treated with stain preservatives.
35 (3) "Contract hauler" means any person engaged in the business of solid waste
36 handling under the authority of the Washington utilities transportation commission or
37 under contract with any corporate municipality of the state of Washington.
38 (4) "Commercial" means any solid waste brought to a county solid waste disposal
39 system facility for disposal by a company, corporation, business, firm, association, sole
40 proprietorship, partnership, municipality, political subdivision, or government entity.
41 (5) "Compacted waste" means any solid waste whose volume has been reduced
42 through mechanical means by compression from the original state.
43 (6) "Construction, demolition and land-clearing waste" (CDL wastes) means any
44 recyclable or non-recyclable waste that results from construction, remodeling, repair or

- 1 demolition of buildings, roads or other structures, or from land-clearing for development,
2 and that is removed from the site of construction, demolition or land clearing.
- 3 (7) "Dangerous waste" means any solid waste designated as dangerous waste by the
4 department of ecology under chapter 173-303 WAC.
- 5 (8) "Director" means the director of the Snohomish County department of public works
6 or his/her designated representative.
- 7 (9) "Disposal site" means the location where any final treatment, utilization, processing,
8 or deposition of solid waste occurs.
- 9 (10) "Green waste" means yard waste which includes, but is not limited to, leaves,
10 grass clippings, branches, brush, flowers, roots, sod and other organic debris commonly
11 thrown away in the course of maintaining yards and gardens, and other biodegradable
12 material approved by the director. It excludes plastics and synthetic fibers, lumber, any
13 wood or tree limbs over 6 inches in diameter or 10 feet long, and petroleum
14 contaminated soil.
- 15 (11) "Hard-to-handle waste" means any waste material which is difficult to transfer,
16 transport, or dispose of at county owned and operated solid waste disposal system
17 facilities without special processing including, but not limited to tires, fly ash, sheetrock,
18 shingles, plywood squares, concrete, boulders, and stumps.
- 19 (12) "Hazardous waste" means any waste material defined as hazardous pursuant to
20 Federal Public Law 94-580 (Resource Conservation and Recovery Act) or as later
21 amended and regulations thereunder, including explosives, medical wastes, radioactive
22 wastes, pesticides, chemicals, burning materials, and other materials.
- 23 (13) "Health officer" means the health officer or his/her representative of the
24 ~~((Snohomish))~~ county health ~~((district))~~ department.
- 25 (14) "Household" means all persons who occupy a housing unit (e.g., house or
26 apartment), whether they are related to each other or not.
- 27 (15) "Income" means total gross income of people living in a household. This includes
28 all income received from wages, interest from savings and bonds, annuities, dividends,
29 social security, supplemental social security, retirement benefits, social security
30 disability income, veterans benefits, Labor and Industry benefits, federal and state
31 welfare benefits, IRA withdrawals, capital gains, income from rental property or
32 boarders, and all other sources of income.
- 33 (16) "Infectious Waste" means untreated solid waste that may create a significant risk
34 of disease. This includes, but is not limited to, human blood and blood products,
35 cultures and stocks containing wastes infectious to humans, human waste source
36 biopsy material, tissues and anatomical parts from surgery, obstetrical procedures and
37 autopsy, and "sharps waste" such as needles, scalpel blades, and lancets.
- 38 (17) "Liquid" means any waste material that is determined to contain "free liquids" as
39 defined by method 9095 (paint filter liquids test) as described in "Test Methods for
40 Evaluating Solid Wastes, Physical/Chemical Methods", United States Environmental
41 Protection Agency Publication SW-846.
- 42 (18) "Moderate Risk Waste" means:
- 43 (a) hazardous waste that is generated in smaller quantities than those regulated by the
44 department of Ecology under the Dangerous Waste Regulations (Chapter 173-

- 1 303 WAC) less than 2.2 pounds (1 kg.) of extremely hazardous waste per month, and
2 below 220 pounds (100 kg.) of dangerous waste per month, and/or;
- 3 (b) any household-generated hazardous waste, such as oil-based paints, solvents,
4 thinners, pesticides, corrosives, cleaners, auto maintenance products and cosmetics.
- 5 (19) "Person" means any individual, firm, association, partnership, political subdivision,
6 government agency, municipality, industry, public or private corporation or any other
7 entity.
- 8 (20) "Reclamation" means the process conducted at a reclamation site which consists
9 of hand and/or mechanical segregation of source separated recyclable solid waste for
10 sale and reuse. Materials which can be removed through reclamation include but are
11 not limited to paper, metal, glass, plastics, aggregates and wood waste processed for
12 feedstock for new products or as hog fuel and used for energy recovery. Reclamation
13 does not include combustion of solid waste (other than hog fuel), preparation of a fuel
14 from solid waste, use of solid waste as alternative daily cover or use of solid waste as
15 an industrial waste stabilizer
- 16 (21) "Reclamation site" means a facility compliant with local, state and federal
17 regulation used for the processing or the storage of reclaimed material. Reclamation
18 sites do not include locations or facilities where wastes are initially generated, such as
19 businesses, construction sites or demolition sites;
- 20 (22) "Recycling" means the transformation or remanufacturing of recyclable waste
21 materials into usable or marketable materials for use other than landfill disposal,
22 alternative daily cover, industrial waste stabilizer or incineration
- 23 (23) "Recyclable construction demolition and land-clearing waste" means CDL waste
24 material that is source separated at the site of origin and is recycled.
- 25 (24) "Salvaging" is a recovery process in which there is hand and/or mechanical
26 segregation of solid waste to recover materials for sale and/or reuse and is done in a
27 controlled and organized manner.
- 28 (25) "Scavenging" means the removal of materials at a disposal site, or interim solid
29 waste handling site, without the approval of the owner or operator and the jurisdictional
30 health department.
- 31 (26) "Senior citizen" means any permanent resident of Snohomish county who is 60
32 years of age or older.
- 33 (27) "Small quantity generator" means a business which generates less than 220
34 pounds of hazardous waste or 2.2 pounds of extremely hazardous waste per month and
35 does not accumulate more than 2,200 pounds of hazardous waste.
- 36 (28) "Solid waste" means all putrescible and nonputrescible solid and semisolid wastes,
37 including but not limited to garbage, rubbish, ashes, industrial wastes, swill,
38 construction, demolition and land-clearing wastes, abandoned vehicles or parts thereof,
39 and discarded commodities. This includes all solid and semisolid, materials which are
40 not the primary products of public, private, industrial, commercial, mining and
41 agricultural operations. Solid waste includes but is not limited to sludge from wastewater
42 treatment plants and septage from septic tanks, wood waste, dangerous waste, and
43 problem wastes.
- 44 (29) "Solid waste disposal system facility" means a facility owned and operated by the
45 solid waste division or a facility operated under contract with the solid waste division

1 which performs activities identified as being part of the solid waste disposal system in
2 the Snohomish County comprehensive solid waste management plan, which includes
3 but is not limited to, county owned and operated transfer stations and neighborhood
4 recycling and disposal centers (drop boxes), and the county's contracted intermodal
5 facilities.

6 (30) "Source separation" means the segregation of recyclable materials from other
7 solid waste for the purpose of recycling, conducted by or for the generator of the
8 materials on the premises at which they were generated. Source separation does not
9 require that different types of recyclable materials be separated from each other.

10 (31) "Vactor wastes/street wastes" include liquid and solid wastes collected during
11 maintenance of stormwater catch basins, detention/retention ponds, and roadside
12 ditches and similar stormwater treatments and conveyance structures and solid wastes
13 collected during street and parking lot sweeping.

14 (32) "Wood waste" means solid waste consisting of wood pieces or particles generated
15 as a by-product or waste from the manufacturing of wood products, handling and
16 storage of raw materials and trees and stumps. This includes but is not limited to
17 sawdust, chips, shavings, bark, pulp, hog fuel, and log sort yard waste, but does not
18 include wood pieces or particles containing chemical preservatives such as creosote,
19 pentachlorophenol, or copper-chrome-arsenate.

20
21 Section 21. Snohomish County Code Section 7.41.0212, added by Amended
22 Ordinance No. 11-002, on February 16, 2011, is amended to read:

23
24 **7.41.0212 Reporting requirements.**

25
26 (1) Any reclamation site operating within the county and accepting recyclable CDL
27 wastes for processing shall report monthly to the Snohomish county solid waste division
28 the quantities, by tons, and types of materials accepted at the facility for each month the
29 facility is in operation.

30 (2) Any reclamation site operating within the county and accepting recyclable CDL
31 wastes for processing shall report monthly to the Snohomish county solid waste division
32 the quantities, by tons, types of materials and the names and addresses of the
33 recipients of materials leaving the facility for each month the facility is in operation.

34 (3) Any reclamation site operating within the county and accepting recyclable CDL
35 wastes for processing is subject to inspection at all reasonable times by the Snohomish
36 county solid waste division, or its agent, to ensure solid waste disposal and reporting
37 requirements are being met.

38 (4) Reclamation sites which are permitted by the ((Snohomish)) health ((district))
39 department to compost organic materials are exempt from the reporting requirements of
40 subsections (1) and (2) with regard to the materials that are composted.

41
42 Section 22. Snohomish County Code Section 7.42.020, last amended by
43 Ordinance No. 98-002, on February 11, 1998, is amended to read:

44
45 **7.42.020 Definitions.**

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For the purposes of this chapter:

(1) "Single-family dwelling" means any residential unit receiving solid waste collection service as an individual unit and the dwelling is billed for solid waste collection service as an individual unit.

(2) "Multi-family structure" means any residential structure designed for occupancy by two or more families living independently of each other receiving solid waste collection service as an entire structure or complex and the structure or complex is billed for solid waste collection service as a whole and not by individual dwelling units.

(3) "Urban/suburban service zone" means those areas of the unincorporated county that have been designated as such in figure 2-1 of the Recycling Element of the Snohomish County Comprehensive Solid Waste Management Plan, December 1989.

(4) "Recycling service zone" means those areas of the unincorporated county that have been determined to be suitable to receive certain collection services for recyclables and other materials, in accordance with section 7.42.040, and have been officially so designated by motion of the county council or by directive of the director of the solid waste management division, in accordance with SCC 7.42.030.

The criteria used to determine the boundary of the recycling service zone shall be population density and distribution, and, in particular, serviceability factors, with attention being paid to the following:

(a) whether the area is contained within a U.S. Census Bureau designated urbanized area for the most recent census;

(b) whether the area is adjacent to an area meeting criteria (a) above and has a population density of at least 200 persons per square mile;

(c) whether, if the area is not adjacent to (a) above, the area has a population greater than 4,000 persons within a contiguous area and a population density of at least 200 persons per square mile;

(d) whether other factors pertaining to serviceability make it possible to provide services to additional residences at similar costs as for residences in other areas of unincorporated county which already have established collection services.

(5) "Yard debris service zone" means those areas of the unincorporated county that have been determined to be suitable to receive certain collection services for yard debris, in accordance with section 7.42.040, and have been officially so designated by motion of the county council or by directive of the director of the solid waste management division, in accordance with SCC 7.42.030.

The criteria used to determine the boundary of the yard debris service zone shall be similar to those used to determine the recycling service zone and, in particular, serviceability factors.

(6) "Yard debris" means plant material including, but not limited to, grass clippings, leaves, branches, brush, flowers, roots, windfall fruit, vegetable garden debris, and weeds commonly created in the course of maintaining yards and gardens, and through horticulture, gardening, landscaping, or other similar activities as well as other biodegradable materials approved for yard debris pickup by the director of the solid waste management division, after consultation with composting facilities and the ((Snohomish)) health ((district)) department. Yard debris collection shall also include

1 clean holiday trees and jack-o-lanterns. It excludes rocks, sod, soil, plastics and
2 synthetic fibers, treated dimensional lumber, any woody materials over four inches in
3 diameter or three feet in length, pet wastes, as well as other materials prohibited by the
4 director of the solid waste management division pursuant to the authority of SCC
5 7.42.030(2).

6 (7) "Collection company" and "solid waste collection company" means a solid waste
7 collection company which services unincorporated areas of Snohomish county, is
8 regulated by the Washington utilities and transportation commission, and operates
9 under a G permit.

10 (8) "Bulky materials" means large items generated by residences, such as appliances,
11 furniture, and other oversize materials, which would typically not fit into collection
12 containers used for recyclables, yard debris or garbage.

13
14 Section 23. Snohomish County Code Section 7.44.010, last amended by
15 resolution on July 20, 1970, is amended to read:

16
17 **7.44.010 Purpose.**

18
19 This chapter relates to and regulates sewage disposal systems, requires permits,
20 defines offenses and provides penalties. This chapter is intended to in no way affect any
21 ~~((resolution of the Snohomish health district))~~ code provision adopted by the county
22 board of health dealing with the same subject matter.

23
24 Section 24. Snohomish County Code Section 7.53.080, last amended by
25 Amended Ordinance No. 13-023 on April 17, 2013, is amended to read:

26
27 **7.53.080 Prohibited plumbing or sewer connections.**

28
29 Plumbing or sewer connections that could discharge contaminants to a drainage facility,
30 natural drainage system, receiving waters, or groundwater in violation of SCC
31 7.53.070 are prohibited except:

32 (1) Connections conveying discharges allowed by an NPDES permit or a State Waste
33 Discharge Permit; or

34 (2) Connections conveying effluent to subsurface soils from on-site sewage disposal
35 systems authorized by the former Snohomish Health District, ~~((or))~~ Ecology or county
36 health department; provided, that such discharges do not otherwise violate SCC
37 7.53.070.

38
39 Section 25. Snohomish County Code Section 9.12.130 last amended by
40 Amended Ordinance No. 06-133 on February 28, 2007, is amended to read:

41
42 **9.12.130 Rabies control.**

43
44 In the event that any animal has bitten a human and the animal control agency has
45 reason to suspect that the animal is rabid, or in the event that the animal control agency

1 has reason to suspect that an animal is rabid, the appropriate officials of the
2 ((Snohomish health district)) county health department shall be notified and the animal
3 control agency shall coordinate any further activities with said health ((district))
4 department.

5
6 Section 26. Snohomish County Code Section 13.50.080 last amended by
7 Ordinance No. 13.051 on July 31, 2013, is amended to read:

8
9 **13.50.080 Conditions--Temporary sales (C7).**

10
11 Type C7 permits for temporary sales from portable or movable carts, stands or vehicles
12 within the opened right-of-way shall be subject to the following additional conditions:

13 (1) A Type C7 permit shall only be issued when the type of temporary sale proposed is
14 a permissible use in the land use zone of the proposed location for the temporary sale,
15 as determined by the department.

16 (2) A specific area must be designated in the Type C7 permit as the location for the
17 temporary sales activity. The permittee shall confine the temporary sales activity to that
18 area.

19 (3) The permittee shall keep the temporary sales area neat and clean at all times and
20 the temporary sales area shall be left in a neat and clean condition following the close of
21 the temporary sale. Where any rubbish, wrappings or other materials may be dropped
22 incidental to the temporary sale, at least one waste receptacle must be provided by the
23 permittee. The department may periodically inspect the temporary sales area for waste
24 materials.

25 (4) Where a temporary sale is conducted on a sidewalk, the temporary sale area,
26 including stands, etc., must be located so as to provide at least five feet of clear
27 pedestrian traffic from the curb line or edge of roadway, whichever is further from the
28 roadway; otherwise the temporary sales area must be located to provide at least five
29 feet of clear pedestrian traffic from the sidewalk, curb line, or edge of roadway,
30 whichever is furthest from the roadway.

31 (5) No mechanical or electrical devices or portable signs may be displayed to attract
32 attention to the temporary sale.

33 (6) Any structure placed at the location of the temporary sale must be readily movable
34 and not obstruct vision.

35 (7) The temporary sale activity shall not create a hazard for vehicular or pedestrian
36 traffic.

37 (8) The temporary sale activity shall not obstruct access to any users or owners of
38 adjacent abutting property.

