ADOPTED: 06/09/21
EFFECTIVE: 06/19/21

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

AMENDED ORDINANCE NO. 21-018

RELATING TO GROWTH MANAGEMENT; REVISING ACCESSORY APARTMENT REGULATIONS; AMENDING SECTIONS IN CHAPTERS 30.22, 30.23, 30.24, 30.25, 30.26, 30.28, 30.31A, 30.35A, 30.41G, 30.66C AND SUBTITLE 30.9 OF THE SNOHOMISH COUNTY CODE

WHEREAS, accessory apartments, more commonly referred to as “accessory dwelling units” (ADU), are separate, complete dwelling units, located on the same lot as a single-family dwelling unit, and are secondary and incidental to the primary dwelling; and

WHEREAS, ADUs can be located in the same structure as a primary single-family dwelling (“attached”) or in a separate detached structure from the primary dwelling (“detached”); and

WHEREAS, section 43.185A.215(3) of the Revised Code of Washington (RCW), originally adopted in 1993 as Senate Bill 5584, requires that Snohomish County (the “County”) incorporate ADU regulations into local development codes, zoning regulations, or official controls, but defers to the local legislative authority for establishment of regulations, conditions, procedures, and limitations related to accessory apartments; and

WHEREAS, Amended Ordinance No. 92-052, approved by the Snohomish County Council (“County Council”) on May 28, 1992, updated the Snohomish County Code (SCC) to allow attached ADUs as a permitted use in most zoning districts that allowed a single-family dwelling and to adopt development and use standards for said ADUs; and

WHEREAS, Amended Ordinance No. 94-029, approved by the County Council on April 6, 1994, amended the SCC to allow detached ADUs as a permitted use in single-family zoning districts; and

WHEREAS, Amended Ordinance No. 02-064, approved by the County Council on December 9, 2002, amended the SCC to change attached and detached ADUs from a permitted use to an administrative conditional use in single-family zoning districts; and

WHEREAS, on January 25, 2012, the County Council approved Amended Ordinance No. 11-058, which added development standards for substandard lots to the SCC and prohibited the construction of ADUs on substandard lots; and

WHEREAS, in 1994, the County downzoned a significant portion of the rural area to densities of one dwelling per five acres or more, which resulted in the creation of

substandard lots that were legally established, but no longer met the standards of the zoning district in which they were located; and

WHEREAS, recent circumstances unique to the County and the Central Puget Sound Region indicate that Snohomish County is facing a housing affordability crisis and housing shortage, which necessitates action by local governments; and

WHEREAS, in May 2019, the County Executive created the Snohomish County Housing Affordability Regional Taskforce ("HART"), consisting of a team of city and county officials and community leaders, tasked to identify solutions to the regional housing affordability crisis; and

WHEREAS, in January 2020, HART issued the Housing Affordability Regional Taskforce Report and Five-Year Action Plan ("HART Report"), which characterizes the housing crisis and provides short and long-term recommendations for local governments to pursue in an effort to alleviate the crisis; and

WHEREAS, according to the HART Report, the housing supply in Snohomish County is lagging behind population growth, which is illustrated by the fact that between 2016-2018, the number of new housing units was 61% less than the increase in the number of households; and

WHEREAS, according to the HART Report, housing would need to be built at slightly more than double the current rate to meet the projected housing affordability needs; and

WHEREAS, between 2010 and 2017 the average cost of a two-bedroom apartment in Snohomish County increased 49.5%, while the median household income increased less than 18%; and

WHEREAS, the U.S. Census Bureau estimates that in 2018, 33% of Snohomish County households were housing cost burdened, meaning that they paid more than 30% of their income on housing; and

WHEREAS, ADUs can help alleviate housing affordability issues by providing additional housing units in low-density areas, adding diversity to the housing stock, providing affordable housing options for older adults and opportunities for aging in place, and providing supplemental income to homeowners.

NOW, THEREFORE, BE IT ORDAINED:

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

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

B. This ordinance will amend provisions in Title 30 SCC to update regulations related to accessory dwelling units. In particular, the amendments will:

1. Amend SCC 30.22.100, SCC 30.22.110, and SCC 30.22.120 to change accessory dwelling units from an administrative conditional use to a permitted use in all districts that also allow a single-family dwelling.

2. Amend SCC 30.23.235 to eliminate the prohibition on accessory dwelling units on substandard lots. A prohibition on detached ADUs on lots in rural areas that do not meet the minimum required lot area for the zone in which they are located is included in amendments to SCC 30.28.010.

3. Amend SCC 30.25.020 and SCC 30.25.028 to eliminate perimeter landscaping requirements and buffer requirements for accessory dwelling units located in zones categorized as residential, multi-family, or commercial.

4. Amend SCC 30.26.030 to update the number of parking spaces required for accessory dwelling units located in the urban zones.

5. Amend SCC 30.28.010 to update the development standards for accessory dwelling units including adding standards for ADUs in the rural areas to protect rural character and limit sprawl.

6. Amend chapter 30.91A SCC to add a definition for the term “accessory dwelling unit” and update the definitions of “accessory apartment, attached” and “accessory apartment, detached.”

7. Amend chapters 30.22, 30.24, 30.31A, 30.35A, 30.41G, 30.66C, and 30.91D SCC to replace the term “accessory apartments” with the term “accessory dwelling units.”

C. In considering the proposed amendments, the county evaluated various factors, including historical development patterns, existing housing market conditions, and legal decisions interpreting relevant GMA provisions.

1. Snohomish County is facing an affordable housing crisis and housing stock shortage. The proposed amendments are intended to encourage the development of ADUs within the urban growth area (UGA) to help diversify and increase the housing stock throughout the UGA. The amendments will reduce restrictions on ADUs in the urban area, including eliminating owner-occupancy requirements, removing landscaping and buffering standards, and reducing parking requirements. Further, the proposed amendments will allow up to two ADUs on each urban lot and change ADUs from an administrative conditional use to a permitted use, a change which will reduce application requirements, costs, and time.

2. The county does not expect that the proposed amendments will result in more than a de minimis increase in the amount of ADUs built in the rural area. Current standards allow the construction of attached or detached ADUs on all standard lots in rural and resource areas, regardless of lot size. Under the current standards, ADUs can be constructed on lots that are smaller than 10 acres, including those that were legally created through rural cluster subdivisions or lot size averaging, which are often smaller than 5 acres. Even under the current standards, since 2012 the County has permitted very few ADUs in the rural area. Between January 1, 2012, and December 31, 2019, the County issued permits for only 100 ADUs in the rural area (3 attached and 97 detached), an average of 13 per year. Over that time, ADUs accounted for only 3.3% of the total housing units permitted in the rural areas (100 ADUs out of 3,016 total units), illustrating that ADUs only nominally contribute to rural growth in Snohomish County.

3. The proposed amendments eliminate the existing general prohibition of ADUs on substandard lots and introduce new restrictions on the development of detached ADUs in rural areas. First, the amendments prohibit the construction of detached ADUs in rural areas on lots that do not meet the prescriptive lot size in the zone in which they are located. This reinstates the existing prohibition of detached ADUs on substandard lots in rural areas. However, it also adds a new prohibition on the construction of detached ADUs on lots that were created legally under rural cluster subdivision or lot size averaging standards but that do not meet the minimum required lot area under SCC 30.23.030. In essence, in rural areas, detached ADUs will be more limited under the proposed amendments. Second, new standards are proposed to ensure that detached units are closely associated with the primary dwelling, similar to attached units or existing detached structures converted to use as an ADU. For example, detached ADUs must utilize the same driveway as the primary dwelling and be located within 100 feet of the primary dwelling. Size limitations on detached ADUs ensure they will appear subordinate to the primary residence. Additionally, all ADUs must be designed such that exterior materials, roof form, window spacing, and proportions approximate those of the primary residence. These new standards for detached ADUs in rural and resource areas will work to ensure that detached ADUs maintain a close association with the primary dwelling and thus do not represent new urban growth.

4. The vast majority of permits for ADUs in rural and resource areas have been for detached ADUs (98% from 2012 and 2019, and 89% from 1994-2011). It is likely that this trend will continue, and the restrictions discussed above will help ensure that these units do not negatively affect rural character by requiring that detached units are only located on lots that meet the minimum lot size and ensuring that all detached ADUs have a close association with the primary residence.

D. In considering the proposed amendments, the county considered the goals and standards of the Growth Management Act (GMA), chapter 36.70A RCW. The proposed amendments are consistent with:

1. GMA Goal 1 – Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

   The proposed amendments support GMA Goal 1 by increasing the number of accessory dwelling units allowed per lot within urban growth areas and by reducing regulatory restrictions on the construction of accessory dwelling units. The proposed amendments will facilitate more efficient land use by allowing development of new housing units in existing residential urban areas that have adequate access to public facilities and services.

2. GMA Goal 2 – Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

   The proposed amendments will support GMA Goal 2 by facilitating the development of additional housing units in residential urban areas through reduction of permitting requirements and allowing up to two ADUs on urban properties. These changes will allow existing single-family areas in the urban areas to support additional population capacity. Further, standards are proposed on ADUs in the rural areas that are intended to ensure the ADU maintains a close association with the existing single-family dwelling. The proposed standards prohibit detached ADUs on lots that do not meet the prescriptive lot size in the zone they are located in, and further limit their construction by requiring that they are within 100 feet of the primary residence and share a driveway with the primary residence. Further, even though ADUs are allowed on rural lots when the lot is less than 10 acres in size under existing regulations, ADUs accounted for only 3.3% of the housing units permitted in the rural areas between January 1, 2012, and December 31, 2019. This demonstrates that ADUs do not inappropriately convert undeveloped land into sprawling, low-density development.