39 (9) The temporary sale activity, including any required parking, shall not obstruct
40 vehicular traffic.

41 (10) The permittee will comply with all regulations of the ((Snohomish health
42 district)) county health department and any other involved public agency.

43
44 Section 27. Snohomish County Code Section 30.22.130, last amended by
45 Amended Ordinance No. 22-014 on May 4, 2022, is amended to read:

RELATING TO A COUNTY HEALTH DEPARTMENT;
REPEALING CERTAIN CHAPTERS OF TITLE 7 SCC;
AMENDING CERTAIN CHAPTERS OF 5, 6, 7, 9, 13 AND 30 SCC

1
2 **30.22.130 Reference notes for use matrices.**
3

4 (1) Airport, Stage 1 Utility.

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

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

8 (c) When the airport is included in an airpark, the disclosure requirements of SCC
9 30.28.005 shall apply.

10 (2) Day Care Center.

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

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

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

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

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

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

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

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

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

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

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

40 (6) Dwelling, Mobile Home.

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

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

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

- 1 (i) skirting material which is compatible with the siding of the mobile home; or
- 2 (ii) a perimeter masonry foundation;
- 3 (d) Shall have the wheels and tongue removed; and
- 4 (e) In the RU zone the above only applies if the permitted lot size is less than 20,000
- 5 square feet.
- 6 (7) RESERVED for future use.
- 7 (8) Family Day Care Home.
- 8 (a) No play yards or equipment shall be located in any required setback from a street;
- 9 and
- 10 (b) Outdoor play areas shall be fenced or otherwise controlled.
- 11 (9) Farm Stand.
- 12 (a) There shall be only one stand on each lot; and
- 13 (b) At least 50 percent by farm product unit of the products sold shall be grown, raised
- 14 or harvested in Snohomish County, and 75 percent by farm product unit of the products
- 15 sold shall be grown, raised or harvested in the state of Washington.
- 16 (10) Farm Worker Dwelling.
- 17 (a) At least one person residing in each farm worker dwelling shall be employed full
- 18 time in the farm operation;
- 19 (b) An applicant for a building permit for a farm worker dwelling shall provide a
- 20 declaration of farm worker occupancy on a form available from the department to the
- 21 department for review and approval. The applicant shall record the declaration with the
- 22 county auditor and provide a copy of the recorded declaration to the department prior to
- 23 issuance of the building permit for the farm worker dwelling. Within 30 days of a sale or
- 24 transfer of the property, the new property owner(s) shall record a declaration of farm
- 25 worker occupancy with the county auditor and provide the department with a copy of the
- 26 recorded declaration;
- 27 (c) The number of farm worker dwellings shall be limited to one per each 20 acres
- 28 under single contiguous ownership to a maximum of six total farm worker dwellings,
- 29 with no rounding provisions applied. Construction of the maximum number of farm
- 30 worker dwellings permitted shall be interpreted as exhausting all farm worker dwelling
- 31 potential of the land until such time as the property is legally subdivided; and
- 32 (d) All farm worker dwellings must be built within a farm building cluster which includes
- 33 a farmhouse; and
- 34 (e) The floor area for an attached or detached farm worker dwelling, exclusive of
- 35 garages and porches, shall be a maximum of 1,200 square feet.
- 36 (11) Home Occupation. See SCC 30.28.050.
- 37 (12) Kennel, Commercial. There shall be a five-acre minimum lot area; except in the R-
- 38 5 and RD zones, where 200,000 square feet shall be the minimum lot area.
- 39 (13) Kennel, Private-breeding, and Kennel, Private Non-breeding. Where the animals
- 40 comprising the kennel are housed within the dwelling, the yard or some portion thereof
- 41 shall be fenced and maintained in good repair or to contain or to confine the animals
- 42 upon the property and restrict the entrance of other animals.
- 43 (14) Parks, Publicly-owned and Operated.
- 44 (a) No bleachers are permitted if the site is less than five acres in size;
- 45 (b) All lighting shall be shielded to protect adjacent properties; and

RELATING TO A COUNTY HEALTH DEPARTMENT;
REPEALING CERTAIN CHAPTERS OF TITLE 7 SCC;
AMENDING CERTAIN CHAPTERS OF 5, 6, 7, 9, 13 AND 30 SCC

- 1 (c) No amusement devices for hire are permitted.
- 2 (15) Boarding House. There shall be accommodations for no more than two persons.
- 3 (16) RESERVED for future use (Social Service Center – DELETED by Amended Ord.
- 4 04-010 effective March 15, 2004)
- 5 (17) Swimming/Wading Pool (not to include hot tubs and spas):. For the sole use of
- 6 occupants and guests
- 7 (a) No part of the pool shall project more than one foot above the adjoining ground level
- 8 in a required setback; and
- 9 (b) The pool shall be enclosed with a fence not less than four feet high, of sufficient
- 10 design and strength to keep out children.
- 11 (18) Temporary Dwelling for a Relative.
- 12 (a) The dwelling shall be occupied only by a relative, by blood or marriage, of the
- 13 occupant(s) of the permanent dwelling;
- 14 (b) The relative must receive from, or administer to, the occupant of the other dwelling
- 15 continuous care and assistance necessitated by advanced age or infirmity;
- 16 (c) The need for such continuous care and assistance shall be attested to in writing by
- 17 a licensed physician;
- 18 (d) The temporary dwelling shall be occupied by not more than two persons;
- 19 (e) Use as a commercial rental unit shall be prohibited;
- 20 (f) The temporary dwelling shall be situated not less than 20 feet from the permanent
- 21 dwelling on the same lot and shall not be located in any required yard of the principal
- 22 dwelling;
- 23 (g) A land use permit binder shall be executed by the landowner, recorded with the
- 24 Snohomish County auditor and a copy of the recorded document submitted to the
- 25 department for inclusion in the permit file;
- 26 (h) Adequate screening, landscaping, or other measures shall be provided pursuant to
- 27 SCC 30.25.028 to protect surrounding property values and ensure compatibility with the
- 28 immediate neighborhood;
- 29 (i) An annual renewal of the temporary dwelling permit, together with recertification of
- 30 need, shall be accomplished by the applicant through the department in the same
- 31 month of each year in which the initial mobile home/building permit was issued;
- 32 (j) An agreement to terminate such temporary use at such time as the need no longer
- 33 exists shall be executed by the applicant and recorded with the Snohomish County
- 34 auditor; and
- 35 (k) Only one temporary dwelling may be established on a lot. The temporary dwelling
- 36 shall not be located on a lot on which a detached accessory dwelling unit is located.
- 37 (19) Recreational Vehicle.
- 38 (a) There shall be no more than one per lot;
- 39 (b) Shall not be placed on a single site for more than 180 days in any 12-month period;
- 40 and
- 41 (c) Shall be limited in the floodways to day use only (dawn to dusk) during the flood
- 42 season (October 1st through March 30th) with the following exceptions:
- 43 (i) Recreational vehicle use associated with a legally occupied dwelling to
- 44 accommodate overnight guests for no more than a 21-day period;

- 1 (ii) Temporary overnight use by farm workers on the farm where they are employed
2 subject to subsections (19)(a) and (19)(b) of this section; and
- 3 (iii) Subject to subsections (19)(a) and (19)(b) of this section and SCC 30.65.120(6),
4 temporary overnight use in a mobile home park, which has been in existence
5 continuously since 1970 or before, that provides septic or sewer service, water and
6 other utilities, and that has an RV flood evacuation plan that has been approved and is
7 on file with the department of emergency management and department of planning and
8 development services.
- 9 (20) Ultralight Airpark.
- 10 (a) Applicant shall submit a plan for the ultralight airpark showing the location of all
11 buildings, ground circulation, and parking areas, common flight patterns, and arrival and
12 departure routes;
- 13 (b) Applicant shall describe in writing the types of activities, events, and flight
14 operations which are expected to occur at the airpark; and
- 15 (c) Approval shall be dependent upon a determination by the county decision maker
16 that all potential impacts such as noise, safety hazards, sanitation, traffic, and parking
17 are compatible with the site and neighboring land uses, particularly those involving
18 residential uses or livestock or small animal husbandry, and further that the proposed
19 use can comply with Federal Aviation Administration regulations (FAR Part 103), which
20 state that ultralight vehicle operations will not:
- 21 (i) create a hazard for other persons or property;
- 22 (ii) occur between sunset and sunrise;
- 23 (iii) occur over any substantially developed area of a city, town, or settlement,
24 particularly over residential areas or over any open air assembly of people; or
- 25 (iv) occur in an airport traffic area, control zone, terminal control area, or positive
26 control area without prior authorization of the airport manager with jurisdiction.
- 27 (21) RESERVED for future use.
- 28 (22) General Retail. In the FS zone, there shall be a 5,000-square foot floor area
29 limitation.
- 30 (23) Vehicle, Vessel and Equipment Sales and Rental. In the CB and CRC zone, all
31 display, storage, and sales activities shall be conducted within a structure enclosed by
32 walls on at least two sides.
- 33 (24) Race Track. The track shall be operated in such a manner so as not to cause
34 offense by reason of noise or vibration beyond the boundaries of the subject property.
- 35 (25) Rural Industry.
- 36 (a) The number of employees shall not exceed 10;
- 37 (b) All operations shall be carried out in a manner so as to avoid the emission or
38 creation of smoke, dust, fumes, odors, heat, glare, vibration, noise, traffic, surface water
39 drainage, sewage, water pollution, or other emissions which are unduly or unreasonably
40 offensive or injurious to properties, residents, or improvements in the vicinity;
- 41 (c) The owner of the rural industry must reside on the same premises as the rural
42 industry and, in the RD zone, the residence shall be considered as a caretaker's
43 quarters; and
- 44 (d) Outside storage, loading or employee parking in the RD zone shall provide 15-foot
45 wide Type A landscaping as defined in SCC 30.25.017.

- 1 (26) See SCC 30.31F.110 for performance standards specific to the Rural Business
2 zone.
- 3 (27) Government Structures and Facilities, Utility Structures and Facilities, and
4 Personal Wireless Service Facilities. Special lot area requirements for these uses are
5 contained in SCC 30.23.200.
- 6 (28) Excavation and Processing of Minerals.
- 7 (a) This use, as described in SCC 30.32C.010(2), is allowed in the identified zones only
8 where these zones coincide with the mineral lands designation in the comprehensive
9 plan (mineral resource overlay or MRO).
- 10 (b) An Administrative Conditional Use Permit or a Conditional Use Permit is required
11 pursuant to SCC 30.32C.030.
- 12 (c) Excavation and processing of minerals exclusively in conjunction with forest
13 practices regulated pursuant to chapter 76.09 RCW is permitted outright in the Forestry
14 zone.
- 15 (29) Medical Clinic, Licensed Practitioner. A prescription pharmacy may be permitted
16 when located within the main building containing licensed practitioner(s).
- 17 (30) Forest Industry Storage & Maintenance Facility (except harvesting) adjacent to
18 property lines in the RU zone shall provide 15-foot wide Type A landscaping as defined
19 in SCC 30.25.017.
- 20 (31) Boat Launch Facilities, Commercial or Non-commercial.
- 21 (a) The hearing examiner may regulate, among other factors, required launching depth,
22 lengths of existing docks and piers;
- 23 (b) Off-street parking shall be provided in an amount suitable to the expected usage of
24 the facility. When used by the general public, the guideline should be 32 to 40 spaces
25 capable of accommodating both a car and boat trailer for each ramp lane of boat access
26 to the water;
- 27 (c) A level vehicle-maneuvering space measuring at least 50 feet square shall be
28 provided;
- 29 (d) Pedestrian access to the water separate from the boat launching lane or lanes may
30 be required where it is deemed necessary in the interest of public safety;
- 31 (e) Safety buoys shall be installed and maintained separating boating activities from
32 other water-oriented recreation and uses where this is reasonably required for public
33 safety, welfare and health; and
- 34 (f) All site improvements for boat launch facilities shall comply with all other
35 requirements of the zone in which it is located.
- 36 (32) Campground.
- 37 (a) The maximum overall density shall be seven camp or tent sites per acre in Forestry
38 and Recreation (F&R) zoning and two camp or tent sites per acre in Forestry (F) zoning;
- 39 (b) The minimum site size shall be 10 acres; and
- 40 (c) Campgrounds in Forestry (F) zoning may not provide utility hookups (e.g. water,
41 electric, sewage) to individual campsites; such hookups are allowed in campgrounds
42 with Forestry and Recreation (F&R) zoning.
- 43 (33) Commercial Vehicle Home Basing.
- 44 (a) The vehicles may be parked and maintained only on the property wherein resides a
45 person who uses them in their business;

- 1 (b) Two or more vehicles may be so based; and
- 2 (c) The vehicles shall be in operable condition.
- 3 (34) Distillation of Alcohol.
- 4 (a) The distillation shall be from plant products, for the purpose of sale as fuel, and for
- 5 the production of methane from animal waste produced on the premises;
- 6 (b) Such distillation shall be only one of several products of normal agricultural activities
- 7 occurring on the premises; and
- 8 (c) By-products created in this process shall be used for fuel or fertilizer on the
- 9 premises.
- 10 (35) RESERVED for future use (Group Care Facility – DELETED by Amended Ord. 04-
- 11 010 effective March 15, 2004)
- 12 (36) Churches are exempt from the Rural Business zone performance standards in
- 13 SCC 30.31F.110(1) and (2).
- 14 (37) Small Animal Husbandry. There shall be a five-acre minimum site size.
- 15 (38) Mobile Home Park. Such development must fulfill the requirements of chapter
- 16 30.42E SCC.
- 17 (39) Sludge Utilization. See SCC 30.28.085.
- 18 (40) Homestead Parcel. See SCC 30.28.055.
- 19 (41) Special Setback Requirements for this use are contained in SCC 30.23.110(26) or
- 20 SCC 30.67.595 if within shoreline jurisdiction.
- 21 (42) In the R-12,500 and WFB zones, the minimum lot size for duplexes shall be one
- 22 and one-half times the minimum lot size for single-family dwellings.
- 23 (43) Petroleum Products and Gas, Bulk Storage.
- 24 (a) All above ground storage tanks shall be set back from all property lines in
- 25 accordance with requirements in the International Fire Code (IFC); and
- 26 (b) Storage tanks below ground shall be set back no closer to the property line than a
- 27 distance equal to the greatest dimensions (diameter, length or height) of the buried
- 28 tank.
- 29 (44) Auto Wrecking Yards and Junkyards. A sight-obscuring fence a minimum of seven
- 30 feet high shall be established and maintained to the interior side of the required
- 31 perimeter landscaping area in the LI and RI zones. For perimeter landscaping
- 32 requirements for this use in all zones, see SCC 30.25.020.
- 33 (45) Antique Shops. When established as a home occupation as regulated by SCC
- 34 30.28.050(1); provided further that all merchandise sold or offered for sale shall be
- 35 predominantly "antique" and antique-related objects.
- 36 (46) Billboards. See SCC 30.27.080 for specific requirements.
- 37 (47) RESERVED for future use.
- 38 (48) Stockyard and Livestock Auction Facility. The minimum lot size is 10 acres.
- 39 (49) Restaurants and Personal Service Shops. Located to service principally the
- 40 constructed industrial park uses.
- 41 (50) Sludge Utilization. A conditional use permit is required for manufacture of materials
- 42 by a non-governmental agency containing stabilized or digested sludge for a public
- 43 utilization.
- 44 (51) See SCC 30.31A.140.
- 45 (52) RESERVED for future use.

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- 1 (53) Retail Store. See SCC 30.31A.120 for specific requirements for retail stores in the
2 BP zone.
- 3 (54) Retail Sales of Hay, Grain, and Other Livestock Feed are permitted on site in
4 conjunction with a livestock auction facility.
- 5 (55) Noise of Machines and Operations in the LI and HI zones shall comply with
6 chapter 10.01 SCC and machines and operations shall be muffled so as not to become
7 objectionable due to intermittence, beat frequency, or shrillness.
- 8 (56) Sludge Utilization. Only at a completed sanitary landfill or on a completed cell
9 within a sanitary landfill, subject to the provision of SCC 30.28.085.
- 10 (57) Woodwaste Recycling and Woodwaste Storage Facility. See SCC 30.28.095.
- 11 (58) Bed and Breakfast Guesthouses and Bed and Breakfast Inns. See SCC
12 30.28.020.
- 13 (59) Detached Accessory or Non-Accessory Private Garages and Storage Structures.
14 Subject to the following requirements:
- 15 (a) Special setback requirements for these uses are contained in SCC 30.23.110(20);
16 (b) Artificial lighting shall be hooded or shaded so that direct outside lighting, if any, will
17 not result in glare when viewed from the surrounding property or rights-of-way;
18 (c) The following compatibility standards shall apply:
- 19 (i) proposals for development in existing neighborhoods with a well-defined character
20 should be compatible with or complement the highest quality features, architectural
21 character and siting pattern of neighboring buildings. Where there is no discernable
22 pattern, the buildings shall complement the neighborhood. Development of detached
23 private garages and storage structures shall not interrupt the streetscape or dwarf the
24 scale of existing buildings of existing neighborhoods. Applicants may refer to the
25 Residential Development Handbook for Snohomish County Communities to review
26 techniques recommended to achieve neighborhood compatibility;
- 27 (ii) building plans for all proposals larger than 2,400 square feet in the Waterfront
28 Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and rural cluster subdivisions
29 shall document the use of building materials compatible and consistent with existing on-
30 site residential development exterior finishes;
- 31 (iii) in the Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and rural
32 cluster subdivisions, no portion of a detached accessory private garage or storage
33 structure shall extend beyond the building front of the existing single-family dwelling,
34 unless screening, landscaping, or other measures are provided to ensure compatibility
35 with adjacent properties; and
- 36 (iv) in the Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and rural
37 cluster subdivisions, no portion of a detached non-accessory private garage or storage
38 structure shall extend beyond the building front of existing single-family dwellings on
39 adjacent lots where the adjacent dwellings are located within 10 feet of the subject
40 property line. When a detached non-accessory private garage or storage structure is
41 proposed, the location of existing dwellings on adjacent properties located within 10 feet
42 of the subject site property lines shall be shown on the site plan;
- 43 (d) All detached accessory or non-accessory private garages and storage structures
44 proposed with building footprints larger than 2,400 square feet shall provide screening
45 or landscaping from adjacent properties pursuant to chapter 30.25 SCC;

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- 1 (e) On lots less than 10 acres in size having no established residential use, only one
2 non-accessory private garage and one storage structure shall be allowed. On lots 10
3 acres or larger without a residence where the cumulative square footage of all existing
4 and proposed non-accessory private garages and storage structures is 6,000 square
5 feet or larger, a conditional use permit shall be required.
- 6 (f) Where permitted, separation between multiple private garages or storage structures
7 shall be regulated pursuant to subtitle 30.5 SCC.
- 8 (60) The cumulative square footage of all detached accessory and non-accessory
9 private garages and storage structures shall not exceed 6,000 square feet on any lot
10 less than five acres, except this provision shall not apply in the LDMR, MR, T, NB, GC,
11 PCB, CB, FS, BP, IP, LI, HI, RB, RFS, CRC and RI zones.
- 12 (61) Museums. Museums within the agriculture A-10 zone are permitted only in
13 structures which were legally existing on October 31, 1991.
- 14 (62) Accessory Dwelling Units. See SCC 30.28.010.
- 15 (63) Temporary Woodwaste Recycling and Temporary Woodwaste Storage Facilities.
16 See SCC 30.28.090.
- 17 (64) RESERVED for future use.
- 18 (65) On-Site Hazardous Waste Treatment and Storage Facilities. Allowed only as an
19 incidental use to any use generating hazardous waste which is otherwise allowed;
20 provided that such facilities demonstrate compliance with the state siting criteria for
21 dangerous waste management facilities pursuant to RCW 70.105.210 and WAC 173-
22 303-282, as now written or hereafter amended.
- 23 (66) An application for a conditional use permit to allow an off-site hazardous waste
24 treatment and storage facility shall demonstrate compliance with the state siting criteria
25 for dangerous waste management facilities pursuant to RCW 70.105.210 and WAC
26 173-303-282 as now written or hereafter amended.
- 27 (67) Adult Entertainment Uses. See SCC 30.28.015.
- 28 (68) Special Building Height provisions for this use are contained in SCC
29 30.23.050(2)(d).
- 30 (69) RESERVED for future use.
- 31 (70) Equestrian Centers. Allowed with a conditional use permit on all lands zoned A-10
32 except in that portion of the special flood hazard area of the lower Snohomish and
33 Stillaguamish rivers designated density fringe as described in chapter 30.65 SCC.
- 34 (71) Mini-Equestrian Centers are allowed as a permitted use on all lands zoned A-10
35 except in that portion of the special flood hazard area of the lower Snohomish and
36 Stillaguamish rivers designated density fringe as described in chapter 30.65 SCC.
- 37 (72) Equestrian Centers and Mini-equestrian Centers require the following:
- 38 (a) Five-acre minimum site size for a mini-equestrian center;
- 39 (b) Covered riding arenas shall not exceed 15,000 square feet for a mini-equestrian
40 center; provided that stabling areas, whether attached or detached, shall not be
41 included in this calculation;
- 42 (c) Any lighting of an outdoor or covered arena shall be shielded so as not to glare on
43 surrounding properties or rights-of-way;

- 1 (d) On sites located in RC and R-5 zones, Type A landscaping as defined in SCC
2 30.25.017 is required to screen any outside storage, including animal waste storage,
3 and parking areas from adjacent properties;
- 4 (e) Riding lessons, rentals, or shows shall only occur between 8:00 a.m. and 9:00 p.m.;
- 5 (f) Outside storage, including animal waste storage, and parking areas shall be set
6 back at least 30 feet from any adjacent property line. All structures shall be set back as
7 required in SCC 30.23.110(8); and
- 8 (g) The facility shall comply with all applicable county building, health, and fire code
9 requirements.
- 10 (73) Temporary Residential Sales Coach (TRSC).
- 11 (a) The commercial coach shall be installed in accordance with all applicable provisions
12 within chapter 30.54A SCC;
- 13 (b) The TRSC shall be set back a minimum of 20 feet from all existing and proposed
14 road rights-of-way and five feet from proposed and existing property lines;
- 15 (c) Vehicular access to the temporary residential sales coach shall be approved by the
16 county or state; and
- 17 (d) Temporary residential sales coaches may be permitted in approved preliminary
18 plats, prior to final plat approval, when the following additional conditions have been
19 met:
- 20 (i) plat construction plans have been approved;
- 21 (ii) the fire marshal has approved the TRSC proposal;
- 22 (iii) proposed lot lines for the subject lot are marked on site; and
- 23 (iv) the site has been inspected for TRSC installation to verify compliance with all
24 applicable regulations and plat conditions, and to assure that land disturbing activity,
25 drainage, utilities infrastructure, and native growth protection areas are not adversely
26 affected.
- 27 (74) Golf Course and Driving Range. In the A-10 zone, artificial lighting of the golf
28 course or driving range shall not be allowed. Land disturbing activity shall be limited in
29 order to preserve prime farmland. At least 75 percent of prime farmland on site shall
30 remain undisturbed.
- 31 (75) Model Hobby Park. SCC 30.28.060.
- 32 (76) Commercial Retail Uses. Not allowed in the Light Industrial and Industrial Park
33 zones when said zones are located in the Maltby UGA of the comprehensive plan, and
34 where such properties are, or can be served by railway spur lines.
- 35 (77) Studio. Studio uses may require the imposition of special conditions to ensure
36 compatibility with adjacent residential, multiple family, or rural-zoned properties. The
37 hearing examiner may impose such conditions when deemed necessary pursuant to the
38 provisions of chapter 30.42C SCC. The following criteria are provided for hearing
39 examiner consideration when specific circumstances necessitate the imposition of
40 conditions:
- 41 (a) The number of nonresident artists and professionals permitted to use a studio at the
42 same time may be limited to no more than 10 for any lot 200,000 square feet or larger in
43 size, and limited to five for any lot less than 200,000 square feet in size;
- 44 (b) The hours of facility operation may be limited; and

- 1 (c) Landscape buffers may be required to visually screen facility structures or outdoor
2 storage areas when the structures or outdoor storage areas are proposed within 100
3 feet of adjacent residential, multiple family, and rural-zoned properties. The buffer shall
4 be an effective site obscuring screen consistent with Type A landscaping as defined in
5 SCC 30.25.017.
- 6 (78) RESERVED for future use.
- 7 (79) The gross floor area of the use shall not exceed 2,000 square feet.
- 8 (80) The gross floor area of the use shall not exceed 4,000 square feet.
- 9 (81) The construction contracting use in the Rural Business zone shall be subject to the
10 following requirements:
- 11 (a) The use complies with all of the performance standards required by SCC
12 30.31F.100 and 30.31F.110;
- 13 (b) Not more than 1,000 square feet of outdoor storage of materials shall be allowed
14 and shall be screened in accordance with SCC 30.25.024;
- 15 (c) In addition to the provisions of subsection (81)(b) of this section, not more than five
16 commercial vehicles or construction machines shall be stored outdoors and shall be
17 screened in accordance with SCC 30.25.020 and 30.25.032;
- 18 (d) The on-site fueling of vehicles shall be prohibited; and
- 19 (e) The storage of inoperable vehicles and hazardous or earth materials shall be
20 prohibited.
- 21 (82) Manufacturing, Heavy includes the following uses. Distillation of wood, coal,
22 bones, or the manufacture of their by-products; explosives manufacturing; manufacture
23 of fertilizer; extraction of animal or fish fat or oil; forge, foundry, blast furnace or melting
24 of ore; manufacturing of acid, animal black/black bone, cement or lime, chlorine,
25 creosote, fertilizer, glue or gelatin, potash, pulp; rendering of fat, tallow and lard, rolling
26 or booming mills; tannery; or tar distillation and manufacturing. See SCC 30.91M.028.
- 27 (83) "All other forms of manufacture not specifically listed" is a category which uses
28 manufacturing workers, as described under the Dictionary of Occupational Titles,
29 published by the U.S. Department of Labor, to produce, assemble or create products
30 and which the director finds consistent with generally accepted practices and
31 performance standards for the industrial zone where the use is proposed. See SCC
32 30.91M.024 and 30.91M.026.
- 33 (84) RESERVED for future use.
- 34 (85) A single-family dwelling may have only one guesthouse.
- 35 (86) Outdoor display or storage of goods and products is prohibited on site.
- 36 (87) Wedding Facility.
- 37 (a) A wedding facility is permitted only:
- 38 (i) on vacant and undeveloped land;
- 39 (ii) on developed land, but entirely outside of any permanent structure;
- 40 (iii) partially outside of permanent structures and partially inside of one or more
41 permanent structures which were legally existing no less than eight years prior to the
42 date of the submittal of a permit application for the wedding facility; or
- 43 (iv) entirely inside of one or more permanent structures which were legally existing no
44 less than eight years prior to the date of the submittal of a permit application for the
45 wedding facility;

- 1 (b) A wedding facility, including any structures and adjacent outdoor space used in
2 conjunction with the wedding facility business, shall comply with the following:
- 3 (i) noise control provisions of chapter 10.01 SCC;
 - 4 (ii) adequate vehicular sight distance and safe turning movements exist at the access
5 to the site consistent with county engineering design and development standards
6 (EDDS);
 - 7 (iii) adequate sanitation facilities are provided on site pursuant to chapter 30.50 SCC
8 and applicable ((Snohomish Health District)) board of health code provisions;
 - 9 (iv) adequate on-site parking shall be provided for the use pursuant to SCC 30.26.035;
10 and
 - 11 (v) all other applicable regulations in Title 30 SCC including, but not limited to, flood
12 hazard regulations in hazard regulations in chapter 30.65 SCC;
- 13 (c) A certificate of occupancy shall be obtained pursuant to chapter 30.52A SCC for the
14 use of any existing structure. The certificate of occupancy shall be subject to an annual
15 inspection and renewal pursuant to SCC 30.53A.361 to ensure building and fire code
16 compliance.
- 17 (88) Public/Institutional Use Designation (P/IU). When applied to land that is (a)
18 included in an Urban Growth Area and (b) designated P/IU on the Snohomish County
19 Future Land Use Map concurrent with or prior to its inclusion in a UGA, the R-7,200, R-
20 8,400 and R-9,600 zones shall allow only the following permitted or conditional uses:
21 churches, and school instructional facilities. All other uses are prohibited within areas
22 that meet criteria (a) and (b), unless the P/IU designation is changed.
- 23 (89) Hotel/Motel Uses. Permitted in the Light Industrial zone when the following criteria
24 are met:
- 25 (a) The Light Industrial zone is located within a municipal airport boundary;
 - 26 (b) The municipal airport boundary includes no less than 1,000 acres of land zoned
27 light industrial; and
 - 28 (c) The hotel/motel use is served by both public water and sewer.
- 29 (90) Health and Social Service Facilities regulated under this title do not include secure
30 community transition facilities (SCTFs) proposed pursuant to chapter 71.09 RCW. See
31 SCC 30.91H.095.
- 32 (a) Snohomish County is preempted from regulation of SCTFs. In accordance with the
33 requirements of state law the county shall take all reasonable steps permitted by
34 chapter 71.09 RCW to ensure that SCTFs comply with applicable siting criteria of state
35 law. Every effort shall be made by the county through the available state procedures to
36 ensure strict compliance with all relevant public safety concerns, such as emergency
37 response time, minimum distances to be maintained by the SCTF from "risk potential"
38 locations, electronic monitoring of individual residents, household security measures
39 and program staffing.
 - 40 (b) Nothing herein shall be interpreted as to prohibit or otherwise limit the county from
41 evaluating, commenting on, or proposing public safety measures to the state of
42 Washington in response to a proposed siting of a SCTF in Snohomish County.
 - 43 (c) Nothing herein shall be interpreted to require or authorize the siting of more beds or
44 facilities in Snohomish County than the county is otherwise required to site for its
45 SCTFs pursuant to the requirements of state law.