3. GMA Goal 4 – Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

   The proposed amendments support GMA Goal 4 by supporting the development of ADUs through an overall reduction to the regulatory barriers on these units. Construction of accessory dwelling units diversifies the housing stock and increases housing density in existing single-family neighborhoods. ADUs are commonly rented at below-market rates and serve an important niche in the housing market, as they are uniquely suited to provide low-cost housing options for the County's senior population, individuals with a disability, and younger adults. The expansion of opportunities to construct ADUs in urban areas also encourages the preservation of existing housing stock by granting property

owners the means to generate additional sources of income, allowing them to continue to afford remaining in place.

4. GMA Goal 7 – Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.

   The proposed amendments support GMA Goal 7 by reducing permitting requirements by shifting accessory dwelling units from an administrative conditional use to a permitted use in all zones where a single-family dwelling is a permitted use. By changing from an administrative conditional use to a permitted use, the application burden for property owners will be reduced and the processing speed will be increased. Although permitting will be streamlined, the addition of new development standards for ADUs will preserve the existing character of the surrounding community.

5. GMA Goal 8 – Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.

   The proposed amendments are consistent with GMA Goal 8, as the underlying standards that restrict development in the zones that are intended to protect forest and agricultural lands will be maintained. The prescriptive minimum lot size is 20 acres in the F-Forestry zone, 10 acres in the A-10-Agricultural and MC-Mineral Conservation zones, and 200,000 square feet in the F&R-Forestry and Recreation zone. Under the proposed amendments, detached ADUs would only be allowed on lots that exceed the minimum lot size. Additional restrictions intended to ensure ADUs maintain a close association with the primary dwelling will apply to all detached ADUs in these zones, including the requirement that an ADU share a driveway with the primary residence and the requirement that an ADU be located no further than 100 feet from the primary residence.

6. RCW 36.70A.070(5) – Rural element. Counties shall include a rural element including lands that are not designated for urban growth, agriculture, forest, or mineral resources. The following provisions shall apply to the rural element:

   (c) Measures governing rural development. The rural element shall include measures that apply to rural development and protect the rural character of the area, as established by the county, by:

   (i) Containing or otherwise controlling rural development.

   The proposed amendments further the purpose of RCW 36.70A.070(5)(c)(i) as they include new requirements that control rural growth and protect rural

character. ADUs are an accessory use and are not a driver for rural development. Historical development patterns show that between January 1, 1996, and December 31, 2019, ADUs accounted for approximately 5% of the total dwellings sited in the rural area. In more recent years (2012-2019), ADUs accounted for only 3.3% of new dwellings in the rural and resource zones. The proposed amendments add a further restriction to the construction of ADUs in the rural area by prohibiting detached ADUs on rural lots that do not meet the prescriptive lot size set forth in SCC 30.23.030. Under current standards, the ADU prohibition applies only to substandard lots, which allows detached units much more freely throughout the rural area, including on many lots that are smaller than five acres such as in rural cluster subdivisions. Additionally, the proposed standards will require all detached ADUs in the rural area to remain physically close to the primary dwelling, share a driveway with the primary dwelling, and maintain architectural symmetry with the primary dwelling, ensuring there is a close association between the ADU and the primary dwelling. Rural character in Snohomish County includes many types of detached buildings, such as sheds, barns, shops, garages, and shelters. Clusters of buildings often occupy sites that include a residence. Allowing for the small historical number of ADUs already allowed by existing regulations, in addition to requiring more close association between the primary residence and a detached ADU, is consistent with rural character.

Rural Snohomish County does not experience the same pressure to construct ADUs for vacation rental as San Juan County or Island County. It is anticipated that, consistent with public testimony, the small number of ADUs constructed in rural Snohomish County will be for family members of the existing residents. Snohomish County residents in rural areas should be permitted the same opportunity as residents in urban areas to care for aging parents, to support adult children, or to earn additional income that allows them to stay in their existing homes.

7. RCW 36.70A.070(5)(c)(ii) – Assuring visual compatibility of rural development with the surrounding rural area.

The proposed amendments include architectural and design standards that will ensure that all ADUs developed are compatible with the existing rural development on the property. In general, ADUs are limited in size and do not have a significant effect on the visual aspects of a property. However, the proposed amendments include standards that will ensure that ADUs are visually compatible with the surrounding rural area. First, the proposed amendments require that construction of an attached ADU preserve the architectural character of the existing single-family dwelling. Second, the amendments require that detached ADUs have either features, such as exterior materials, roof form,

window spacing and proportions, that approximate that of the single family dwelling, or be located in an existing accessory structure. These standards for ADUs are more stringent than design standards that apply to the construction of other accessory structures in the rural area.

8. RCW 36.70A.070(5)(c)(iii) – Reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area.

   The proposed amendments are consistent with RCW 36.70A.070(5)(c)(iii) as they do not alter the existing density standards in the rural area, with two exceptions. First, the amendments prohibit the construction of ADUs on lots that meet standards for reduced lot size (such as lots created through lot size averaging or rural cluster subdivisions), but that do not meet lot size standards set forth in SCC 30.23.030. Second, the amendments would permit ADUs in the CRC zone. Under current SCC, the CRC zone is the only zone that allows single-family dwellings but not ADUs. This proposed amendment adds consistency to code, and because the CRC zone is geographically limited and about only 115 acres in size, it will at most result in a negligible increase in the number of ADUs permitted in the rural area. Historically, as is evidenced by permitting data, ADUs have not been a primary driver in the conversion of undeveloped land into sprawling, low-density development in the rural area. The proposed amendments add additional restrictions that limit construction of detached ADUs to only those lots that meet the minimum lot size. Additionally, the proposed amendments include new standards for all detached ADUs on rural lots that are intended to protect rural character and ensure that all ADUs maintain a close physical proximity and association with the primary dwelling.

9. RCW 36.70A.070(5)(c)(iv) – Protecting critical areas, as provided in RCW 36.70A.060, and surface water and groundwater resources.

   The proposed amendments are consistent with RCW 36.70A.070(5)(c)(iv) and will not reduce protections on critical areas, surface water, or ground water. The application of critical areas and storm water standards will not be altered by the proposed amendments. Additionally, the proposed standards require that detached ADUs in the rural area be located within 100 feet of the primary dwelling and share a driveway with that dwelling, limiting the impervious surface associated with detached ADUs in the rural area. Finally, the proposed amendments require that all ADUs have both physical and legal access to water. Requiring legal availability will prohibit permit issuance unless the proposed ADU has legal access to a water right. This provision will protect groundwater resources from being overdrawn as a result of ADU development.

10. RCW 36.70A.070(5)(c)(v) – Protecting against conflicts with the use of agriculture, forest, and mineral resource lands designated under RCW 36.70A.170.

    The proposed amendments are consistent with RCW 36.70A.070(5)(c)(v) because they do not amend the underlying restrictions on development in the forestry or agricultural zones. The proposed amendments will only affect ADUs, which are a use that is allowed only as accessory to a primary single-family dwelling. Maintaining the restrictions on primary residential uses in these areas will protect against any conflicts with agricultural, forestry, and mineral resource uses. Further, under the proposed amendments, detached ADUs are only allowed on lots that meet or exceed the prescriptive lot size in all rural and resource zones. Additional restrictions requiring close physical proximity and shared infrastructure are also included.

11. RCW 36.70A.110(1) – Each county that is required or chooses to plan under RCW 36.70A.040 shall designate an urban growth area or areas within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature.

    The proposed amendments are consistent with the requirements included in RCW 36.70A.110(1). The amendments will allow additional development of ADUs within the UGA by reducing the regulatory and application barriers, and by allowing up to two ADUs per lot. Further, the amendments will protect against urban growth outside the UGA by allowing detached ADUs only on lots that meet the prescriptive minimum lot area and by including additional standards intended to ensure that detached ADUs have a close association to the primary single-family dwelling.

E. The proposed amendments will better achieve, comply with, and implement the goals and policies of the Puget Sound Regional Council's Multicounty Planning Policies (MPPs), including the following goals and policies:

1. MPP-DP-2 – Encourage efficient use of urban land by maximizing the development potential of existing urban lands, such as advancing development that achieves zoned density.

   This proposal will work to further MPP-DP-2 by supporting increased development of ADUs in urban areas. The proposed amendments will reduce the regulatory burden to ADU construction and will allow up to two ADUs per lot in the urban areas. Increased development of ADUs will increase the efficiency of urban lands by allowing increased densities in single-family neighborhoods.

2. MPP-DP-22 – Do not allow urban net densities in rural and resource areas.

   The proposed amendments will eliminate the prohibition of ADUs on substandard lots, but, consistent with MPP-DP-22, will place restrictions on the development of ADUs outside the urban growth areas (UGA) that will ensure that urban densities are not allowed. First, the amendments do not allow detached ADUs on lots that are smaller than the minimum lot size. This restriction includes substandard lots and standard lots that were created by a rural cluster subdivision or through lot size averaging. Under current standards, lots created through rural cluster subdivisions or through lot size averaging are often smaller than the minimum lot size, but currently allowed to have a detached ADU. Under the standards included in this proposal, only attached ADUs are allowed on those lots. Per SCC 30.23.030, the minimum lot area in the rural and resource zones is 200,000 square feet, or approximately 5 acres, while many zones require larger lots.