RELATING TO A COUNTY HEALTH DEPARTMENT;
REPEALING CERTAIN CHAPTERS OF TITLE 7 SCC;
AMENDING CERTAIN CHAPTERS OF 5, 6, 7, 9, 13 AND 30 SCC

- 1 (91) Level II Health and Social Service Uses. Allowed outside the UGA only when the
- 2 use is not served by public sewer.
- 3 (92) The area of the shooting range devoted to retail sales of guns, bows, and related
- 4 equipment shall not exceed one-third of the gross floor area of the shooting range and
- 5 shall be located within a building or structure.
- 6 (93) Farmers Market. See SCC 30.28.036.
- 7 (94) Farm Product Processing and Farm Support Business. See SCC 30.28.038.
- 8 (95) Farmland Enterprise. See SCC 30.28.037.
- 9 (96) Public Events/Assemblies on Farmland. Such event or assembly shall:
- 10 (a) Comply with the requirements of SCC 30.53A.800; and
- 11 (b) Not exceed two events per year. No event shall exceed two weeks in duration.
- 12 (97) Bakery, Farm. The gross floor area of the use shall not exceed 1,000 square feet.
- 13 (98) Recreational Facility Not Otherwise Listed in A-10 zone, Forestry (F), or Forestry
- 14 and Recreation (F&R) zones. See SCC 30.28.076.
- 15 (99) Farm Stand. See SCC 30.28.039.
- 16 (100) Farm Stand. Allowed as a Permitted Use (P) when sited on land designated
- 17 riverway commercial farmland, upland commercial farmland or local commercial
- 18 farmland in the comprehensive plan. Allowed as an Administrative Conditional Use (A)
- 19 when sited on land not designated riverway commercial farmland, upland commercial
- 20 farmland or local commercial farmland in the comprehensive plan.
- 21 (101) Farmers Market. Allowed as a Permitted Use (P) when sited on land designated
- 22 riverway commercial farmland, upland commercial farmland or local commercial
- 23 farmland in the comprehensive plan. Allowed as an Administrative Conditional Use (A)
- 24 when sited on land not designated riverway commercial farmland, upland commercial
- 25 farmland or local commercial farmland in the comprehensive plan.
- 26 (102) Community Facilities for Juveniles in R-5 zones must be located within one mile
- 27 of an active public transportation route at the time of permitting.
- 28 (103) All community facilities for juveniles shall meet the performance standards set
- 29 forth in SCC 30.28.025.
- 30 (104) Personal wireless service facilities are subject to development standards in
- 31 chapter 30.28A SCC, parking standards in SCC 30.26.030, setback requirements in
- 32 SCC 30.23.110(26) or SCC 30.67.595 if within shoreline jurisdiction, and landscaping
- 33 standards in chapter 30.25 SCC.
- 34 (105) RESERVED for future use.
- 35 (106) See SCC 30.28A.050(2) for instances when a personal wireless service facility
- 36 does not require a conditional use permit.
- 37 (107) Agricultural Composting Requirements.
- 38 (a) On-farm site agricultural composting operations that comply with the requirements
- 39 established in this section are allowed in the A-10 zone. These composting facilities and
- 40 operations shall be constructed and operated in compliance with all applicable federal,
- 41 state and local laws, statutes, rules and regulations. The Nutrient Management Plan
- 42 portion of the farm's Snohomish Conservation District Farm Plan or any other
- 43 established nutrient management plan must be on file with the department when any
- 44 application for a land use permit or approval is submitted to the department for the

- 1 development of an agricultural composting facility. Farm site agricultural composting
2 operations shall also comply with the following criteria:
- 3 (i) The composting operation shall be limited to 10 percent of the total farm site area;
 - 4 (ii) At least 50 percent of the composted materials shall be agricultural waste;
 - 5 (iii) At least 10 percent of the agricultural wastes must be generated on the farm site;
 - 6 (iv) A maximum of 500 cubic yards of unsuitable incidental materials accumulated in
7 the agricultural waste such as rock, asphalt, or concrete over three inches in size may
8 be stored at the farm composting facility until its proper removal. All incidental materials
9 must be removed from the site yearly; and
 - 10 (v) A minimum of 10 percent of the total volume of the finished compost produced
11 annually shall be spread on the farm site annually.
- 12 (b) In all other zones except A-10 where agriculture is a permitted use, incidental
13 agricultural composting of agricultural waste generated on a farm site is permitted. The
14 agricultural composting facility shall be constructed and operated in compliance with all
15 applicable federal, state and local laws, statutes, rules and regulations. The Nutrient
16 Management Plan portion of the farm's Snohomish Conservation District Farm Plan or
17 any other established nutrient management plan must be on file with the department
18 when any permit application is submitted to the department for the development of an
19 agricultural composting facility.
- 20 (108) RESERVED for future use. (Urban Center Demonstration Program projects –
21 DELETED by Ord. 09-079)
- 22 (109) Privately operated off-road vehicle (ORV) use areas shall be allowed by
23 conditional use permit on Forestry and Recreation (F&R) zoned property designated
24 Forest on the comprehensive plan future land use map. These areas shall be identified
25 by an F&R ORV suffix on the zoning map. Privately operated ORV use areas are
26 regulated pursuant to SCC 30.28.080 and 30.28.086 and other applicable county codes.
- 27 (110) RESERVED for future use.
- 28 (111) RESERVED for future use.
- 29 (112) RESERVED for future use. (Transfer of Development Rights receiving area
30 overlay – DELETED by Amended Ord. 13-064)
- 31 (113) Privately Operated Motocross Racetracks. Allowed by conditional use permit, and
32 are regulated pursuant to SCC 30.28.100 and 30.28.105, and other applicable county
33 codes. Motocross racetracks are allowed in the Forestry and Recreation (F&R) zone
34 only on commercial forest lands.
- 35 (114) New AM Radio Towers are prohibited. AM radio towers either constructed before
36 October 13, 2010, or with complete applications for all permits and approvals required
37 for construction before October 13, 2010, shall not be considered nonconforming uses
38 and they may be repaired, replaced, and reconfigured as to the number and dimensions
39 of towers so long as the repair, replacement, or reconfiguration occurs on the parcel
40 where the tower was originally constructed or permitted and it does not increase the
41 number of AM radio towers constructed on the parcel.
- 42 (115) This use is prohibited in the R-5 zone with the Mineral Resource Overlay (MRO).
43 Public park is a permitted use on reclaimed portions of mineral excavation sites with the
44 MRO.
- 45 (116) See cottage housing design standard requirements in chapter 30.41G SCC.

- 1 (117) RESERVED for future use.
2 (118) RESERVED for future use.
3 (119) Only building mounted personal wireless service facilities or personal wireless
4 service facilities located on utility poles, streetlight poles, or traffic signal poles as
5 specified in SCC 30.28A.055 shall be permitted.
6 (120) Allowed as a conditional use only with a Park-and-Pool Lot or a Park-and-Ride
7 Lot.
8 (121) Permitted as an incidental use with a permitted use, conditional use or
9 administrative conditional use.
10 (122) Products or merchandise offered for sale or storage by a business may be
11 located outdoors; provided, that:
12 (a) The area occupied by the display shall not exceed 500 square feet, and
13 (b) Public sidewalks shall not be enclosed as space for sales or storage by fencing or
14 other means that effectively limits public use of the sidewalk.
15 (123) Such uses, except those as provided for in SCC 30.34A.010(4)(d), are permitted
16 only in structures which are legally existing on May 29, 2010. Such uses, except those
17 as provided for in SCC 30.34A.010(4)(d), shall also comply with subsection (122) of this
18 section.
19 (124) The minimum lot size for marijuana related facilities is 100,000 square feet.
20 Marijuana production and marijuana processing are allowed indoors and outdoors,
21 including in greenhouses and other structures pursuant to chapter 314-55 WAC. In the
22 A-10 zone, marijuana uses shall be subject to the same regulations that apply to
23 agricultural uses and not subject to any more restrictive regulations except as
24 specifically provided in this title and in state law. Marijuana processing is only allowed
25 when there is a marijuana production facility on site. Marijuana facilities are subject to
26 special setbacks pursuant to SCC 30.23.110(28).
27 (125) Marijuana production and processing is permitted indoors only; no outdoor
28 production or processing is allowed.
29 (126) RESERVED for future use.
30 (127) Campgrounds and recreational facilities not otherwise listed are not allowed on
31 land designated Local Forest in the comprehensive plan.
32 (128) Development applications for all non-tribally owned, fee-simple properties
33 designated Reservation Commercial on the Snohomish County Future Land Use Map
34 must include an archaeology site report pursuant to SCC 30.32D.200(3)(b) or relocate
35 the project to avoid impacts to any archaeological resources.
36 (129) Development within an airport compatibility area is subject to the requirements of
37 chapter 30.32E SCC.
38 (130) On land designated as riverway commercial farmland, upland commercial
39 farmland or local commercial farmland or land zoned A-10 the following additional
40 requirements apply:
41 (a) the applicant must demonstrate that the use is incidental to the primary use of the
42 site for agricultural purposes and supports, promotes or sustains agricultural operations
43 and production;

- 1 (b) the use must be located, designed, and operated so as to not interfere with, and to
2 support the continuation of, the overall agricultural use of the property and neighboring
3 properties;
- 4 (c) the use and all activities and structures related to the use must be consistent with
5 the size, scale, and intensity of the existing agricultural use of the property and the
6 existing buildings on the site;
- 7 (d) the use and all activities and structures related to the use must be located within the
8 general area of the property that is already developed for buildings and residential uses;
- 9 (e) where the property is less than 10 acres in size, the use and all structures and
10 activities related to the use shall not convert more than 10 percent of agricultural land to
11 nonagricultural uses;
- 12 (f) where the property is 10 acres in size or more, the use and all structures and
13 activities related to the use shall not convert more than one acre of agricultural land to
14 nonagricultural uses; and
- 15 (g) any land disturbing activity required to support the use shall be limited to preserve
16 prime farmland.
- 17 The provisions of subsections (130)(a) through (130)(f) of this section do not apply to
18 any land under ownership or acquired before May 24, 2015, by any local, county,
19 regional, or state agency for recreation, public park and/or trail purposes. Any new
20 development, alterations or reconstruction on these properties shall meet subsection
21 (130)(g) of this section and the requirements of the A-10 zone. All buildings and parking
22 areas shall be set back a minimum of 50 feet from the property boundaries. If the park
23 or trail use produces adverse conditions that will unduly affect an adjacent agricultural
24 use, the director may impose a larger setback to alleviate the effects of such adverse
25 conditions, which include but are not limited to noise, vibration, dust, and light.
- 26 (131) Marijuana-related facilities are prohibited within the exterior boundaries of the
27 Tulalip Indian Reservation.
- 28 (132) Marijuana Retail. See SCC 30.28.120.
- 29 (133) Only the following uses are permitted in the CRC zone: clubhouses, grooming
30 parlors, personal service shops, offices, tool sales and rental, locksmith, home
31 improvement centers, retail bakeries, drug stores, grocery stores, hardware stores,
32 general retail, second hand stores, specialty stores, and tire stores.
- 33 (134) Material Recovery Facility. See SCC 30.28.110.
- 34 (135) Retail, general uses may be allowed with an administrative conditional use permit
35 only when part of a new mixed-use development that includes residential dwellings or
36 when occupying a former residential structure (or portion of a residential structure). The
37 proposed retail use in the MR zone must meet the following criteria:
- 38 (a) The retail use has frontage on an arterial road as shown on the Countywide Arterial
39 Circulation 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
42 outdoors except that the area occupied by the display may not exceed 500 square feet
43 and public sidewalks may not be enclosed as space for sales or storage by fencing or
44 other means that effectively limits public use of the sidewalk.

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

3 (137) Recycling Facility. See SCC 30.28.112.

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

9
10 Section 28. Snohomish County Code Section 30.23.210, last amended by
11 Amended Ordinance No. 22-016 on May 4, 2022, is amended to read:

12
13 **30.23.210 Lot size averaging.**

14
15 (1) A subdivision or short subdivision may meet the minimum lot area requirement of
16 the zone in which it is located by calculating average lot size under this section.

17 (2) This section shall only apply to:

18 (a) Subdivisions or short subdivisions within zones having a minimum lot area
19 requirement of 12,500 square feet or less; and

20 (b) Short subdivisions in rural areas within zones having a minimum lot area
21 requirement greater than 12,500 square feet but not larger than five acres.

22 (3) Average lot size shall be computed as follows within zones having a minimum lot
23 area requirement of 12,500 square feet or less:

24 (a) Add together all of the following areas where proposed:

25 (i) Area in lots;

26 (ii) Critical areas and their buffers that must be permanently protected under chapter
27 30.62A SCC;

28 (iii) Areas designated as open space or recreational uses;

29 (iv) Areas to be dedicated as right-of-way under chapter 30.66B SCC;

30 (v) Areas designated as private roads under SCC 30.91R.230; and

31 (vi) Surface detention/retention facilities meeting the standards of subsection (7) of this
32 section;

33 (b) Subtract the total lot area from lots that contain existing dwelling units proposed to
34 be retained within the development from the total of subsection (3)(a) of this section;

35 (c) Divide the lot area calculated in subsection (3)(b) of this section by the total number
36 of lots containing new dwelling units.

37 (4) Average lot size shall be computed as follows within zones having a minimum lot
38 area requirement greater than 12,500 square feet but not larger than five acres:

39 (a) Add together all of the following areas where proposed:

40 (i) Area in lots;

41 (ii) Critical areas and their buffers that must be permanently protected under chapter
42 30.62A SCC;

43 (iii) Areas designated as open space or recreational uses;

44 (iv) Areas to be dedicated as right-of-way under chapter 30.66B SCC;

45 (v) Areas designated as private roads under SCC 30.91R.230; and

- 1 (vi) Surface detention/retention facilities meeting the standards of subsection (7) of this
2 section;
- 3 (b) Subtract the total lot area from lots that contain existing dwelling units proposed to
4 be retained within the development from the total of subsection (4)(a) of this section;
- 5 (c) Divide the lot area calculated in subsection (4)(b) of this section by the total number
6 of lots containing new dwelling units.
- 7 (5) If the average lot size as computed under either subsection (3) or (4) of this section
8 equals or exceeds the minimum lot area requirement of the zone in which the property
9 is located, then the minimum lot area requirement will be satisfied for the purposes of lot
10 size averaging.
- 11 (6) In no case shall the provisions under SCC 30.23.230(3) apply to this section.
- 12 (7) Surface detention/retention facilities may count toward calculations for lot size
13 averaging only if the detention/retention facility:
- 14 (a) Is designed to not require security fencing under the EDDS standards; and
15 (b) The facility is either:
- 16 (i) Designed so as to appear as a natural wetland system; or
17 (ii) Provides active or passive recreational benefits in a natural landscaped setting.
- 18 (8) For subdivisions and short subdivisions within zones having a minimum lot area
19 requirement of 12,500 square feet or less, the following additional criteria apply:
- 20 (a) Each single lot shall be at least 3,000 square feet in area;
21 (b) Lots in subdivisions and short subdivisions created under the provisions of this
22 section shall have a maximum lot coverage of 55 percent;
23 (c) Lots with less than the prescribed minimum lot area requirement for the zone in
24 which they are located shall have:
- 25 (i) A minimum lot width of at least 40 feet; and
26 (ii) Setbacks of 15 feet from right-of-way and private roads, except that garages must
27 be set back 18 feet from right-of-way (with the exception of alleys) or private roads and
28 corner lots may reduce one right-of-way setback to no less than 10 feet; and
29 (d) Preliminary subdivisions approved using lot size averaging shall not be recorded by
30 divisions unless such divisions individually or together as cumulative, contiguous
31 parcels satisfy the requirements of this section.
- 32 (9) For short subdivisions in rural areas within zones having a minimum lot area
33 requirement greater than 12,500 square feet but not larger than five acres, the following
34 additional criteria apply:
- 35 (a) Each single lot shall be at least 12,500 square feet in area or the minimum area
36 necessary to comply with the ((Snohomish health district's)) county health department
37 rules and regulations for on-site sewage disposal and potable water supply, whichever
38 is greater;
- 39 (b) Lots in short subdivisions created under the provisions of this section shall have a
40 maximum lot coverage of 35 percent; and
41 (c) Lots with less than the prescribed minimum lot area requirement for the zone in
42 which they are located shall have:
- 43 (i) A minimum lot width of at least 75 feet; and
44 (ii) Setbacks of 50 feet from right-of-way and private roads, except that corner lots may
45 reduce one right-of-way or private road setback to no less than 20 feet.

1
2 Section 29. Snohomish County Code Section 30.23.220, last amended by
3 Amended Ordinance No. 08-087 on February 4, 2009, is amended to read:
4

5 **30.23.220 Minimum lot area for rural clusters in RUTAs.**
6

7 (1) A rural cluster subdivision or short subdivision in a RUTA will meet the minimum lot
8 area of the zone in which it is located if the average lot size of all lots is at least 7,200
9 square feet and each lot contains sufficient area to comply with the ((Snohomish Health
10 District's)) county health department rules and regulations for on-site sewage disposal.