   Second, the proposal introduces new standards for all detached ADUs in the rural and resource zones that are intended to help ensure that a close connection is maintained between the single-family dwelling and the ADU and keep the ADU subordinate to the single-family dwelling. Those standards include a maximum separation distance between the single-family dwelling and ADU of 100 feet and a requirement that the driveway is shared between the primary and accessory dwellings, ensuring that in rural areas there will be no functional difference between an attached and detached ADU.

   Additionally, historical data shows that from 2012 to 2019, an average of 13 ADUs were permitted in the rural and resource zones per year. These units are spread over approximately 270,000 acres of rural land, which is an average of 1 unit for every 20,000 acres per year. Over a 20-year planning period, that is approximately 1 ADU per 1,000 acres. While it is not expected, even if the proposed amendments result in a minor increase in the number of permitted ADUs per year, it will not result in urban net densities in the rural and resource areas. Similarly, such a negligible amount of development in the rural area is not anticipated to have any noticeable impact on public facilities and services.

3. MPP Housing Goal – The region will preserve, improve, and expand its housing stock to provide a range of affordable, healthy, and safe housing choices to every resident. The region will continue to promote fair and equal access to housing for all people.

   The proposed amendments will help to expand and improve the diversity of the housing stock by reducing regulatory barriers on the construction of ADUs. The reduction should facilitate increased construction of ADUs in the urban areas.

4. MPP-H-1 – Provide a range of housing types and choices to meet the housing needs of all income levels and demographic groups within the region.

   MPP-H-2 – Achieve and sustain — through preservation, rehabilitation, and new development — a sufficient supply of housing to meet the needs of low-income, moderate-income, middle-income, and special needs individuals and households that is equitably and rationally distributed throughout the region.

   The proposed amendments will support MPP-H-1 and MPP-H-2 by reducing the regulatory barriers on the construction of accessory dwelling units. Construction of ADUs in single-family areas will contribute to the County's efforts to meet the necessary supply of housing units for low-income, moderate-income, middle-income, and special needs individuals.

5. MPP-H-7 – Encourage jurisdictions to review and streamline development standards and regulations to advance their public benefit, provide flexibility, and minimize additional costs to housing.

   The proposed amendments result in a reduction to the regulatory barriers on the construction of accessory dwelling units. In particular, the proposal will change accessory dwelling units from an administrative conditional use to a permitted use, which will work to streamline the permitting process and reduce permitting costs for individuals and the County.

F. The proposed amendments will better achieve, comply with, and implement the following goal and policies contained within the Countywide Planning Policies (CPPs):

1. Housing Goal – Snohomish County and its cities will promote an affordable lifestyle where residents have access to safe, affordable, and diverse housing options near their jobs and transportation options.

   The proposed amendments will support the housing goal in the CPPs by reducing the regulatory barriers on the construction of accessory dwelling units, which will help to diversify the housing options in urban single-family areas that are close to employment and transportation options.

2. CPP-HO-11 – The county and cities should consider the economic implications of proposed building and land use regulations so that the broader public benefit they serve is achieved with the least additional cost to housing.

   The proposed amendments support CPP-HO-11 by setting a regulatory framework that limits the additional cost to construction of accessory dwelling units, while still maintaining reasonable protections on health, safety, and welfare.

G. In considering the proposed amendments, the county considered the goals, objectives, and policies of the Snohomish County GMA Comprehensive Plan (GMACP) – General Policy Plan (GPP). The proposed amendments will work to support, implement, and balance the following goals, objectives, and policies in the GPP:

1. Policy LU 2.A.4 – UGAs shall provide opportunities for a mix of affordable housing types (e.g. small lot detached, townhomes, duplex, triplex, 6 to 8-unit apartment and small group housing units) within designated residential areas.

   The proposed amendments will work to further Policy LU 2.A.4 by reducing restrictions on the construction of ADUs, allowing two ADUs on lots within urban growth areas, and eliminating owner occupancy requirements for ADUs. The siting and construction of accessory dwelling units will diversify the housing stock, increase housing density, and provide more affordable housing options in existing single-family neighborhoods.

2. Goal LU 6 – Protect and enhance the character, quality, and identity of rural areas.

   Objective LU 6.A – Reduce the rate of growth that results in sprawl in rural and resource areas.

   Policy LU 6.A.1 – To help ensure that the rural population target is not exceeded, rural growth trends shall be monitored using the process and criteria established under Objective PE 2.B. If rural growth trends indicate that the rural population target may be exceeded, the county shall evaluate whether incentive programs or adjustments to planned densities or land uses are necessary to bring rural growth trends back into alignment with the adopted target.

   The amendments proposed by this ordinance would reduce regulatory barriers on the construction of accessory apartments in the rural and resource areas by eliminating superfluous development and permitting standards. These changes may result in a slight increase in the number of accessory apartments that are sited in these areas. However, between January 1, 1996, and December 31, 2011, when there were no restrictions on constructing ADUs on substandard lots in the rural areas, ADUs accounted for approximately 5.6 % of new dwellings in the rural area. More recently (2012-2019), after constructing ADUs on substandard lots was prohibited, ADUs accounted for only 3.3% of new dwellings in the rural areas. The county expects that ADU development will remain close to that of 2012-2019 and has no reason to expect that the proposed amendments will result in ADU development that exceeds historical maximums.

   However, to further enhance the preservation of rural character, the proposed amendments place more restrictions on the development of accessory apartments in the rural and resource areas than in urban areas. Those restrictions are intended to ensure that all new ADUs in rural areas are in close

association with, and subordinate to, the primary dwelling. As established in decisions of the Growth Management Hearings Board, attached ADUs and detached ADUs in existing structures that have a close association to the primary dwelling are not considered additional units of density. Following that logic, detached ADUs on rural lots, regardless of the origin of the structure, will function the same way if restrictions, such as those included in the proposed amendments, ensure a close association between the ADU and the primary dwelling. The proposed amendments, which require close proximity between the structures, shared facilities, and symmetrical architectural features, create that relationship.

Additionally, the proposed amendments restrict all ADUs to a maximum floor area of 1,200 square feet. This restriction will further ensure that ADUs in the rural area are subordinate to the primary single-family dwelling, which will help to protect rural character, quality, and identity.

ADUs fill an important niche in the housing market, such as providing options for older adults to age in place and allowing families to continue to live together as they expand. As housing costs continue to rise in Snohomish County, many property owners are looking for opportunities to provide housing for young adult children, a caretaker, or to move into as they age. ADUs provide a unique opportunity for those families and represent a specific type of housing that is not provided though other, traditional housing types. Additionally, ADUs can provide supplemental income to homeowners while providing affordable housing.

Finally, Policy LU 6.A.1 requires the county to complete annual monitoring of rural growth trends. If monitoring shows that Snohomish County could exceed its rural population target, it is unlikely that accessory apartments would be the cause. However, actions taken to address rural growth would be comprehensive in nature.

3. Objective HO 1.B – Ensure that a broad range of housing types and affordability levels is available in urban and rural areas.

   Policy HO 1.B.4 – The county shall encourage and support the development of innovative housing types that make efficient use of the county land supply such as residential units in mixed use developments, accessory dwelling units, cottage housing, co-housing, and live/work units.

   The proposed amendments reduce regulatory barriers on the development of accessory apartments in both urban and rural areas. The proposed amendments will set a regulatory framework for ADUs that will help the county support the development of a broad range of housing types and affordability in both the urban and rural areas. ADUs serve as one of the only options for supporting this objective in the rural areas, as most other low-cost and diverse types of housing are not allowed. The development of accessory apartments provides different

housing types and affordability levels in areas with predominantly uniform housing types and levels of affordability.

Further, the proposed amendments set the maximum floor area for ADUs at 1,200 square feet, which is the approximate size of a two-bedroom apartment. Limiting the square footage to this level will help encourage the development of smaller units that cater to smaller households. This will further Objective HO 1.B by increasing housing diversity in single family areas that historically have uniform housing types.

4. Objective HO 2.B – Encourage the use of innovative urban design techniques and development standards to foster broad community acceptance of a variety of housing types affordable to all economic segments of the population.

   Policy HO 2.B.1 – The county shall encourage a variety of housing types and densities in residential neighborhoods.

   Policy HO 2.B.4 – The county shall encourage the integration of a variety of dwelling types and intensities in residential neighborhoods.

   The proposed amendments facilitate the construction of ADUs, which will provide alternate housing options and differing housing densities in single-family residential neighborhoods. Further, the amendments would, through reduction of regulatory barriers, encourage integration of ADUs into residential neighborhoods that do not have a variety of dwelling types.

H. The proposed amendments implement the following Five-Year Action Items from the Snohomish County Housing Affordability Regional Taskforce Report and Five-Year Action Plan:

1. 1.A.5 – Remove barriers by reducing construction costs and delays and expedite the permit process.