11 (2) Lots with less than the prescribed minimum lot area for the zone in which they are
12 located shall conform to the minimum lot width, setbacks, and other bulk regulations of
13 this chapter for lots located in the R-7,200 zone.
14

15 Section 30. Snohomish County Code Section 30.23.230, added by Amended
16 Ordinance No. 02-064 on December 9, 2002, is amended to read:
17

18 **30.23.230 Lot area when land is taken for public use.**
19

20 (1) If a portion of a legally existing lot or parcel of land in any zone is acquired for public
21 use in any manner, including condemnation or purchase, the remainder of the lot or
22 parcel shall be considered having the required minimum lot area. However:

23 (a) The portion of the lot or parcel remaining after the acquisition for public use has an
24 area of at least one-half of that required for the minimum lot area in the zone in which
25 the lot or parcel is located except that, in a zone requiring a minimum lot area of one-
26 half acre or more, a minimum lot area of at least 6,000 square feet shall be required;
27 and

28 (b) After all applicable setback requirements are met, the remainder of the lot or parcel
29 contains a rectangular space at least 30 feet by 40 feet in size which is usable for a
30 main building.

31 (2) The setback requirements of this title shall not apply to existing legal structures
32 located on legally-created lots or parcels where the setbacks for such structures have
33 been reduced by governmental acquisition of a portion of the lots or parcels and such
34 acquisition complies with the standards promulgated for decent, safe, and sanitary
35 housing in Section 12, Right-of-Way Manual, Washington State Department of
36 Transportation. Any structural expansion of these existing structures which would
37 increase the degree of setback nonconformity is prohibited.

38 (3) Lots with less than sufficient square footage to meet minimum zoning requirements
39 may be created in approving a short subdivision, when all of the following apply:

40 (a) As a condition of short subdivision approval, land must be dedicated for county road
41 purposes pursuant to SCC 30.41B.200(4) and such dedication would cause the short
42 subdivision to lose one or more lots due to insufficient square footage to meet minimum
43 zoning requirements;

44 (b) No lot area may be reduced more than 10 percent below minimum zoning
45 requirements; and

RELATING TO A COUNTY HEALTH DEPARTMENT;
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AMENDING CERTAIN CHAPTERS OF 5, 6, 7, 9, 13 AND 30 SCC

1 (c) All lots shall meet minimum ((Snohomish Health District)) county health department
2 requirements.

3
4 Section 31. Snohomish County Code Section 30.23.235, last amended by
5 Amended Ordinance No. 21-018 on June 9, 2021, is amended to read:

6
7 **30.23.235 Development of substandard lots - General.**

8
9 Development on substandard lots, including single-family development under SCC
10 30.23.240, is permitted, provided that it shall comply with the following requirements:

- 11 (1) Development permitted on substandard lots regulated by this chapter shall be
12 subject to compliance with all other applicable provisions of this title.
13 (2) Where the combination of substandard lots is required or proposed for the
14 development of a single-family dwelling, or other building or structure, the lands
15 involved shall be combined and considered to be a single undivided parcel. No portion
16 of said parcel shall be used, altered or sold in any manner which diminishes compliance
17 with lot area and width requirements, nor shall any division be made which creates a lot
18 with a width or area below the requirements permitted by this title. A site plan depicting
19 the lot combination shall be recorded with the auditor prior to permit issuance.
20 (3) The development of new duplexes is prohibited.
21 (4) Except as provided in subsection (3) of this section and SCC 30.23.240,
22 substandard lots may be used for development permitted under this title and associated
23 incidental uses, provided that the development:
24 (a) Complies with the setback requirements of SCC 30.23.030;
25 (b) Complies with the ((Snohomish Health District)) county health department
26 standards; and
27 (c) Does not exceed the lot coverage requirement in SCC 30.23.030.

28
29 Section 32. Snohomish County Code Section 30.23.240, last amended by
30 Amended Ordinance No. 09-101 on September 30, 2009, is amended to read:

31
32 **30.23.240 Residential use of substandard lots.**

- 33
34 (1) Use of lots for residential development when such lots have substandard area for
35 their present zone is permitted for single-family dwellings and uses incidental to single-
36 family dwellings if the lot was legally created and satisfied the lot area and lot width
37 requirements applicable at the time of lot creation; but such lots may be used only in the
38 manner and upon the conditions set forth below:
39 (a) A person who owns a single substandard lot or two or more substandard lots which
40 were not contiguous and under single ownership on December 31, 1989, may use such
41 lot or lots, either individually or in combination, for building sites, one single-family
42 dwelling plus incidental uses thereto per building site if the building sites meet the
43 setbacks and lot coverage requirements and the ((Snohomish Health District's)) county
44 health department standards for the zone in which they are located;

1 (b) A person who owns two or more substandard lots which were contiguous and under
2 single ownership on December 31, 1989, may use such lots, either individually or in
3 combination, for up to two building sites, one single-family dwelling plus incidental uses
4 thereto per building site if the building sites meet the setbacks and lot coverage
5 requirements and the ((Snohomish Health District's)) county health department
6 standards for the zone in which they are located. Additional contiguous substandard lots
7 owned by the same person may be used for additional building sites, one dwelling per
8 building site if the additional building sites contain at least one acre (43,560 square feet)
9 or 50 percent of the lot area required for the zone in which such building sites are
10 located, whichever is less and if the building sites meet the setbacks and lot coverage
11 requirements and the ((Snohomish Health District's)) county health department
12 standards for the zone in which they are located; and

13 (c) Notwithstanding the provisions of SCC 30.23.240(1)(b), a person who owns two or
14 more substandard lots which were established on or after April 15, 1957, and which
15 were contiguous and under single ownership on December 31, 1989, may use such
16 lots, either individually or in combination, for building sites, one single-family dwelling
17 plus incidental uses thereto per building site if the building sites meet the setbacks and
18 lot coverage requirements and the ((Snohomish Health District's)) county health
19 department standards for the zone in which they are located.

20 (2) Single-family dwellings and incidental uses established pursuant to SCC
21 30.23.240(1) are permitted uses and are not nonconforming uses.

22 (3) Existing single-family dwellings on substandard lots that are nonconforming only
23 because they do not meet the criteria of SCC 30.23.240(1) may improve or add to the
24 single-family dwelling and may improve, add to or add incidental uses to the single-
25 family dwelling; provided, that any improvements or additions meet the setbacks and lot
26 coverage requirements and the ((Snohomish Health District's)) county health
27 department standards for the zone in which they are located.

28 (4) Existing single-family dwellings on substandard lots that are nonconforming
29 because they do not meet the setbacks, lot coverage requirements, or ((Snohomish
30 Health District's)) county health department standards for the zone in which they are
31 located may improve or add to the single-family dwelling and may improve, add to or
32 add incidental uses to the single-family dwelling provided that any improvements or
33 additions do not increase the existing nonconformity or create a new nonconformity with
34 setbacks, lot coverage requirements, or ((Snohomish Health District's)) county health
35 department standards.

36
37 Section 33. Snohomish County Code Section 30.28.020, last amended by
38 Ordinance No. 21-018 on June 9, 2021, is amended to read:

39
40 (1) Where bed and breakfast inns and bed and breakfast guesthouses are allowed in
41 the same zone, only one or the other of these facilities may be located on a subject
42 property at the same time. An approved bed and breakfast guesthouse may be
43 expanded to a bed and breakfast inn if the applicable permit for an inn is obtained and
44 the original permit for the guesthouse, if necessary, is vacated.

- 1 (2) The following requirements apply to an administrative conditional use permit
2 application or a building permit application for a bed and breakfast inn or a bed and
3 breakfast guesthouse:
- 4 (a) Site plan requirements. The site plan shall indicate the location of the off-street
5 parking, proposed screening, the location and size of the bed and breakfast inn, and
6 any proposed new construction to the premises, including additions, remodeling, and
7 outbuildings; and
 - 8 (b) Architectural requirements. For new construction only, the following shall apply:
 - 9 (i) The applicant shall submit proposed architectural drawings and renderings of the
10 proposed structure, including exterior elevations, which shall project a residential, rather
11 than a commercial appearance. This architectural documentation shall be in sufficient
12 detail to demonstrate discernible compatibility between the new construction and the
13 existing on-site development and structures; provided further that the applicant also
14 shall document a design which, in scale, bulk, siding, and use of materials, is in keeping
15 with existing buildings on adjacent properties and compatible with the surrounding
16 character and neighborhood in which the guesthouse or inn is located; and
 - 17 (ii) If an outbuilding or outbuildings are proposed, a land disturbing activity plan,
18 showing the extent of clearing activity, is required. Site design shall be sensitive to the
19 natural features of the site. The use of manufactured and mobile homes is prohibited;
 - 20 (c) Screening. The owner/operator shall provide screening with shrubs, trees, fencing,
21 and other suitable materials as necessary to minimize the impacts upon the residential
22 character of the surrounding neighborhood; and
 - 23 (d) Floor plan. The floor plan shall indicate bathrooms to be used by guests and the
24 location and number of guest rooms.
- 25 (3) Minimum performance standards.
- 26 (a) Parking requirements shall be in accordance with SCC Table 30.26.030(1). No on-
27 street parking shall be allowed;
 - 28 (b) Meal service shall be limited to overnight guests of the establishment. Kitchens shall
29 not be allowed in individual guest rooms;
 - 30 (c) The owner shall operate the facility and reside on the premises;
 - 31 (d) One sign for business identification and advertising shall be permitted in conjunction
32 with the bed and breakfast establishment in accordance with SCC 30.27.060(4);
 - 33 (e) The bed and breakfast establishment shall be conducted in such a manner as to
34 give no outward appearance nor manifest any characteristics of a business, except as
35 to the sign as allowed above, that would be incompatible with the ability of the
36 neighboring residents to enjoy peaceful occupancy of their properties;
 - 37 (f) There is no limit on the number of days a guest may stay at the establishment;
 - 38 (g) The applicant shall submit a letter from the applicable water purveyor and sewer
39 district, if applicable, stating that each of them has the respective capacity to serve the
40 bed and breakfast establishment;
 - 41 (h) The applicant shall comply with all applicable county codes for fire, health, and
42 building requirements and any applicable food service regulations and on-site sewage
43 disposal requirements of the ((~~Snohomish Health District~~)) county health department.
44 The applicant shall comply with the applicable state regulations pertaining to public

- 1 water systems, if a water system is to be developed or connected to an existing public
2 water system;
- 3 (i) If three or more guest rooms are proposed, the applicant shall also meet state
4 regulations pertaining to transient accommodation;
- 5 (j) If six guest rooms are proposed, the applicant shall meet all requirements for a hotel
6 occupancy pursuant to the building code in chapter 30.52A SCC;
- 7 (k) If outbuilding(s) are proposed for guest rooms, each outbuilding shall be a minimum
8 of 130 square feet. The aggregate outbuilding square footage for guest use shall not
9 exceed 850 square feet; and
- 10 (l) If an accessory dwelling unit or temporary dwelling exists on the premises, the
11 maximum number of bed and breakfast guest rooms shall be one less than otherwise
12 permitted.
- 13 (4) A certificate of occupancy, to ensure compliance with applicable codes, shall be
14 obtained from the department prior to allowing guests at the establishment. The
15 certificate of occupancy shall be subject to an annual inspection and renewal pursuant
16 to SCC 30.53A.361.
- 17 (5) In the Forestry (F) zone, bed and breakfast establishments shall not be permitted if
18 the comprehensive plan designates the property as "Commercial Forest." In the F zone,
19 up to three outbuildings for guest use may be permitted, provided that the aggregate
20 outbuilding square footage does not exceed 850 square feet.

21
22 Section 34. Snohomish County Code Section 30.28.025, added by Amended
23 Ordinance No. 05-040 on July 6, 2005 is amended to read:

24
25 **30.28.025 Community Facilities for Juveniles performance standards.**

26
27 All community facilities for juveniles are subject to the following performance standards.
28 Community facilities for juveniles may be located in zones as set forth in 30.22.100,
29 30.22.110, and 30.22.120 SCC and the following:

- 30 (1) The applicant for a facility shall demonstrate compliance with the siting process set
31 forth in RCW 72.05.400. The applicant shall include the following elements within this
32 public process:
- 33 (a) Notification to the County no later than ten days prior to any public meeting;
- 34 (b) Notice published in the newspapers of general circulation;
- 35 (c) Notice mailed to addresses within 500 feet of the subject site;
- 36 (d) A site plan for the public showing how the facilities meet the performance standards
37 set forth in 30.28.025.
- 38 (e) A facility program description; and
- 39 (f) A security plan that includes the elements listed in 30.28.025(2)(a)(i-iii) SCC.
- 40 (g) When the applicant does not combine the public participation process requirement
41 of RCW 72.05.400 with the special use permit process, the applicant shall submit as
42 part of the permit and/or approval documentation, a written summary of the comments
43 received from the public and the applicants or agency's response to the comments.
- 44 (2) The applicant shall provide the following facility information:
- 45 (a) A security plan that includes:

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- 1 (i) Plans to monitor and control the activities of residents, including methods to verify
2 the presence of residents at jobs or training programs, policies for resident trips away
3 from the facility, and policies on penalties and placement back in the institution system.
4 (ii) Qualified staff numbers, level of responsibilities, and scheduling.
5 (iii) Visitation policy.
6 (iv) The contact name and phone number of the facilities manager. The applicant shall
7 notify the County within 10 days of any change to the contact name and/or phone
8 number.
9 (b) A statement that prior to accepting any youth into the facility, that the facility will
10 provide verification from DSHS that it meets DSHS standards and the requirements of
11 state law.
12 (3) The applicant shall demonstrate that the site size and building size is adequate for
13 housing the requested number of residents. A copy of the American Corrections
14 Association (ACA) Residential Standards shall be submitted to demonstrate compliance
15 with this criterion.
16 (4) The applicant shall demonstrate on a site plan compliance with SCC 30.26.030(1)
17 parking standards and SCC 30.25.026 parking lot landscaping.
18 (5) The applicant shall demonstrate on a site plans and in writing how impacts on traffic
19 and parking are mitigated by increasing on-site parking or loading spaces to reduce
20 overflow vehicles or changing the access to and location of off-street parking.
21 (6) A narrative describing how any activities producing steam, heat, noise, or glare shall
22 be carried on in such a manner that the steam, heat, noise, or glare shall not create a
23 nuisance beyond the boundary lines of the property within which the use is located.
24 Building materials with high light reflective qualities shall not be used in construction of
25 buildings where reflected sunlight would throw intense glare on adjacent areas. Artificial
26 lighting shall use full cut-off fixtures so that direct light from high intensity lamps will not
27 result in glare. Lighting shall be directed away from adjoining properties so that not
28 more than 1-foot candles of illumination leaves the property boundaries.
29 (7) A facility shall meet all ~~((Health District))~~ county health department requirements.
30 (8) Any proposed new building or proposed exterior modifications to an existing
31 building shall be consistent with the existing or intended character, appearance, quality
32 of development, and physical characteristics of the site and surrounding property
33 pursuant to the guidelines established in the Residential Development Handbook for
34 Snohomish County Communities.
35 (9) A change of use from an existing residential facility to a community facility for
36 juveniles shall meet all requirements of the adopted construction codes. Any proposed
37 facility locating within an existing building shall be required to apply for a change of
38 occupancy approval in accordance with the adopted construction codes pursuant to
39 chapter 30.52A SCC.
40 (10) Community facilities for juveniles are subject to environmental review unless
41 otherwise exempt as set forth in chapter 30.61 SCC.