   The proposed amendments eliminate the need to apply for and receive an administrative conditional use permit prior to the construction of an accessory dwelling unit. Although the cost of such a permit application itself is not significant compared to other permit types ($180 under SCC 30.86.220), the time, burden, and hidden costs to the applicant of application review are removed.

2. 1.A.6 – Increase housing variety allowed at a range of affordability levels in single-family zones, in areas with connections to jobs, and along transit corridors, including consideration of zoning for duplex, triplex, 4-plex, courtyard apartments, etc.

The proposed amendments increase housing diversity in single-family zones by reducing regulatory barriers, facilitating the construction of accessory dwelling units in single-family zones, and allowing two ADUs per lot in urban areas.

3. 1.B.2 – Revise local zoning to encourage Accessory Dwelling Units (ADU).

   The proposed amendments will comply with action item 1.B.2 by revising Snohomish County regulations to reduce regulatory requirements and facilitate the construction of ADUs, particularly in urban areas.

I. Procedural requirements.

1. State Environmental Policy Act (SEPA), chapter 43.21C RCW, requirements with respect to this non-project action have been satisfied through the completion of an environmental checklist and the issuance of a determination of non-significance on March 29, 2021.

2. The proposal is a Type 3 legislative action pursuant to SCC 30.73.010.

3. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance was transmitted to the Washington State Department of Commerce for distribution to state agencies on November 18, 2020.

4. The public participation process used in the adoption of this ordinance complies with all applicable requirements of the GMA and the SCC.

5. The Washington State Attorney General last issued an advisory memorandum, as required by RCW 36.70A.370, in September of 2018 entitled “Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property” to help local governments avoid the unconstitutional taking of private property. The process outlined in the State Attorney General’s 2018 advisory memorandum was used by the County in objectively evaluating the regulatory changes proposed by this ordinance.

Section 2. The County Council makes the following conclusions:

1. The proposed amendments are consistent with the goals, policies, and objectives of the MPPs, CPPs, and GPPs.

2. The proposed amendments are consistent with applicable federal, state, and local laws and regulations.

3. The County has complied with all SEPA requirements with respect to this non-project action.

4. The regulations proposed by this ordinance do not result in an unconstitutional taking of private property for a public purpose.

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

Section 4. Snohomish County Code Section 30.22.100, last amended by Amended Ordinance No. 20-088 on January 13, 2021, is amended to read:

30.22.100 Urban Zone Categories Use Matrix.

TYPE OF USE	R-9,600[88]	R-8,4008[8]	R-7,200[88]	T	LDMR	MR	NB	PCB	CB[128]	GC[128]	IP[6]	BP	LI[55, 76]	HI[5]	MHP[114]	UC[122]
Accessory ((~~Apartment~~)) <u>Dwelling Unit</u>[62]	((~~A~~)) <u>P</u>	((~~A~~)) <u>P</u>	((~~A~~)) <u>P</u>	((~~A~~)) <u>P</u>	((~~A~~)) <u>P</u>	((~~A~~)) <u>P</u>										
Adult Entertainment Business/Use[67]											P		P	P		
Agriculture[41, 107]	P	P	P		P	P	P		P	P	P	P	P	P	P	
Airport, Stage 1 Utility[1]	C	C	C						P	P	P	P	P	P		
Airport-All Others											P	P	P	P		
Amusement Facility[41, 129]								P	P	P	P		P	P		P
Antique Shop							P	P	P	P			P	P		P
Art Gallery[41]	C	C	C		C	C	P	P	P	P	P	P	P	P		P
Auto Repair, Major								P	P[86]	P	P	P	P	P		P
Auto Repair, Minor							P	P	P[86]	P	P	P	P	P		P
Auto Towing													P	P		
Automobile Wrecking and Junkyards													C[44]	P[44]		

TYPE OF USE	R-9,600[88]	R-8,400[88]	R-7,200[88]	T	LDMR	MR	NB	PCB	CB[128]	GC[128]	IP[76]	BP	LI[55, 76]	HI[55]	MHP[114]	UC[122]
Bed and Breakfast Guesthouse[58]	A	A	A	A	A	A									A	
Billboards[46]																
Non-digital										P			P	P		
Digital										P			P	P		
Boarding House	P[15]	P[15]	P[15]		P	P	P		P	P					P	P
Boat Launch Facility, Commercial[31]									C	C			C	C		P
Boat Launch Facility, Non-commercial[31]	C	C	C		C	C			C	C			C	C		
Caretaker's Quarters							P	P	P	P	P	P	P	P		
Cemetery and Funeral Home	C	C	C		C	C	P	P	P	P	P	P	P	P		P
Church[41, 129]	C	C	C		P	P	P	P	P	P	P	P	P	P		P
Clubhouse	C	C	C		C	C	P	P	P	P	P	P	P	P	P	P
Commercial Vehicle Storage Facility										P	P	P	P	P		
Community Facilities for Juveniles[103]																
1 to 8 Resident Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
9 to 24 Resident Facility	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P
Construction Contracting										P	P	P	P	P		P[123]

TYPE OF USE	R-9,600[88]	R-8,400[88]	R-7,200[88]	T	LDMR	MR	NB	PCB	CB[128]	GC[128]	IP[6]	BP	LI[55, 76]	HI[5]	MHP[114]	UC[122]
Day Care Center [2, 129]	C	C	C		C	C	P	P	P	P	P	P	P	P	A	P
Distillation of Alcohol											P	P	P	P		P
Dock & Boathouse, Private, Non-commercial [3, 41]	P	P	P	P	P	P	P		P	P	P	P	P	P		
Dwelling, Attached Single Family	P	P	P	P	P	P										
Dwelling, Cottage Housing [116]	P	P	P	P	P											
Dwelling, Duplex	P	P	P	P	P	P										
Dwelling, Mobile Home	P[6]	P[6]	P[6]	P[6]	P	P									P	
Dwelling, Multiple Family					P	P	P	P	P	P						P
Dwelling, Single Family	P	P	P	P	P	P									P[4]	
Dwelling, Townhouse [5]			A	P	P	P	P	P	P	P						P
Electric Vehicle Infrastructure																
Electric Vehicle Charging Station - Restricted, Level 1, and Level 2 [121]	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Electric Vehicle							P	P	P	P	P	P	P	P		P

TYPE OF USE	R-9,600[88]	R-8,400[88]	R-7,200[88]	T	LDMR	MR	NB	PCB	CB[128]	GC[128]	IP[76]	BP	LI[55,76]	HI[55]	MHP[114]	UC[122]
Charging Station - Public, Level 1 and Level 2																
Electric Vehicle Charging Station, Level 3	C[120]	C[120]	C[120]	C[120]	C[120]	C[120]	P	P	P	P	P	P	P	P		P
Battery Exchange Stations	C[120]	C[120]	C[120]	C[120]	C[120]	C[120]	P	P	P	P	P	P	P	P		P
Explosives, Storage											P			P		
Fairgrounds										P	P	P	P	P		
Family Day Care Home [8]	P	P	P	P	P	P	P		P	P					P	
Farm Product Processing																
Up to 5,000 sq ft									P	P			P	P		
Over 5,000 sq ft [94]									A	P			P	P		
Farm Stand																
Up to 400 sq ft [9]	P	P	P						P	P			P	P		P
401 to 5,000 sq ft [99]																
Farmers Market [93]							P	P	P	P		P	P	P		P
Fish Farm											P	P	P	P		
Forestry											P		P	P		
Foster Home	P	P	P	P	P	P	P		P	P					P	
Fuel Yard										P	P	P	P	P		
Garage, Detached																

TYPE OF USE	R-9,600[88]	R-8,400[88]	R-7,200[88]	T	LDMR	MR	NB	PCB	CB[128]	GC[128]	IP[76]	BP	LI[55, 76]	HI[55]	MHP[114]	UC[122]
Private Accessory [60]																
Up to 2,400 sq ft	P	P	P	P	P	P					P	P	P	P	P	
2,401 - 4,000 sq ft on More than 3 Acres [41, 59]	P	P	P	P	P	P					P	P	P	P		
2,401 - 4,000 sq ft on Less than 3 Acres [41, 59]	A	A	A	A	A	A					A	A	A	A		
4,001 sq ft and Greater [41, 59]	C	C	C	C	C	C					C	C	C	C		
Garage, Detached Private Non-accessory [60]																
Up to 2,400 sq ft	P	P	P	P	P	P					P	P	P	P		
2,401 sq ft and greater [41, 59]	C	C	C	C	C	C					C	C	C	C		
Golf Course, Driving Range and Country Club	C	C	C													
Government Structures & Facilities [27, 41]	C	C	C	C	C	C	C	P	P	P	P	P	P	P		P
Greenhouse, Lath House, & Nurseries							P	P	P	P	P	P	P	P		
Guest House [85]	P	P	P		P	P									P	
Hazardous Waste Storage &											C	C	C	C		

TYPE OF USE	R-9,600[88]	R-8,400[88]	R-7,200[88]	T	LDMR	MR	NB	PCB	CB[128]	GC[128]	IP[76]	BP	LI[55, 76]	HI[55]	MHP[114]	UC[122]
Treatment Facilities, Offsite[66]																
Hazardous Waste Storage & Treatment Facilities, Onsite [65]							P	P	P	P	P	P	P	P		
Health and Social Service Facilities [90]																
Level I	**P**	**P**	P	P	P	P	P	P	P	P		P			P	P
Level II [41, 129]	C	C	C		C	C	C	P	P	P		P			C	P
Level III						C	C	P	P	P	P		P	P	C	P
Home Occupation [11]	P	P	P	P	P	P	P		P	P					P	P
Hotel/Motel					C	C	P[136]	P	P	P			P[89]			P
Kennel, [41] Commercial [12]	C	C	C						P	P	P	P	P	P		
Kennel, [41] Private-Breeding [13]	P	P	P		P	P	P		P	P	P	P	P	P		
Kennel, [41] Private-Non-Breeding [13]	P	P	P		P	P	P		P	P	P					
Laboratory							P	P	P	P	P	P	P	P		P
Library [41]	C	C	C		C	C	C	P	P	P	P	P	P	P		P
Lumber Mill											P	P	P	P		
Lumberyard										P	P	P	P	P		
Manufacturing, Heavy [82]											P			P		

TYPE OF USE	R-9,600[88]	R-8,400[88]	R-7,200[88]	T	LDMR	MR	NB	PCB	CB[128]	GC[128]	IP[76]	BP	LI[55, 76]	HI[55]	MHP[114]	UC[122]
Manufacturing-All Other Forms Not Specifically Listed [83]											P	P	P	P		P[123]
Marijuana Processing [125, 131]											P	P	P	P		
Marijuana Production [125, 131]											P	P	P	P		
Marijuana Retail [131, 132]							C	C	C	C		C	C	C		C
Massage Parlor									P	P	P	P	P	P		P
Material Recovery Facility[134]											C		C	C		
Mini Self-Storage								P	P	P	P	P	P	P		
Mobile Home Park [38]					C	C			C	C					P	
Model Hobby Park [75]												A	A	A		
Model House/Sales Office	P	P	P	P	P	P										
Motocross Racetrack [129]										C[113]	C[113]	C[113]	C[113]	C[113]		
Museum [41]	C	C	C		C	C	C	P	P	P	P	P	P	P		P
Neighborhood Services					A, C[86, 138]	A, C[86, 138]	P	P	P[86]	P	P	P	P	P		P
Office and Banking							P	P	P	P	P	P	P	P		P
Park, Public [14]	P	P	P		P	P	P	P	P	P	P	P	P	P		P

TYPE OF USE	R-9,600[88]	R-8,4008[8]	R-7,200[88]	T	LDMR	MR	NB	PCB	CB[128]	GC[1][28]	IP[7][6]	BP	LI[55,][76]	HI[5][5]	MHP[11][4]	UC[122]
Park-and-Pool Lot	C	C	C	C	C	P	P	P	P	P	P	P	P	P		P
Park-and-Ride Lot	C	C	C	C	C	P	P	P	P	P	P	P	P	P		P
Personal Wireless Service Facilities [27, 41, 104, 106]	C	C	C	C	C	C	C	C	C	C	P	P	P	P	C	P[119]
Printing Plant								P		P	P	P	P	P		P[123]
Race Track [24, 41, 129]										C	P	P	P	P		
Railroad Right-of-way	C	C	C	C	C	C	P	P	P	P	P	P	P	P		P
Recreational Facility Not Otherwise Listed	C	C	C		C	C	P	P	P	P	P	P	P	P		P
Recreational Vehicle Park									C	C					C	
Recycling Facility [137]										C	C		C	C		
Rendering of Fat, Tallow, or Lard [129]											P			P		
Restaurant							P	P	P	P	P[49]	P[49]	P	P		P
Retail, General						A[135]	P	P	P	P		P[53]	P	P		P
Retirement Apartments				P	P	P	P	P	P	P					P	P
Retirement Housing				P	P	P	P	P	P	P					P	P
Sanitary Landfill [129]	C	C	C						C	C	C	C	C	C		
Schools																

TYPE OF USE	R-9,600[88]	R-8,4008[8]	R-7,200[88]	T	LDMR	MR	NB	PCB	CB[128]	GC[128]	IP[6]	BP	LI[55, 76]	HI[5]	MHP[114]	UC[122]
K-12 & Preschool [41, 68, 129]	C	C	C		C	C	C[136]		P	P	P	P	P	P		P
College [41, 68]	C	C	C		C	C	C[136]		P	P	P	P	P	P		P
Other [41, 68]					C	C	C[136]		P	P	P	P	P	P		P
Service Station [41]							P	P	P[86]	P			P	P		P
Shooting Range [92]											P	P	P	P		
Sludge Utilization [39]	C[56]	C[56]	C[56]		C[56]	C[56]			C[56]	C[56]	C[56]		C[56]	P C[50]		
Small Animal Husbandry [41]	C[37]	C[37]	C[37]				P		P	P	P	P	P	P		
Small Workshop									P[86]	P	P	P	P	P		P
Stables	P	P	P		P	P	P	P	P	P	P	P	P	P		
Stockyard or Slaughter House [129]											P			P		
Storage, Retail Sales Livestock Feed									P	P			P	P		
Storage Structure, Accessory [60]																
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
2,401 - 4,000 sq ft on More than 3 Acres [41, 59]	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
2,401 - 4,000 on Less than 3 acres [41, 59]	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	

TYPE OF USE	R-9,600[88]	R-8,400[88]	R-7,200[88]	T	LDMR	MR	NB	PCB	CB[128]	GC[128]	IP[6]	BP	LI[55, 76]	HI[5]	MHP[114]	UC[122]
4,001 sq ft and Greater [41, 59]	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Storage Structure, Non-accessory [60]																
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
2,401 sq ft and greater [41, 59]	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Studio [41]	C[77]	C[77]	C[77]		C[77]	C[77]	P	P	P[86]	P	P	P	P	P		P
Supervised Drug Consumption Facility																
Swimming/Wading Pool [17, 41]	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Television/Radio Stations													P	P		
Temporary Dwelling During Construction	A	A	A	A	A	A	A	A	A	A						A
Temporary Dwelling For Relative [18]	A	A	A	A	A	A	A	A	A	A						
Temporary Residential Sales Coach [73]	A	A	A													A
Transit Center	C	C	C	C	C	P	P	P	P	P	P	P	P	P		P
Ultralight Airpark [20]											P					

TYPE OF USE	R-9,600[88]	R-8,400[88]	R-7,200[88]	T	LDMR	MR	NB	PCB	CB[128]	GC[128]	IP[76]	BP	LI[55, 76]	HI[55]	MHP[114]	UC[122]
Utility Facilities, Electromagnetic Transmission & Receiving Facilities [27, 129]	C	C	C	C	C	C	C	P	P[86]	P	P	P	P	P		
Utility Facilities, Transmission Wires, Pipes & Supports [27]	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utility Facilities-All Other Structures [27, 41]	C	C	C	C	C	C	C	P	P[86]	P	P	P	P	P	C	P
Vehicle, Vessel and Equipment Sales and Rental									P[23]	P			P	P		
Veterinary Clinic					C	C	P	P	P[86]	P	P	P	P	P		P
Warehouse										P	P	P	P	P		P[123]
Wholesale Establishment								P	P[86]	P	P	P	P	P		P[123]
Woodwaste Recycling and Woodwaste Storage											A[63]		A[63]	A[63]		
All other uses not otherwise mentioned											P	P	P	P		

1

P - Permitted Use	

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

Section 5. Snohomish County Code Section 30.22.110, last amended by Amended Ordinance No. 20-088 on January 13, 2021, is amended to read:

30.22.110 Rural and Resource Zone Categories Use Matrix.

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

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB[26]	CRC	RFS	RI	F	F&R	A-10	MC
Cemetery and Funeral Home	P		C [115]								
Church [41, 129]	P		C [115]	C[36]	P						
Clubhouse	C		C [115]	P	P[133]						
Commercial Vehicle Home Basing			C[33]								
Commercial Vehicle Storage Facility				P	P	P	P				
Community Facilities for Juveniles [103]											
1 to 8 residents			P [102, 115]	P	P						
9 to 24 residents			S [103, 115]	P	P						
Construction Contracting				P[80, 81]							
Dams, Power Plants, & Associated Uses									P		
Day Care Center [2, 129]	P		C[115]	P	P	P					
Distillation of Alcohol	C[34]		C[34, 115]							C[34]	
Dock & Boathouse, Private, Non-commercial [3, 41]	P	P	P	P				P	P	P	
Dwelling, Duplex	P	P	P					P		P	
Dwelling, Mobile Home	P	P	P		P[6]			P	P	P	P
Dwelling, Single Family	P	P	P		P			P	P	P	P
Equestrian Center [41, 70, 72]	P	C	C[115]					C	P	C[70]	
Excavation & Processing of Minerals [28]	A, C	A, C	A, C				A, C	A, P, C	A, C		A, C
Explosives, Storage	C	C	C				C	P	C		C
Family Day Care Home [8, 130]	P		P[115]	P	P			P		P	
Farm Product Processing											
Up to 5,000 sq ft	P	P	P[115]	P			P	P		P	
Over 5,000 sq ft [94]	A	A	A[115]	A			A	A		A	
Farm Support Business [94]	A	A	A[115]	A			P			A	