42
43 Section 35. Snohomish County Code Section 30.28.085, last amended by
44 Ordinance No. 02-064 on December 9, 2002, is amended to read:
45

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1 **30.28.085 Sludge utilization.**
2

- 3 (1) Minimum total project area including setbacks is 20 acres; provided that sludge
4 utilization at a completed sanitary landfill or on a completed cell within a sanitary landfill
5 shall not be subject to this requirement.
6 (2) Access to the site shall be controlled in an acceptable manner using measures such
7 as fences, gates, posting, etc.
8 (3) For the following applications, minimum setbacks between the utilization area and
9 the property boundary shall be observed (unless a lesser setback is agreed to by the
10 adjoining property owner(s) outside of the project boundaries):
11 (a) Spray application: 500 feet;
12 (b) Surface application: 300 feet; and
13 (c) Sub-surface injection: 200 feet.
14 (4) Minimum setbacks from year-round surface waters shall be 200 feet, or greater if
15 deemed necessary to protect water quality.
16 (5) A joint site inspection shall be arranged by representatives of the ((~~Snohomish~~
17 ~~Health District~~)) county health department and the department at the time of initial
18 application. The applicant shall provide said agencies with at least 10 days advance
19 notice of such initial application.
20 (6) The applicant shall submit for approval by the hearing examiner a monitoring
21 schedule suitable to the ((~~Snohomish Health District~~)) county health department.
22

23 Section 36. Snohomish County Code Section 30.28.090, last amended by
24 Amended Ordinance No. 16-013 on March 8, 2017, is amended to read:
25

26 **30.28.090 Woodwaste recycling and storage facilities, administrative**
27 **conditional use permits.**
28

29 An administrative conditional use permit is required within the zones indicated in SCC
30 30.22.100 and 30.22.110. The following minimum requirements will apply to such
31 facilities:

- 32 (1) An application for an administrative conditional use permit to allow a woodwaste
33 recycling and/or woodwaste storage facility shall include the following:
34 (a) A site development plan showing all woodwaste storage areas (active and reserve
35 areas), recycled material storage areas, equipment, parking areas, access drives/fire
36 lanes, extent of vegetation clearing, buffer widths, on-site sewage disposal areas (if
37 proposed), proposed site structures, existing site structures that are to remain or be
38 removed, natural drainage courses and probable alterations which will be necessary to
39 handle the expected drainage from the site; and
40 (b) Operational information which demonstrates that:
41 (i) Adequate fire prevention and protection measures have been incorporated into the
42 proposal. Approval of said measures shall be obtained from the county fire marshal
43 prior to approval of the administrative conditional use permit;
44 (ii) Adequate provisions have been incorporated into the proposal which will ensure that
45 the type of woodwaste brought to the site consists only of materials authorized by this

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1 title and does not contain wood pieces or particles containing chemical preservatives
2 such as creosote, pentachlorophenol, copper-chrome-arsenate, paints or stains; the
3 operator shall be responsible for ensuring that such material does not enter the site; and
4 (iii) The woodwaste material is being stored in conformance with ((Snohomish Health
5 District)) county health department regulations.

6 (2) An administrative conditional use permit shall be subject to the following minimum
7 performance standards:

8 (a) All woodwaste shall be stored at or above ground level. Natural or artificially created
9 depressions in the earth shall not be used;

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

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

18 (d) Screening pursuant to SCC 30.25.024 is required around the perimeter of all
19 storage, recycling, processing, parking and other outside activity areas;

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

23 (f) The combined total storage area for woodwaste and recycled materials shall not
24 exceed two acres;

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

28 (h) Outside storage, recycling and processing activity areas, parking areas and other
29 outside activity areas shall be set back at least 20 feet from adjacent properties;
30 provided that where such activities are adjacent to properties containing an existing
31 residential use, properties where the existing zoning is categorized as residential,
32 multiple family or rural, the minimum setback shall be 100 feet.

33
34 Section 37. Snohomish County Code Section 30.28.095, last amended by
35 Amended Ordinance No. 16-013 on March 8, 2017, is amended to read:

36
37 **30.28.095 Woodwaste recycling and storage facilities, conditional use permits.**

38
39 A conditional use permit is required for woodwaste recycling and storage facilities
40 located within the zones indicated in SCC 30.22.100 and 30.22.110. The following
41 minimum requirements apply to such facilities:

42 (1) Siting criteria. Woodwaste recycling and woodwaste storage shall be located in
43 compliance with the following:

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

- 1 (b) Outside storage, recycling and processing activity areas, parking areas and other
2 outside activity areas shall be located at least 100 feet from adjacent properties used,
3 zoned, or designated for residential purposes;
- 4 (2) Submittal requirements to accompany a conditional use application. An application
5 for a conditional use permit to allow a woodwaste recycling or woodwaste storage
6 facility shall include the following submittals:
- 7 (a) A site development plan showing all woodwaste storage areas (active and reserve
8 areas), recycled material storage areas, proposed structures, equipment, parking areas,
9 access drives/fire lanes, delineation of existing vegetation, extent of clearing, buffer
10 widths, on-site sewage disposal areas (if proposed), and existing site structures/facilities
11 that are to remain or be removed;
- 12 (b) A water quality control and monitoring plan. The applicant shall prepare a water
13 quality control plan which demonstrates adequate protections for surface and
14 groundwater quality consistent with the applicable requirements of the ((~~Snohomish~~
15 ~~Health District~~)) county health department;
- 16 (c) An operational plan which contains the following elements:
- 17 (i) A fire prevention and protection plan which contains adequate provisions for the
18 prevention of on-site fires and includes specific measures to prevent the spread of fires
19 and protect adjacent properties. Approval of said operational plan shall be obtained
20 from the county fire marshal prior to conditional use approval;
- 21 (ii) A materials inspection plan which will ensure control over the type of woodwaste
22 entering the site. This plan shall include provisions for the visual inspection of all
23 materials brought to the site during placement in the designated storage area and
24 procedures for the immediate removal of waste material other than woodwaste and
25 demolition or construction debris as defined by this title. The operator shall be
26 responsible for ensuring that such material does not enter the site;
- 27 (iii) For woodwaste recycling, a requirement for use of specific equipment (crushers,
28 chippers, etc.) capable of woodwaste processing at a rate in conformance with
29 ((~~Snohomish Health District~~)) county health department regulations; and
- 30 (iv) A landscaping and screening plan which demonstrates maximum retention of
31 natural vegetation around the perimeter of the site and augmentation with planted
32 landscaping materials as necessary to assure site screening capability; and
- 33 (d) The applicant shall be required to post a performance security for site reclamation
34 and other security devices as determined by the hearing examiner, including, but not
35 limited to security devices for facility maintenance, water quality control and monitoring
36 equipment, and recovery of fire extinguishment costs;
- 37 (3) Minimum Performance Standards. A conditional use permit shall be subject to the
38 following minimum performance standards:
- 39 (a) All woodwaste shall be stored at or above ground level. Natural or artificially created
40 depressions in the earth shall not be used;
- 41 (b) The applicant shall demonstrate that an adequate water supply is available at the
42 site to sustain necessary fire flow pressure for purposes of fire protection as determined
43 by the applicable local fire district in consultation with the county fire marshal;
- 44 (c) The proposed operation shall be carried out so as to avoid the emission of smoke,
45 dust, fumes, odors, heat, glare, vibration, noise, traffic, surface water drainage, sewage,

1 water pollution, or other emissions which are unduly or unreasonably offensive or
2 injurious to properties, residents, or improvements in the vicinity;
3 (d) The applicant shall provide an on-site leachate collection/treatment system
4 designed, constructed, and operated in a manner that disposes of the leachate when
5 one or more of the following circumstances exist:
6 (i) The hydrogeologic report prepared in accordance with subsection (2)(b) of this
7 section recommends a leachate collection/treatment system due to site characteristics
8 of topography, underlying geology and hydrology; or
9 (ii) A treatment/collection system is recommended by ((Snohomish Health District))
10 county health department regulations, if applicable.
11 (e) Thirty-foot wide, Type A landscaping is required around the perimeter of the
12 proposed site. All outside activity areas and buildings used in recycling or processing
13 shall be screened from view from the surrounding roadways. Where feasible, natural
14 vegetation shall be used for screening purposes. If the natural buffer is inadequate to
15 provide sight screening, additional landscaping will be required,
16 (f) Woodwaste and recycled materials shall be placed in piles, and piles must be stored
17 and recycled in compliance with ((Snohomish Health District)) county health department
18 regulations, if applicable;
19 (g) Woodwaste and recycled material in a pile shall be stored in piles no more than 40
20 feet high and not more than one-half acre in size. Piles shall be separated by a fire lane
21 with a minimum width of 40 feet; and
22 (h) For purposes of fire prevention, no more than 40 percent of the designated storage
23 area shall be devoted to active storage at any one time. At least 60 percent of the
24 designated storage area shall be cleared and identified as a reserve storage area at all
25 times.

26
27 Section 38. Snohomish County Code Section 30.29.010, added by Amended
28 Ordinance No. 02-064 on December 9, 2002, is amended to read:

29
30 **30.29.010 Purpose**

31
32 The purpose of this chapter is to protect the public health by providing rules establishing
33 when connection to public sewers, within or outside urban growth areas (UGAs), is
34 required or prohibited as a condition of development. Nothing in this chapter shall be
35 construed to permit violation of regulations for on-site sewage disposal systems
36 promulgated by the State Department of Health or the ((Snohomish Health District))
37 county health department.

38
39 Section 39. Snohomish County Code Section 30.29.100, added by Amended
40 Ordinance No. 02-064 on December 9, 2002, is amended to read:

41
42 **30.29.100 New structures and land divisions within UGA - public sewer**
43 **connection required - exceptions.**
44

- 1 (1) Inside a UGA, connection to a public sewer is required as a condition of building
2 permit issuance for any new structure or the substantial modification of an existing
3 structure, or as a condition of approval of any new land division, including but not limited
4 to subdivision, short subdivision, binding site plan, boundary line adjustment, and record
5 of survey, unless one of the following exceptions applies:
- 6 (a) The new structure is an alteration, expansion, or replacement of an existing
7 structure already utilizing an on-site sewage disposal system that has been tested and
8 is certified to be functioning properly and the proposal does not require installation of a
9 larger capacity on-site sewage disposal system;
 - 10 (b) The new structure, consistent with the requirements of subtitle 30.5 SCC,
11 construction codes, lawfully incorporates no sewerage effluent facility;
 - 12 (c) The new structure is within an unsewered urban enclave;
 - 13 (d) The new structure is a public facility and the sewer purveyor with jurisdiction, or that
14 purveyor most likely to serve the area, certifies that the proposed facility is located in an
15 area in which public sewer connection will not be available according to the
16 requirements established in paragraph (g) (iii) of this section,
 - 17 (e) The new structure is for single family residential use on a lot lawfully existing as of
18 July 10, 1995;
 - 19 (f) The land division application proposes creation of new lots from a lot lawfully
20 existing as of July 10, 1995, where:
 - 21 (i) the land division is within an unsewered urban enclave; and
 - 22 (ii) the proposed new lots are no larger than the minimum lot size necessary, as
23 determined by the director of the department, to accommodate an on-site sewage
24 treatment system with the reserve area required by the ~~((Snohomish Health District))~~
25 county health department; or
 - 26 (g) The land division application proposes creation of no more than two lots from a lot
27 lawfully existing as of July 10, 1995, and in addition meets each of the following
28 conditions:
 - 29 (i) the land division is planned and designed to be provided with a full range of urban
30 level services consistent with the development regulations adopted by the adjacent
31 jurisdiction likely to be the purveyor of future urban services;
 - 32 (ii) the design for the land division includes specific provisions for future
33 accommodation of public sewers in a manner which will allow for future development at
34 appropriate urban densities. The sewer purveyor with jurisdiction, or that purveyor most
35 likely to serve the area, at its discretion, may require dry sewers and side sewer stub
36 outs;
 - 37 (iii) the sewer purveyor with jurisdiction, or that purveyor most likely to serve the area,
38 certifies that either: the proposed land division is located in an area in which public
39 sewer connection will not be available within the next six years, according to the
40 purveyor's capital facilities plan; or that extension of public sewers to the proposed land
41 division is not technically feasible within the next six years, as documented through
42 standard civil engineering methods consistent with Criteria for Sewage Works Design,
43 published by the Washington State Department of Ecology;
 - 44 (iv) the land division is configured in a manner which, in the judgment of the director of
45 the department, provides reasonable assurance that subsequent redevelopment will be

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1 at minimum or greater than minimum urban densities as defined in SCC 30.23.020(2)
2 when public sewer becomes available. A site plan for subsequent redevelopment is not
3 required, and application under this section shall not vest or bind the property owner to
4 a specific redevelopment plan. Future redevelopment shall be consistent with the plans
5 and ordinances in effect at the time of application;

6 (v) one of the proposed new lots is no larger than the minimum lot size necessary to
7 accommodate an on-site sewage treatment system with the reserve area required by
8 the ~~((Snohomish Health District))~~ county health department; and

9 (vi) the director includes as a condition of subdivision or short subdivision approval a
10 prohibition of further subdivision or short subdivision of the property until public sewer
11 becomes available.

12 (2) Approval of any building permit or land division application utilizing one of the
13 exceptions in SCC 30.29.100(1) above is contingent upon submittal of a legally binding
14 agreement with the sewer purveyor with jurisdiction, or that purveyor most likely to
15 serve the area, which must be recorded with the property records of the county and in a
16 form acceptable to the director, in which the property owner and successors in interest
17 agree to: annexation of the property by the future sewer purveyor, prompt connection
18 with sanitary sewers when they become available, and participation without protest in
19 any sewer Local Improvement District (LID) or Utility Local Improvement District (ULID),
20 including agreement to pay any connection fees and monthly charges assessed by the
21 sewer purveyor, LID, or ULID. Nothing in this section shall be construed to limit the
22 ability of the applicant or any successor in interest to challenge the amount of any
23 assessment.

24 (3) Approval of any building permit or land division approval utilizing the exceptions in
25 SCC 30.29.100(1)(f) or (g) above is contingent upon submittal of a legally binding
26 agreement with the city most likely to annex the property which must be recorded with
27 the property records of the county and in a form acceptable to the director, in which the
28 property owner and all successors in interest agree to annexation of the property to the
29 city when proposed.

30 (4) This section shall not apply if the ~~((Snohomish Health District))~~ county health
31 department or a state agency requires public sewer connection.

32
33 Section 40. Snohomish County Code Section 30.29.110, last amended by
34 Amended Ordinance No. 11-050 on September 28, 2011, is amended to read:

35
36 **30.29.110 Public sewer connection prohibited outside UGA - exceptions.**

37
38 Outside of a UGA, connection to public sewer is prohibited except when required by the
39 ~~((Snohomish Health District))~~ county health department or a state agency.

40
41 Section 41. Snohomish County Code Section 30.29.120, last amended by
42 Resolution No. 04-023 on September 1, 2004, is amended to read:

43
44 **30.29.120 Public sewer construction prohibited outside UGA - exceptions.**

1 Construction of public sewer outside of a UGA is prohibited except as follows:
2 (1) When required by the ((Snohomish Health District)) county health department;
3 (2) In accordance with an adopted a public sewer comprehensive plan which has been
4 reviewed and approved by the county council; or
5 (3) When system improvements designed solely to serve urban development within the
6 UGA must be located outside of a UGA due to engineering design requirements or
7 limitations on site availability.

8
9 Section 42. Snohomish County Code Section 30.31F.140, added by Amended
10 Ordinance No. 02-064 on December 9, 2002, is amended to read:

11
12 **30.31F.140 Clearview rural commercial zone performance standards.**

13
14 In addition to the general performance standards of SCC 30.31F.100 and other
15 applicable standards of subtitle 30.2 SCC, the following standards apply to development
16 located within the CRC zone not subject to an approved binding site plan or official site
17 plan:

- 18 (1) The total impervious surface on site shall be limited by the requirements of the
19 ((Health District)) county health department related to septic drain field development;
20 and
21 (2) Access shall be taken from secondary side roads whenever possible.