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB[26]	CRC	RFS	RI	F	F&R	A-10	MC
Farm Stand											
Up to 400 sq ft [9]	P	P	P[100, 115]	P	P	P	P	P	P	P	P
401 - 5,000 sq ft [99, 100]	P	P	P, A[100]	P	P	P	P	P	P	P	
Farm Workers Dwelling										P[10]	
Farmers Market [93]	P	P	P [101] A [101, 115]	P	P	P	P			P	
Farmland Enterprises [95]		A	A[115]							A	
Fish Farm	P	P	P[115]					P	P	P	
Forestry	P	P	P				P	P	P	P	P
Forestry Industry Storage & Maintenance Facility	P[30]	P					P	P	P		
Foster Home	P	P	P	P				P		P	
Fuel Yard[43]							P				
Garage, Detached Private Accessory[60]											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P
2,401 - 4,000 sq ft on More than 3 Acres [41, 59]	P	P	P	P	P	P	P	P	P	P	P
2,401 - 4,000 sq ft on Less than 3 acres [41, 59]	A	A	A	A	A	A	A	A	A	A	A
4,001 sq ft and Greater [41, 59]	C	C	C		C	C	C	C	C	C	C
Garage, Detached Private Non-accessory [60]											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P
2,401 sq ft and greater [41, 59]	C	C	C	C	C	C	C	C	C	C	C
Golf Course, Driving Range and Country Club	C		C[115]	P						C[74]	
Government Structures & Facilities [27, 41]	C	C	C[115]	C	P		C	C	C		C
Greenhouse, Lath House, Nurseries	P	P	P[115]	P	P		P	P		P	

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB[26]	CRC	RFS	RI	F	F&R	A-10	MC
Guest House [85]	P	P	P	P				P	P	P	
Hazardous Waste Storage & Treatment Facilities Onsite [65]	P			P		P	P	P	P		
Health and Social Service Facility [90]											
Level I	P	P	P[115]	P	P			P	P		P
Level II [41, 91, 129]			C[115]	C							
Level III											
Home Occupation [11]	P	P	P	P	P			P	P	P	P
Homestead Parcel [40]	C		C[115]							C	
Hotel/Motel				P		P					
Kennel, [41] Commercial [12, 130]	P	P	P[115]					P		C	
Kennel, [41] Private-Breeding [13]	P	P	P					P		P	
Kennel, [41] Private-Non-Breeding [13]	P	P	P	P				P		P	
Kitchen, farm	P	P	P	P			P			P	
Laboratory				P			P				
Library [41]	C		C[115]	P							
Livestock Auction Facility	C[48]		C[48, 115]		P		P			C[48]	
Lumber Mill	C[26]	C[26]	C[26, 115]				P	P	P		
Lumberyard							P				
Manufacturing - All Other Forms Not Specifically Listed [83]				C			C				
Marijuana Processing [124, 131]							P			P	
Marijuana Production[124, 131]							P			P	
Marijuana Retail[131, 132]				C							
Mini-equestrian Center [41, 72]	P	P	P[115]	P			P	P	P	P[71]	
Mini Self-Storage				P		P	P				
Model Hobby Park [75, 130]			A[115]							A	
Model House/Sales Office	P	P	P[115]					P	P		

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB[26]	CRC	RFS	RI	F	F&R	A-10	MC
Motocross Racetrack [129]			C[113]						C[113]		
Museum [41, 130]	C		C[115]	P						C[61]	
Neighborhood Services				P	P[133]						
Office and Banking				P	P[133]						
Off-road vehicle use area, private									C [109]		
Park, Public [14, 130]	P	P	P	P	P		P	P	P	P	P
Park-and-Pool Lot				P	P	P	P				
Park-and-Ride Lot	C	C	C	P		P		C	C		
Personal Wireless Service Facilities [27, 41, 104, 106, 130]	C	C	C	C	C	C	C	C	C	C	C
Public Events/Assemblies on Farmland [96]										P	
Race Track [24, 41, 129]			C[115]								
Railroad Right-of-way	C	C	C[115]		P		P	C	C	C	C
Recreational Facility Not Otherwise Listed [98]	C		C[115]		P		P[79]	A, C [127]	A, C [127]	C	
Recreational Vehicle [19]	P	P	P					P	P	P	
Recreational Vehicle Park									C		
Resort									C		
Restaurant				P[80]	P	P					
Retail, General				P	P[133]	P[80]					
Rural Industries [41]	P[25]										
Sanitary Landfill [129]	C	C	C[115]					C			C
Schools											
K-12 & Preschool [41, 68, 129]	C		C[115]	P							
College [41, 68]	C		C[115]								
Other [41, 68]				C			C				
Service Station [41]				P	P	P					
Shooting Range [92]	C	C	C					C			
Sludge Utilization [39]	C	C, P[50]	C[115]					C		C	C[56]
Small Animal Husbandry [41]	P		P		P			P	P	P	P

TYPE OF USE	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB[26]	CRC	RFS	RI	F	F&R	A-10	MC
Small Workshop				P			P				
Stables	P	P	P	P			P	P	P	P	
Stockyard or Slaughter House [129]							C[48]				
Storage, Retail Sales Livestock Feed			P[54, 115]	P			P			P	
Storage Structure, Accessory [60]											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P
2,401 - 4,000 sq ft on More than 3 Acres [41, 59]	P	P	P	P	P	P	P	P	P	P	P
2,401 - 4,000 sq ft on Less than 3 acres [41, 59]	A	A	A	A	A	A	A	A	A	A	A
4,001 sq ft and Greater [41, 59]	C	C	C		C	C	C	C	C	C	C
Storage Structure, Non-accessory [60]											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P
2,401 sq ft and greater [41, 59]	C	C	C	C	C	C	C	C	C	C	C
Studio [41]	C[77]		C[77, 115]								
Supervised Drug Consumption Facility											
Swimming/Wading Pool [17, 41]	P	P	P					P	P	P	P
Temporary Dwelling During Construction	A	A	A	A	A	A	A	A	A	A	A
Temporary Dwelling For Relative[18]	A	A	A					A	A	A	A
Temporary Logging Crew Quarters								P	P		
Temporary Residential Sales Coach [73]	A		A[115]								
Transit Center	C	C	C[115]	P		P		C	C		
Ultralight Airpark [20]	C	C	C[115]					C			
Utility Facilities, Electromagnetic	C	C	C	C	P	C	P	C	C	C	C

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

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

Section 6. Snohomish County Code Section 30.22.120, last amended by Amended Ordinance No. 20-088 on January 13, 2021, is amended to read:

30.22.120 Other Zone Categories Use Matrix.

TYPE OF USE	Other Zones					
	SA-1	RC	RU	R-20,000	R-12,500	WFB
Accessory ((~~Apartment~~)) <u>Dwelling Unit</u> [62]	((~~A~~)) <u>P</u>	((~~A~~)) <u>P</u>	((~~A~~)) <u>P</u>	((~~A~~)) <u>P</u>	((~~A~~)) <u>P</u>	((~~A~~)) <u>P</u>
Agriculture [41, 107]	P	P	P	P	P	P
Airport, Stage 1 Utility [1]	C	C	C	C	C	C
Art Gallery [41]	C	C	P	C	C	C
Bakery, Farm [97]		P				
Bed and Breakfast Guesthouse [58]	A	A	A	A	A	A

TYPE OF USE	Other Zones					
	SA-1	RC	RU	R-20,000	R-12,500	WFB
Bed and Breakfast Inn[58]		A				
Boarding House	P [15]	P [15]	P [15]	P [15]	P[15]	P [15]
Boat Launch, Non-commercial [31]	C	C	C	C	C	C
Caretaker's Quarters		C				
Cemetery and Funeral Home	C	C	C	C	C	C
Church [41, 129]	C	C	P	C	C	C
Clubhouse	C	C		C	C	C
Community Facilities for Juveniles [103]						
1 to 8 residents	P	P	P	P	P	P
9 to 24 residents	S	S	S	S	S	S
Day Care Center [2, 129]	C	C	P	C	C	C
Distillation of Alcohol		C [34]	C [34]			
Dock & Boathouse, Private, Non-commercial [3, 41]	P	P	P	P	P	P
Dwelling, Duplex	P	P	P [42]	P	P [42]	P [42]
Dwelling, Mobile Home	P	P	P [6]	P	P [6]	P [6]
Dwelling, Single Family	P	P	P	P	P	P
Equestrian Center [41, 70, 72]		P				
Electric Vehicle Infrastructure						
Electric Vehicle Charging Station - Restricted, Level 1, and Level 2 [121]	P	P	P	P	P	P
Electric Vehicle Charging Station - Public, Level 1 and Level 2						
Electric Vehicle Charging Station, Level 3	C[120]	C[120]	C[120]	C[120]	C[120]	
Battery Exchange Stations	C[120]	C[120]	C[120]	C[120]	C[120]	
Excavation & Processing of Minerals [28]		A,C				
Explosives Storage		C	C			
Family Day Care Home [8]	P	P	P	P	P	P
Farm Product Processing						
Up to 5,000 sq ft		P	A			