22
23 Section 43. Snohomish County Code Section 30.41A.040, last amended by
24 Ordinance No. 20-019 on June 24, 2020, is amended to read:

25
26 **30.41A.040 Procedure, special notice, and timing requirements.**

- 27
28 (1) The hearing examiner may approve, approve with modifications, or deny
29 subdivisions under the criteria set forth in this chapter.
30 (2) A preliminary subdivision application may be denied without prejudice by the
31 hearing examiner under SCC 30.72.060. If denied without prejudice, the application
32 may be reactivated under the original project number and without additional filing fees if
33 a revised application is submitted within six months of the date of the hearing
34 examiner's decision. In all other cases a new application shall be required.
35 (3) In addition to the notice required by chapter 30.70 SCC, the department shall
36 distribute copies of the preliminary subdivision application to each of the following and
37 shall allow 21 days from the date of published notice for the agencies to submit
38 comments on the proposal:
39 (a) ((Snohomish Health District)) County health department;
40 (b) Department of public works;
41 (c) Washington State Department of Transportation;
42 (d) Any city or town whose municipal boundaries are within one mile of the proposed
43 subdivision or whose urban growth area includes the subject site, or whose public
44 utilities would be used by the proposed subdivision; and
45 (e) Any other federal, state, or local agencies as may be relevant.

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1
2 Section 44. Snohomish County Code Section 30.41A.120, added by Amended
3 Ordinance No. 02-064 on December 9, 2002, is amended to read:

4
5 **30.41A.120 Decision criteria - health ((district)) department.**
6

7 Except as limited by the requirements of SCC 30.23.020 or chapter 30.29 SCC,
8 ((Snohomish Health District)) the county health department may require as a condition
9 of preliminary subdivision approval lot sizes larger than the minimum permitted by the
10 zoning code in those instances where topography, soils, water table, or other conditions
11 make larger lot sizes necessary in order to prevent possible health hazards due to water
12 contamination or sewage disposal system malfunction.
13

14 Section 45. Snohomish County Code Section 30.41A.640, last amended by
15 Ordinance No. 22-020 on June 1, 2022, is amended to read:

16
17 **30.41A.640 Final subdivision submittal and approval procedure.**
18

- 19 (1) The department shall examine the final subdivision application for adequacy of any
20 required road improvements and right-of-way dedications, the mathematical closure of
21 all lots and boundaries, and any other conditions required for compliance with the
22 provisions of county code and conditions of preliminary approval. The applicant shall
23 provide computation records for the lots and boundaries. The department may require
24 additional information from an applicant where necessary to review the final subdivision
25 application.
26 (2) The department shall coordinate the final subdivision review process among the
27 appropriate county departments and other agencies.
28 (3) The final subdivision shall be approved or disapproved by the department. The
29 department shall base its decision on the following:
30 (a) The recommendations of the ((Snohomish Health District)) county health
31 department and any purveyors with jurisdiction as to the adequacy of the sewage
32 disposal and potable water supply;
33 (b) The recommendation of the provider with jurisdiction as to the adequacy of
34 electrical availability;
35 (c) The recommendation of the department of public works;
36 (d) The recommendation of the fire marshal;
37 (e) The recommendations of other relevant federal, state, and local agencies;
38 (f) The requirements of state law, the county code, and all other applicable codes;
39 (g) The submittal of a certificate of title prepared by a title insurance company no more
40 than 30 days prior to submittal of the final subdivision which must show the names of all
41 persons, firms, or corporations whose consent is necessary to dedicate land for public
42 usage, as well as any easements or other encumbrances to the land proposed for
43 subdivision;
44 (h) Any evidence of ownership interests not shown on title; and
45 (i) Compliance with all conditions imposed in the granting of the preliminary subdivision.

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1 (4) Upon finding that the final subdivision has been completed in accordance with the
2 county code, that the plat is in proper form for recording as established by the submittal
3 requirements, that all required improvements have been completed or the arrangements
4 or contracts have been entered into to guarantee that such required improvements will
5 be completed, that all conditions of the preliminary subdivision approval and
6 requirements of state law and county code have been met, and that the interests of the
7 county are fully protected, the department shall obtain the necessary signatures on the
8 final plat and the director shall sign the final plat, accepting such dedications and
9 easements as may be included thereon, for final approval.

10
11 Section 46. Snohomish County Code Section 30.41B.030, last amended by
12 Ordinance No. 20-019 on June 24, 2020, is amended to read:

13
14 **30.41B.030 Procedure and special notice requirements.**

15
16 (1) The decision maker may approve, approve with conditions, deny, or deny without
17 prejudice a proposed short subdivision application.

18 (2) A preliminary short subdivision application which has been denied without prejudice
19 may be reactivated under the original project file number and without additional filing
20 fees if a revised application is submitted within six months of the date of the denial
21 without prejudice.

22 (3) The department shall distribute copies of the preliminary short subdivision
23 application to each reviewing section within the department and to each of the following
24 and shall allow 21 days from the dated published notice for the agencies to submit
25 comments on the proposal:

26 (a) ~~((Snohomish Health District))~~ County health department;

27 (b) Department of public works,

28 (c) Washington State Department of Transportation;

29 (d) Any city or town whose municipal boundaries are within one mile of the proposed
30 short subdivision or whose urban growth area includes the subject site or whose public
31 utilities would be used by the proposed short subdivision; and

32 (e) Any other federal, state, or local agencies as may be relevant.

33 (4) Public notice of application shall be provided as set forth in SCC 30.70.050.

34
35 Section 47. Snohomish County Code Section 30.41B.610, added by Amended
36 Ordinance No. 02-064 on December 9, 2002, is amended to read:

37
38 **30.41B.610 Approval procedure for final short subdivision.**

39
40 (1) The department shall examine the final short subdivision for adequacy of any
41 required road improvements and right-of-way dedications, the mathematical closure of
42 all lots and boundaries and any other conditions required for compliance with the
43 provisions of this code and the conditions of preliminary approval. The department may
44 require additional information from an applicant where necessary to review the final
45 short subdivision application.

- 1 (2) The final short subdivision shall be approved or disapproved by the department
2 within 30 days from the date of submittal unless the applicant consents in writing to an
3 extension. The department shall base its decision on the following:
4 (a) The recommendations of the ((Snohomish Health District)) county health
5 department and/or purveyors with jurisdiction as to the adequacy of the sewage
6 disposal and potable water supply;
7 (b) The recommendation of the department of public works;
8 (c) The recommendations of other relevant federal, state, and local agencies;
9 (d) The requirements of state law, the county code, and all other applicable codes;
10 (e) The submittal of a current short subdivision certificate prepared by a title insurance
11 company which must confirm that the ownership interest in the land to be divided is in
12 the name(s) of the person(s) whose signature(s) appear(s) on the short plat;
13 (f) Any evidence of ownership interests not shown of record; and
14 (g) Compliance with all conditions imposed in the granting of the preliminary short
15 subdivision.
16 (3) The department shall approve the final short subdivision only upon finding that all
17 required improvements have been completed or arrangements or contracts have been
18 entered into to guarantee that such required improvements will be completed, and that
19 all conditions of preliminary approval have been met and when the short plat is in proper
20 form for recording as established by the submittal requirements.
21 (4) When all parties known to the county to have an ownership interest in the real
22 property have signed the final short plat and the requirements of SCC 30.41B.610(3)
23 have been satisfied, the department shall grant its approval by signing the final short
24 plat.

25
26 Section 48. Snohomish County Code Section 30.41C.070, last amended by
27 Amended Ordinance No. 17-070 on November 1, 2017, is amended to read:

28
29 **30.41C.070 Site design and development standards - general.**

30
31 The following standards shall apply to all rural cluster subdivisions and short
32 subdivisions:

- 33 (1) Site design shall be subject to the following standards for clustering and protection
34 of natural resource lands and critical areas:
35 (a) A subdivision may contain more than one cluster of housing lots;
36 (b) The minimum number of residential lots in a cluster shall be two, except a
37 residential lot may stand alone when an existing residence is maintained;
38 (c) The maximum number of residential lots in a cluster shall be 13;
39 (d) In addition to the minimum front yard setback defined in Table SCC 30.41C.130, the
40 building areas on the plat shall represent residential dwellings and accessory buildings
41 located at varying front yard setback distances to provide a visually diversified
42 streetscape. The minimum variation between setbacks for buildings on adjacent lots
43 shall be 10 feet;

- 1 (e) Individual clusters shall be located a minimum of 100 feet from adjacent natural
2 resource lands designated in accordance with chapters 30.32A, 30.32B and 30.32C
3 SCC;
4 (f) Designate and protect critical areas and their buffers pursuant to chapter 30.62A
5 SCC; and
6 (g) Use low impact development best management practices as directed by chapter
7 30.63A SCC and the Drainage Manual.
8 (2) Tree retention is encouraged on building sites with the approved fire mitigation
9 review in accordance with SCC 30.53A.514.
10 (3) Services and optional development features shall conform to the following
11 standards:
12 (a) Electric, telephone, and other utility lines and support infrastructure shall be located
13 underground;
14 (b) Rural cluster subdivisions or short subdivisions are prohibited from connecting to
15 public sanitary sewers, except when required by the ((Snohomish County Health
16 District)) county health department or a state agency to protect public health;
17 (c) When a proposal includes street lights, lighting should be low intensity and shall be
18 projected downward, with full cut-off illumination that shields light from being emitted
19 upwards toward the night sky or surrounding natural areas;
20 (d) Entrance signs shall incorporate materials typical of the rural character of the area
21 and shall comply with all applicable provisions of SCC 30.27.060; and
22 (e) Rural cluster subdivisions shall draw water supply from a public water utility when
23 one is available within one-quarter mile of the project site as measured along the
24 existing right-of-way and the water utility is willing and able to provide service to the
25 subdivision at the time of preliminary subdivision approval.

26
27 Section 49. Snohomish County Code Section 30.41E.100, last amended by
28 Amended Ordinance No. 12-049 on October 3, 2012, is amended to read:

29
30 **30.41E.100 Decision criteria.**

31
32 In reviewing a proposed boundary line adjustment, the department or hearing examiner
33 shall use the following criteria for approval:

- 34 (1) The proposed BLA is consistent with applicable development restrictions and the
35 requirements of this title, including but not limited to the general development standards
36 of subtitle 30.2 SCC and any conditions deriving from prior subdivision or short
37 subdivision actions;
38 (2) The proposed BLA will not cause boundary lines to cross a UGA boundary, cross
39 on-site sewage disposal systems, prevent adequate access to water supplies, or
40 obstruct fire lanes;
41 (3) The proposed BLA will not detrimentally affect access, access design, or other
42 public safety and welfare concerns. The evaluation of detrimental effects may include
43 review by the ((Health District)) county health department, the department of public
44 works, or any other agency or department with expertise;

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- 1 (4) The proposed BLA will not create new access which is unsafe or detrimental to the
2 existing road system because of sight distance, grade, road geometry, or other safety
3 concerns, as determined by the department of public works. The BLA shall comply with
4 the access provision set forth in SCC 30.24.060 and 30.41E.200;
- 5 (5) When a BLA application is submitted concurrently with a type 2 application pursuant
6 to SCC 30.41E.020(1)(b), and frontage improvements are required for the area subject
7 to the BLA and the concurrent application, the improvements must be agreed to prior to
8 approval of the BLA;
- 9 (6) If within an approved subdivision or short subdivision, the proposed BLA will not
10 violate conditions of approval of that subdivision or short subdivision;
- 11 (7) The proposed BLA will not cause any lot that conforms with lot area or lot width
12 requirements to become substandard;
- 13 (8) The proposed BLA may increase the nonconformity of lots that are substandard as
14 to lot area and/or lot width requirements; provided, that the proposed BLA satisfies the
15 other requirements of this chapter and the nonconforming condition is not increased by
16 more than 50 percent; and
- 17 (9) The proposed BLA will not result in lots with less than 1000 square feet of an
18 accessible area suitable for construction when such area existed before the adjustment.
19 This requirement shall not apply to lots that are zoned commercial or industrial zones
20 identified in SCC 30.21.025(1)(c) and (d) and (2)(d) through (g).

21
22 Section 50. Snohomish County Code Section 30.42E.100, last amended by
23 Amended Ordinance No. 08-101 on January 21, 2009, is amended to read:
24

25 **30.42E.100 Design standards - mobile home parks.**

26
27 In granting conditional use permits for mobile home parks, the following regulations
28 shall apply, except when more restrictive conditions are imposed by the hearing
29 examiner:

- 30 (1) Minimum site size shall be five acres and density shall be a minimum of four
31 dwelling units per net acre pursuant to SCC 30.23.020 and a maximum of eight dwelling
32 units per gross acre;
- 33 (2) Evidence of water and sewer facilities. The developer shall present evidence to
34 indicate the following:
- 35 (a) That the proposed development will have an adequate public water supply meeting
36 applicable state and local requirements;
- 37 (b) That the proposed mobile home park will be served by a fire protection system
38 meeting the requirements of the Snohomish County fire marshal; and
- 39 (c) That the proposed mobile home park will be immediately served by a sanitary sewer
40 system and that connection to such sewers is feasible. Alternate devices or methods
41 may be used if they have received prior approval from the state Department of Social
42 and Health Services and the ((Snohomish Health District)) county health department in
43 accordance with the procedure established in WAC 246-272-04001;
- 44 (3) Flood hazard. Mobile home park sites shall not be approved if the site is located
45 within a designated 100-year floodplain;

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- 1 (4) Circulation system.
- 2 (a) All interior mobile home park roads shall be private roads.
- 3 (b) All interior mobile home park roads shall be constructed within a tract or easement
- 4 which shall extend at least two feet beyond the paved surface but which shall, in no
- 5 case, be less than 30 feet in width.
- 6 (c) Park roads shall have widths and surfacing as follows:
- 7 (i) park roads shall have a minimum paved width of 20 feet. One-way roads shall have
- 8 a minimum 12-foot travel lane and an eight-foot parking lane. Two-way roads shall have
- 9 a minimum of two 10-foot travel lanes and may have eight-foot parking lane(s); and
- 10 (ii) park roads shall have surfacing depths as proposed by a licensed engineer and
- 11 approved by the department.
- 12 (d) Cul-de-sac turnarounds shall have a minimum pavement width of 40 feet and a
- 13 minimum diameter of 80 feet, exclusive of any parking lanes or areas;
- 14 (5) Bulk requirements.
- 15 (a) Setbacks. All mobile homes, together with their additions and appurtenant
- 16 structures, accessory structures, and other structures on the site (excluding fences),
- 17 shall observe the following setbacks (excluding any hitch or towing fixture):
- 18 (i) park roads - 15 feet from centerline of tract or easement, but in no case less than
- 19 five feet from the paved surfaced edge.
- 20 (ii) exterior site boundary, not abutting an off-site public or private right-of-way - 15 feet
- 21 from property line.
- 22 (iii) exterior site boundary, abutting an off-site public right-of-way or private road less
- 23 than 60 feet in width - 50 feet from centerline of right-of-way.
- 24 (iv) exterior site boundary, abutting an off-site public right-of-way or private road 60 feet
- 25 or more in width - one-half right-of-way plus 20 feet measured from centerline.
- 26 (b) Structure separations. A minimum 10-foot separation shall be maintained between
- 27 all mobile homes, including their habitable additions. One-hour fire resistant structures
- 28 may abut the unit they serve and shall maintain a minimum three-foot separation from
- 29 adjacent mobile homes. Structures that are not fire resistant shall maintain a minimum
- 30 six-foot separation from all other structures and mobile homes, except that carports may
- 31 abut the unit they serve;
- 32 (6) Parking requirements.
- 33 (a) Two off-street parking spaces, located adjacent to each respective mobile home
- 34 pad, shall be provided for each unit and shall be surfaced.
- 35 (b) Off-street guest parking shall be provided at the ratio of one parking space for each
- 36 four mobile home pads and shall be distributed for convenient access to all pads and
- 37 may be provided by a parking land and/or separate parking areas. Clubhouse and
- 38 community building parking facilities may account for up to 50 percent of this
- 39 requirement.
- 40 (c) All off-street parking spaces shall meet the minimum dimension requirements of
- 41 chapter 30.26 SCC;
- 42 (7) Storage facilities.
- 43 (a) Outside storage of household items and equipment shall not be permitted within the
- 44 mobile home park. It shall be the responsibility of the park management to ensure
- 45 compliance with this requirement.