TYPE OF USE	Other Zones					
	SA-1	RC	RU	R-20,000	R-12,500	WFB
Over 5,000 sq ft [94]		P				
Farm Support Businesses [94]		A				
Farm Stand						
Up to 400 sq ft [9]	P	P	P	P	P	P
401 to 5,000 sq ft [99]		P[100] A[100]				
Farmers Market [93]		P [101] A [101]				
Farmland Enterprises [95]		A				
Fish Farm	P	P	P			
Forestry	P	P	P			
Foster Home	P	P	P	P	P	P
Garage, Detached Private Accessory[60]						
Up to 2,400 sq ft	P	P	P	P	P	P
2,401 - 4,000 sq ft on More than 3 Acres [41, 59]	P	P	P	P	P	P
2,401 - 4,000 sq ft on Less than 3 acres [41, 59]	A	A	A	A	A	A
4,001 sq ft and Greater [41, 59]	C	C	C	C	C	C
Garage, Detached Private Non-accessory [60]						
Up to 2,400 sq ft	P	P	P	P	P	P
2,401 sq ft and greater [41, 59]	C	C	C	C	C	C
Golf Course, Driving Range and Country Club	C	C		C	C	C
Government Structures & Facilities [27, 41]	C	C	C	C	C	C
Greenhouse, Lath House, Nurseries	P					
Guest House [85]	P	P	P	P	P	P
Health and Social Service Facility [90]						
Level I	P	P	P	P	P	P
Level II [41, 91, 129]	C	C	C	C	C	C
Level III						

TYPE OF USE	Other Zones					
	SA-1	RC	RU	R-20,000	R-12,500	WFB
Home Occupation [11]	P	P	P	P	P	P
Homestead Parcel [40]		C				
Kennel, [41] Commercial	C	C	P	C	C	C
Kennel, [41] Private-Breeding [13]	C	P	P	P	P	P
Kennel, [41] Private-Non-Breeding [13]	P	P	P	P	P	P
Kitchen, Farm		P	P			
Library [41]	C	C	P	C	C	C
Mini-equestrian Center [41, 72]		P				
Model House/Sales Office	P	P	P	P	P	P
Museum [41]	C	C	P	C	C	C
Park, Public [14]	P	P	P	P	P	P
Park-and-Pool Lot				C	C	
Park-and-Ride Lot	C	C	C	C	C	
Personal Wireless Service Facilities [27, 41, 104, 106]	C	C	C	C	C	C
Race Track [24, 41, 129]		C	C			
Railroad Right-of-way	C	C	C	C	C	C
Recreational Facility Not Otherwise Listed	C	C	P	C	C	C
Recreational Vehicle [19]	P	P	P			
Sanitary Landfill [129]	C	C	C	C	C	C
Schools						
K-12 & Preschool [41, 68, 129]	C	C	C	C	C	C
College [41, 68]	C	C	C	C	C	C
Shooting Range [92]		C	C			
Sludge Utilization [39]	C	C	C	C	C[56]	C[56]
Small Animal Husbandry [41]	P	P	P	C[37]	C[37]	C[37]
Stables	P	P	P	P	P	P
Storage, Retail Sales Livestock Feed		P[54]				
Storage Structure, Accessory[60]						
Up to 2,400 sq ft	P	P	P	P	P	P

TYPE OF USE	Other Zones					
	SA-1	RC	RU	R-20,000	R-12,500	WFB
2,401 - 4,000 sq ft on More than 3 Acres [41, 59]	P	P	P	P	P	P
2,401 sq ft - 4,000 sq ft on Less than 3 acres [41, 59]	A	A	A	A	A	A
4,001 sq ft and Greater [41, 59]	C	C	P	C	C	C
Storage Structure, Non-accessory						
Up to 2,400 sq ft	P	P	P	P	P	P
2,401 sq ft and greater	C	C	C	C	C	C
Studio [41]	C[77]	C[77]	P	C[77]	C[77]	C[77]
Supervised Drug Consumption Facility						
Swimming/Wading Pool [17, 41]	P	P	P	P	P	P
Temporary Dwelling During Construction	A	A	A	A	A	A
Temporary Dwelling For Relative [18]	A	A	A	A	A	A
Temporary Residential Sales Coach [73]	A	A	A	A	A	A
Transit Center	C	C	C	C	C	
Ultralight Airpark [20]		C				
Utility Facilities, Electromagnetic Transmission & Receiving Facilities [27, 129]	C	C	C	C	C	C
Utility Facilities, Transmission Wires, Pipes & Supports [27]	P	P	P	P	P	P
Utility Facilities-All Other Structures [27, 41]	C	C	C	C	C	C
Veterinary Clinic	C	C	P			
P - Permitted Use	A blank box indicates a use is not allowed in a specific zone. Note: Reference numbers within matrix indicate special conditions apply; see SCC 30.22.130. Check other matrices in this chapter if your use is not listed above.					
A - Administrative Conditional Use						
C - Conditional Use						
S - Special Use						

Section 7. Snohomish County Code Section 30.22.130, last amended by Ordinance No. 21-001 on February 24, 2021, is amended to read:

30.22.130 Reference notes for use matrices.

(1) *Airport, Stage 1 Utility.*

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

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

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

(2) *Day Care Center.*

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

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

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

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

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

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

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

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

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

uncovered structures. No rear yard setback shall be required for any structure permitted hereunder.

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

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

(6) *Dwelling, Mobile Home.*

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

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

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

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

(ii) a perimeter masonry foundation;

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

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

(7) RESERVED for future use.

(8) *Family Day Care Home.*

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

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

(9) *Farm Stand.*

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

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

(10) *Farm Worker Dwelling.*

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

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

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

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

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

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

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

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

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

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

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

(c) No amusement devices for hire are permitted.

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

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

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

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

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

(18) *Temporary Dwelling for a Relative.*

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

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

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

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

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

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

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

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

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

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

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

(19) *Recreational Vehicle.*

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

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

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

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

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

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

(20) *Ultralight Airpark.*

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

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

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

(i) create a hazard for other persons or property;

(ii) occur between sunset and sunrise;

(iii) occur over any substantially developed area of a city, town, or settlement, particularly over residential areas or over any open air assembly of people; or

(iv) occur in an airport traffic area, control zone, terminal control area, or positive control area without prior authorization of the airport manager with jurisdiction.

(21) RESERVED for future use.

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

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

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

(25) *Rural Industry.*

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

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

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

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

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

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

(28) *Excavation and Processing of Minerals.*

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

(b) An Administrative Conditional Use Permit or a Conditional Use Permit is required pursuant to SCC 30.31D.030.

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

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

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

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

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

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

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

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

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

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

(32) *Campground.*

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

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

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

(33) *Commercial Vehicle Home Basing.*

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

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

(c) The vehicles shall be in operable condition.

(34) *Distillation of Alcohol.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(47) RESERVED for future use.

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

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

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

(51) RESERVED for future use.

(52) RESERVED for future use.

(53) *Retail Store.* See SCC 30.31A.120 for specific requirements for retail stores in the BP zone.

(54) Retail Sales of Hay, Grain, and Other Livestock Feed are permitted on site in conjunction with a livestock auction facility.

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

(56) *Sludge Utilization.* Only at a completed sanitary landfill or on a completed cell within a sanitary landfill, subject to the provision of SCC 30.28.085.

(57) *Woodwaste Recycling and Woodwaste Storage Facility.* See SCC 30.28.095.

(58) *Bed and Breakfast Guesthouses and Bed and Breakfast Inns.* See SCC 30.28.020.

(59) *Detached Accessory or Non-Accessory Private Garages and Storage Structures.* Subject to the following requirements:

(a) Special setback requirements for these uses are contained in SCC 30.23.110(20);

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

(c) The following compatibility standards shall apply:

(i) proposals for development in existing neighborhoods with a well-defined character should be compatible with or complement the highest quality features, architectural character and siting pattern of neighboring buildings. Where there is no discernable pattern, the buildings shall complement the neighborhood. Development of detached private garages and storage structures shall not interrupt the streetscape or dwarf the scale of existing buildings of existing neighborhoods. Applicants may refer to the Residential Development Handbook for Snohomish County Communities to review techniques recommended to achieve neighborhood compatibility;

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

(iii) in the Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and rural cluster subdivisions, no portion of a detached accessory private garage or storage structure shall extend beyond the building front of the existing

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

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

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

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

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

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

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

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

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

(64) RESERVED for future use.

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

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

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

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

(69) RESERVED for future use.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) plat construction plans have been approved;

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

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

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

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

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

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

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

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

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

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

(78) RESERVED for future use.

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

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

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

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

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

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

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

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

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

(83) "All other forms of manufacture not specifically listed" is a category which uses manufacturing workers, as described under the Dictionary of Occupational Titles, published by the U.S. Department of Labor, to produce, assemble or create products

and which the director finds consistent with generally accepted practices and performance standards for the industrial zone where the use is proposed. See SCC 30.91M.024 and 30.91M.026.

(84) RESERVED for future use.

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

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

(87) *Wedding Facility.*

(a) A wedding facility is permitted only:

(i) on vacant and undeveloped land;

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

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

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

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

(i) noise control provisions of chapter 10.01 SCC;

(ii) adequate vehicular sight distance and safe turning movements exist at the access to the site consistent with county engineering design and development standards (EDDS);

(iii) adequate sanitation facilities are provided on site pursuant to chapter 30.50 SCC and applicable Snohomish Health District provisions;

(iv) adequate on-site parking shall be provided for the use pursuant to SCC 30.26.035; and

(v) all other applicable regulations in title 30 SCC including, but not limited to, flood hazard regulations in chapter 30.65 SCC;

(c) A certificate of occupancy shall be obtained pursuant to chapter 30.52A SCC for the use of any existing structure. The certificate of occupancy shall be subject to an

annual inspection and renewal pursuant to SCC 30.53A.361 to ensure building and fire code compliance.