1 (b) A bulk storage and parking area for boats, campers, travel trailers, etc., shall be
2 provided within the mobile home park. A minimum of 300 square feet of space,
3 exclusive of driveways, shall be provided for every 10 mobile home pads. Bulk storage
4 and parking areas shall be separated from all other parking facilities and shall be
5 provided with some means of security. The requirements of this subsection may be
6 waived by the hearing examiner when the mobile home park developer/owner agrees to
7 prohibit the storage of such items within the park.

8 (8) Tree retention and landscaping. Mobile home parks shall meet the applicable tree
9 retention, screening and landscaping requirements of chapter 30.25 SCC.

10 (9) Open space. All mobile home parks shall include a minimum of 20 percent of the
11 site area for common open space. Open space acreage may include community
12 recreational areas and facilities such as playgrounds, swimming pools, hobby and craft
13 shops. Planting strips specified in EDDS and other landscaping required by chapter
14 30.25 SCC may account for no more than 50 percent of the required open space. The
15 following areas shall not be included as open space:

16 (a) Surfaced widths of park roads;

17 (b) Bulk storage, guest parking areas; and

18 (c) Minimum ground area for each pad, calculated as follows:

19 (i) Single wide - 3,200 square feet;

20 (ii) Double wide - 4,300 square feet; and

21 (iii) Triple wide - 5,400 square feet.

22 (10) Lighting. Adequate lighting shall be provided to illuminate streets, driveways, and
23 walkways for the safe movement of pedestrians and vehicles.

24 (11) Utilities. All water, sewer, electrical, and communication service lines shall be
25 underground.

26
27 Section 51. Snohomish County Code Section 30.50.104, added by Amended
28 Ordinance No. 14-060 on August 27, 2014, is amended to read:

29
30 **30.50.104 Action on applications.**

31
32 (1) The building official shall examine or cause to be examined applications for permits
33 and amendments thereto within a reasonable time after filing. If the application or the
34 construction documents do not conform to the requirements of applicable laws, the
35 building official shall reject such application in writing, stating the reasons therefore. If
36 the building official is satisfied that the proposed work conforms to the requirements of
37 the construction codes and all other applicable laws and ordinances, the building official
38 shall issue a permit as soon as practicable.

39 (2) Where a building permit application has been made for construction, other than for
40 maintenance, repairs, and minor alterations, on a parcel of land not served by a public
41 sanitary sewer system, a building permit shall not be issued without prior approval from
42 the ((Snohomish Health District)) county health department of an approved means of
43 waste disposal.

44 (3) In order to determine that the plans, specifications, and other data filed for review
45 conform to the requirements of this and other applicable laws and ordinances, the

1 building official may require an inspection and evaluation of the site of any proposed
2 construction.

3
4 Section 52. Snohomish County Code Section 30.53A.820, last amended by
5 Amended Ordinance No. 20-081 on January 20, 2021, is amended to read:

6
7 **30.53A.820 Permit - inspection and routing.**

8
9 (1) Inspections, insurance and routing for special event permits shall be pursuant to
10 Table 30.53A.820 SCC. Political and religious public events as defined under state law
11 do not require routing and insurance.

Table 30.53A.820 Inspection, Insurance and Routing

Special Event Type	Number of Participants	Inspection required	Routing Required	Insurance Required
Private	50 or more	Yes	No	No
Public	50-99	Yes	No	No
Public	100 or more	Yes	Yes	Yes

12 (2) Applications for special events that require routing pursuant to
13 Table 30.53A.820 SCC shall be sent to the following departments for review:

- 14 (a) Department of public works;
15 (b) Risk management (if insurance is required);
16 (c) Sheriff;
17 (d) ~~((Snohomish County Health District))~~ County health department; and
18 (e) Department of conservation and natural resources (when the event is held on
19 property owned by the county).

20
21 Section 53. Snohomish County Code Section 30.53C.020, added by Amended
22 Ordinance No. 02-064 on December 9, 2002, is amended to read:

23
24 **30.53C.020 Words and phrases changed.**

25
26 Whenever the following words appear in the Uniform Housing Code, they are changed
27 and shall mean as follows:

- 28 (1) "Apartment" whenever used in the chapter shall include condominium apartment.
29 (2) "Chief of the fire department" means the fire marshal of Snohomish County.
30 (3) "Health officer" means the ~~((director))~~ administrative officer of the ~~((Snohomish
31 Health District))~~ county health department.

32
33 Section 54. Snohomish County Code Section 30.62C.340, last amended by
34 Amended Ordinance No. 15-034 on September 2, 2015, is amended to read:

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1
2 **30.62C.340 Uses and development activities subject to special conditions.**
3

4 The following activities and uses shall be conditioned as necessary to protect
5 critical aquifer recharge areas in accordance with the applicable state and federal
6 regulations and recommendations from an approved hydrogeologic report required
7 pursuant to SCC 30.62C.140.

Activity	Statute - Regulation - Guidance
Above Ground Storage Tanks	Chapter 173-303-640 WAC
Animal Feedlots	Chapter 173-216 WAC, Chapter 173-220 WAC
Animal feeding operations/concentrated animal feeding operations	Final Rule 40 CFR Parts 9, 122, 123, and 412
Automobile Washing facilities	Chapter 173-216 WAC, Best Management Practices for Vehicle and Equipment Discharges (Washington Department of Ecology WQ-R-95-56)
Below Ground Storage Tanks	Chapter 173-360 WAC, Chapter 90.76 RCW, RCW 43.131.394
Chemical Treatment Storage and Disposal Facilities	Chapter 173-303 WAC
Dangerous waste	Chapter 70.105 RCW, chapter 173-303 WAC, ((Snohomish Health District Sanitary Code)) <u>county board of health code</u> and SCC 7.53.070
Injection Wells	Federal 40 CFR Parts 144 and 146, Chapter 173-218 WAC
Junk Yards and Salvage Yards	Chapter 173-304 WAC, Best Management Practices to Prevent Stormwater Pollution at Vehicles Recycler Facilities (Washington State Department of Ecology 94-146)
On-Site Sewage Systems (Large Scale > 3,500 gal/day)	Chapter 173-240 WAC, Chapter 246-272 WAC, Chapter 246-272B WAC, Local Health Ordinances

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Activity

Statute - Regulation - Guidance

A single or multiple small on-site sewage systems with a combined design volume of greater than 3,500 gal/day

Chapter 246-272 WAC, Chapter 246-272A WAC, Local Health Ordinances

Pesticide and Fertilizer Storage and Use

Chapter 15.54 RCW, Chapter 17.21 RCW

Reclaimed water for groundwater recharge

Chapter 90.46 RCW

Sawmills

Chapter 173-303 WAC, Chapter 173-304 WAC, Best Management Practices to Prevent Stormwater Pollution at Log Yards (Washington State Department of Ecology, 95-53)

Solid Waste Handling and Recycling Facilities

Chapter 173-304 WAC

Surface Mining

Chapter 332-18 WAC

Wastewater Application to Land Surface

Chapter 173-216 WAC, Chapter 173-200 WAC, Washington State Department of Ecology Land Application Guidelines, Best Management Practices for Irrigated Agriculture

1
2 Section 55. Snohomish County Code Section 30.86.100, last amended by
3 Amended Ordinance No. 16-004 on March 16, 2016, is amended to read:

4
5 **30.86.100 Subdivision fees.**

6
7 **Table 30.86.110 Subdivision Fees**

8

OTHER FEES: All necessary fees for subdivision approval/recording are not listed here. Examples of fees not collected by the department include: (1) Applicable private well and septic system approvals (((Snohomish Health District)) <u>county health department</u>); (2) right-of-way permit (department/department of public works), see SCC 13.110.020; and (3) subdivision recording fees (auditor).

PRE-APPLICATION CONFERENCE FEE	\$480
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PRELIMINARY SUBDIVISION FILING FEE ^{(1), (2)}		
Base fee		\$4,680
Plus \$ per lot		\$132
Plus \$ per acre		\$78
Total maximum fee		\$21,600
SUBDIVISION MODIFICATIONS		\$1,200
REVISIONS TO APPROVED PRELIMINARY SUBDIVISIONS		
Minor revision-administrative		\$312
Major revision-public hearing		\$1,248
CONSTRUCTION PLAN CHECK FEE ⁽³⁾		
Per lot ⁽⁴⁾		\$192
Per tract or non-building lot		\$192
ROAD INSPECTION FEE		
Per lot ⁽⁴⁾		\$192
Per tract or non-building lot		\$192
FINAL SUBDIVISION FEES		
Filing fee		\$2,400
Document check and sign installation fee		\$264/lot and unit cost/sign required
ROAD SECURITY DEVICE ADMINISTRATION FEE ⁽⁵⁾		
Performance security option ⁽⁶⁾		\$24.50/Lot
Maintenance security ⁽⁷⁾		\$31.00/Lot
"MARKUP" CORRECTIONS FEE ⁽⁸⁾		\$240
SUBDIVISION ALTERATION		PLACEHOLDER POSITION
MODEL HOME FEES ⁽⁹⁾		
Base fee		\$360
Plus \$ per subdivision NOTE: For reference notes, see table following SCC 30.86.110.		120
PRELIMINARY SUBDIVISION EXTENSION ⁽¹⁰⁾		\$500

Reference notes for subdivision fee tables:

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(1) A preliminary filing fee consists of the sum of a base fee, a per lot fee, a per acre fee, and a supplemental fee if applicable.

(2) When a preliminary subdivision application is considered in conjunction with a rezone for the same property, the total preliminary subdivision fee shall be reduced by 25 percent. If a preliminary subdivision application is considered in conjunction with a planned residential development, with or without a rezone, the total preliminary subdivision fee shall be reduced by 50 percent. The sum of the above fees shall be limited to \$16,800.

(3) Collected when the preliminary subdivision applicant submits the construction plan.

(4) When three or more contiguous lots are to be developed with a single townhouse building (zero lot line construction), then a plan check fee of \$192.00 per building will be charged and the plan check or inspection fee will not be based on the number of lots.

(5) Paid by the applicant to cover the costs of administering security devices as provided by chapter 30.84 SCC.

(6) This fee applies if the developer elects to carry out minimum improvements using the provisions of SCC 30.41A.410(1)(b) before requesting final approval, and is in addition to subsequent subdivision road inspection fees.

(7) Collected in accordance with SCC 30.41A.410(2).

(8) This fee applies whenever an applicant fails to submit required corrections noted on "markup" final subdivision drawings or other documents during the final subdivision review.

(9) This fee is in addition to the residential building permit fees for plan check, site review and access permit.

(10) This fee applies to preliminary subdivision approval extensions pursuant to SCC Table 30.70.140(1).

1
2 Section 56. Snohomish County Code Section 30.86.110, last amended by
3 Amended Ordinance No. 16-004 on March 16, 2016, is amended to read:

4
5 **30.86.110 Short subdivision fees.**

6
7 **Table 30.86.110 Short Subdivision Fees**

8
9 *OTHER FEES: All necessary fees for subdivision approval/recording are not listed here.*
10 *Examples of fees not collected by the department include: (1) Applicable private well*
11 *and septic system approvals (~~((Snohomish Health District))~~ county health department*
12 *); (2) right-of-way permit (the department/ department of public works), see*
13 *SCC 13.110.020; and (3) short subdivision recording fees (auditor).*
14

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PRE-APPLICATION CONFERENCE FEE	\$480
PRELIMINARY SHORT SUBDIVISION FILING FEES (1)	
Base fee	\$1,560
Plus \$ per acre	\$78
Plus \$ per lot	\$78
SHORT SUBDIVISION MODIFICATION APPLICATION	\$960
PLAN/DOCUMENT RESUBMITTAL FEE (2)	\$240
SHORT SUBDIVISION REVISIONS AFTER PRELIMINARY APPROVAL	\$312
SHORT SUBDIVISION FINAL APPROVAL	\$600
SHORT SUBDIVISION FINAL DOCUMENT CHECK	\$1,800
RECORDING OF FINAL SHORT SUBDIVISION	\$30
ALTERATIONS TO RECORDED SHORT SUBDIVISIONS	\$420
PRELIMINARY SHORT SUBDIVISION EXTENSION(3)	\$500

Reference notes:

(1) A preliminary filing fee consists of the sum of a base fee, a per lot fee, a per acre fee, and a supplemental fee if applicable.

(2) This fee applies to the resubmittal of short subdivision plans and documents after a second review for which the applicant did not include corrections noted by the department, or the applicant made revisions, which necessitate additional review and comments.

(3) This fee applies to preliminary short subdivision approval extensions pursuant to SCC Table 30.70.140(1).

Section 57. Snohomish County Code Section 30.86.115, last amended by Amended Ordinance No. 16-073 on December 21, 2016, is amended to read:

30.86.115 Administrative site plan fees for single family detached units and cottage housing development.

Table 30.86.115 Administrative Site Plan Fees for Single Family Detached Units and Cottage Housing Development

OTHER FEES: All necessary fees for single family detached units and cottage housing development approval/recording are not listed here. Examples of fees by the department include: (1) critical areas review; (2) drainage review, etc. Examples of fees not collected by the department include: (1) Applicable private well and septic system

RELATING TO A COUNTY HEALTH DEPARTMENT;
 REPEALING CERTAIN CHAPTERS OF TITLE 7 SCC;
 AMENDING CERTAIN CHAPTERS OF 5, 6, 7, 9, 13 AND 30 SCC

1 approvals (((Snohomish Health District)) county health department) and (2) recording
 2 fees (auditor).
 3

PRE-APPLICATION CONFERENCE	\$480
ADMINISTRATIVE SITE PLAN	
Application fee	\$1,440
Minor revision request ⁽¹⁾	\$780

Reference notes:

(1) Subsequent to initial approval of the administrative site plan.

4
 5 Section 58. Snohomish County Code Section 30.86.130, last amended by
 6 Amended Ordinance No. 07-108 on November 19, 2007, is amended to read:

7
 8 **30.86.130 Binding site plan fees.**

9
 10 **Table 30.86.130 Binding Site Plan Fees**

11
 12 OTHER FEES: All necessary fees for subdivision approval/recording are not listed here.
 13 Examples of fees not collected by the department include: (1) Applicable private well
 14 and septic system approvals (((Snohomish Health District)) county health department);
 15 (2) right-of-way permit (department/department of public works), see SCC 13.110.020;
 16 and (3) subdivision recording fees (auditor).
 17

PRE-APPLICATION CONFERENCE FEE	\$480
APPLICATION FEE	\$1,800
EXCEPTIONS	
Based on a previously approved site plan	\$420
SURVEY INFORMATION REVIEW FEE ⁽²⁾	\$1,200
Binding site plan application with concurrent land development application ⁽¹⁾	\$0
Resubmittal fee ⁽⁴⁾	\$240
REVISION FEES	
Prior to BSP approval ⁽⁴⁾	\$420
Approved BSP (before or after recording)	\$420
Recorded BSP and record of survey ⁽⁵⁾	\$420

Reference notes:

RELATING TO A COUNTY HEALTH DEPARTMENT;
 REPEALING CERTAIN CHAPTERS OF TITLE 7 SCC;
 AMENDING CERTAIN CHAPTERS OF 5, 6, 7, 9, 13 AND 30 SCC

1 ATTEST:

2

3

4

5 _____
Asst. Clerk of the Council

6

7 () APPROVED

8 () EMERGENCY

9 () VETOED

10

11 DATE: _____

12

13

14

15

16 _____
County Executive

17

18 ATTEST:

19

20

21 _____

22

23 Approved as to form only:

24

25

26 *[Signature]* 10-07-2022

27

28 Deputy Prosecuting Attorney

29

30

31