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

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

(a) The Light Industrial zone is located within a municipal airport boundary;

(b) The municipal airport boundary includes no less than 1,000 acres of land zoned light industrial; and

(c) The hotel/motel use is served by both public water and sewer.

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

(a) Snohomish County is preempted from regulation of SCTFs. In accordance with the requirements of state law the county shall take all reasonable steps permitted by chapter 71.09 RCW to ensure that SCTFs comply with applicable siting criteria of state law. Every effort shall be made by the county through the available state procedures to ensure strict compliance with all relevant public safety concerns, such as emergency response time, minimum distances to be maintained by the SCTF from "risk potential" locations, electronic monitoring of individual residents, household security measures and program staffing.

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

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

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

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

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

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

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

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

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

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

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

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

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

(100) *Farm Stand.* Allowed as a Permitted Use (P) when sited on land designated riverway commercial farmland, upland commercial farmland or local commercial farmland in the comprehensive plan. Allowed as an Administrative Conditional Use (A) when sited on land not designated riverway commercial farmland, upland commercial farmland or local commercial farmland in the comprehensive plan.

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

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

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

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

(105) RESERVED for future use.

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

(107) *Agricultural Composting Requirements.*

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

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

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

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

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

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

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

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

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

(110) RESERVED for future use.

(111) RESERVED for future use.

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

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

(114) New AM Radio Towers are prohibited. AM radio towers either constructed before October 13, 2010, or with complete applications for all permits and approvals required for construction before October 13, 2010, shall not be considered nonconforming uses and they may be repaired, replaced, and reconfigured as to the number and dimensions of towers so long as the repair, replacement, or reconfiguration occurs on the parcel where the tower was originally constructed or permitted and it does not increase the number of AM radio towers constructed on the parcel.

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

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

(117) RESERVED for future use.

(118) RESERVED for future use.

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

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

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

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

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

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

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

(124) The minimum lot size for marijuana related facilities is 100,000 square feet. Marijuana production and marijuana processing are allowed indoors and outdoors, including in greenhouses and other structures pursuant to chapter 314-55 WAC. In the A-10 zone, marijuana uses shall be subject to the same regulations that apply to agricultural uses and not subject to any more restrictive regulations except as specifically provided in this title and in state law. Marijuana processing is only allowed when there is a marijuana production facility on site. Marijuana facilities are subject to special setbacks pursuant to SCC 30.23.110(28).

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

(126) RESERVED for future use.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 8. Snohomish County Code Section 30.23.235, added by Amended Ordinance No. 11-058 on January 25, 2012, is amended to read:

30.23.235 Development on substandard lots – General.

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

(1) Development permitted on substandard lots regulated by this chapter shall be subject to compliance with all other applicable provisions of title 30 SCC.

(2) Where the combination of substandard lots is required or proposed for the development of a single-family dwelling, or other building or structure, the lands involved shall be combined and considered to be a single undivided parcel. No portion of said parcel shall be used, altered or sold in any manner which diminishes compliance with lot area and width requirements, nor shall any division be made which creates a lot with a width or area below the requirements permitted by this title. A site plan depicting the lot combination shall be recorded with the auditor prior to permit issuance.

(3) The development of new ((~~attached and detached accessory apartments and~~)) duplexes is prohibited.

(4) Except as provided in SCC 30.23.235(3) and SCC 30.23.240, substandard lots may be used for development permitted under this title and associated incidental uses, provided that the development:

(a) Complies with the setback requirements of SCC 30.23.030;

(b) Complies with the Snohomish Health District standards; and

(c) Does not exceed the lot coverage requirement in SCC 30.23.030.

Section 9. Snohomish County Code Section 30.24.005, added by Amended Ordinance No. 12-049 on October 3, 2012, is amended to read:

30.24.005 Purpose and applicability.

This purpose of this chapter is to establish minimum access and county road network requirements to promote vehicular and pedestrian safety. This chapter shall apply to all development applications except for the following where no new access is created:

(1) Any remodel of an existing single-family detached, duplex or attached single-family structure.

(2) Site-specific rezones that are not accompanied by another permit or approval.

(3) Construction of an accessory ((~~apartment~~)) dwelling unit.

(4) Construction of an accessory or non-accessory storage structure that does not require a conditional use permit.

(5) Construction of a detached private accessory or non-accessory garage that does not require a conditional use permit.

Section 10. Snohomish County Code Section 30.25.020, last amended by Ordinance No. 20-080 on December 16, 2020, is amended to read:

30.25.020 Perimeter landscaping requirements.

(1) To reduce incompatible characteristics of abutting properties with different zoning classifications, the minimum designated landscape width and type shall be required as a buffer between uses pursuant to SCC Table 30.25.020(1) or as required in SCC 30.25.030(3), unless exempted pursuant to SCC 30.25.020(4). For properties within urban zones that are separated from properties in rural zones only by public or private roads or road right-of-way, the minimum landscape requirements of SCC Table

30.25.020(1) shall also be required unless exempted pursuant to SCC 30.25.020(4). When a development proposal has multiple uses or dwelling types, the most intensive use or dwelling type within 100 feet of the property line shall determine which perimeter landscaping requirements shall apply.

(2) Properties zoned RFS, CRC and RB shall provide a 50-foot Type A perimeter landscape buffer when adjacent to R-5, RD, RRT-10, A-10, F, F&R and MC. Properties zoned RI shall provide a 100-foot Type A perimeter landscape buffer when adjacent to R-5, RD, RRT-10, A-10, F, F&R, and MC.

Table 30.25.020(1) Perimeter Landscaping Requirements

Proposed Use	Zoning Classification of Adjacent Property																			
	R-9,600, R-8,400		R-7,200		T, LDMR, MR		NB, CB, PCB		GC, UC		LI, HI		BP, IP		RB, RFS, RI		CRC		All Other Zones	
	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type
Conditional Uses [3]	20	A	20	A	20	A													20	A
Retail, Office, and Other Commercial Uses	15	A	15	A	15	B													25	A
Business Park	25	A	25	A	15	B	10	B											25	A
Light Industrial[1]	25	A	25	A	15	B													25	A
Heavy Industrial[2]	25	A	25	A	25	A													25	A
Single-Family Detached[4], Single-Family Attached[4], and Duplex [4]																			15	A
Cottage Housing[4]																			15	A
Townhouse [4, 5]	10	B	5	B															15	A
Multifamily[4]	15	B	10	B															25	A
Parking Lot	10	A	10	A	10	A													25	A
Personal Wireless Service Facilities	20	A	20	A	20	A	20	A	20	A	20	A	20	A	20	A	20	A	20	A
Stormwater Detention Facility	See SCC 30.25.023																			
Outside Storage and Waste Areas	See SCC 30.25.024																			

Proposed Use	Zoning Classification of Adjacent Property																			
	R-9,600, R-8,400		R-7,200		T, LDMR, MR		NB, CB, PCB		GC, UC		LI, HI		BP, IP		RB, RFS, RI		CRC		All Other Zones	
	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type	Width (in feet)	Type
Large Detached Garages and Storage Structures	See SCC 30.25.029																			
Minerals Excavation and Processing	See SCC 30.25.027																			
((~~Accessory Apartments and~~)) Temporary Dwellings	See SCC 30.25.028																			

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

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

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

Footnote 4: Where residential development locates adjacent to existing commercial or industrial development and where no existing perimeter landscaping or buffer is located on adjacent commercial or industrial properties, the residential development shall provide a 10-foot wide Type A perimeter landscape area adjacent to the commercial or industrial properties.

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

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

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

(a) Where a development abuts a public road that is not on the boundary between a rural zone and an urban zone, the perimeter landscaping along the road frontage shall be 10 feet in width and contain Type B landscaping, except no perimeter landscaping is required in areas for required driveways, storm drainage facility maintenance roads, pedestrian trail connections, or where

encumbered by utility crossings or other easements subject to permanent access and maintenance;

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

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

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

Section 11. Snohomish County Code Section 30.25.028, added by Amended Ordinance No. 08-101 on January 21, 2009, is amended to read:

30.25.028 ((~~Accessory apartments and temporary~~)) <u>Temporary</u> dwellings.

((~~Accessory apartments, where required by SCC 30.28.010(6), and temporary~~)) <u>Temporary</u> dwellings shall be screened with a six-foot high sight-obscuring fence (gaps no greater than one-quarter inch) or by five feet in width of Type A landscaping.

Section 12. Snohomish County Code Section 30.26.030, last amended by Ordinance No. 20-080 on December 16, 2020, is amended to read:

30.26.030 Number of spaces required.

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

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

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

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

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

(a) "GFA" means gross floor area;

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

(c) "SF" means square feet.

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

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

Table 30.26.030(1) Number of Parking Spaces Required

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, MC, SA-1, RC, RU, R-20,000, R-12,500	NOTES
Accessory ((~~Apartment~~)) Dwelling Unit	((~~1 per unit~~))No parking required	1 per unit	
Adult Entertainment Business/Use	See SCC 30.26.035	See SCC 30.26.035	
Agriculture	No parking required	No parking required	
Airport			
Air Terminal	10 per 1,000 SF of waiting area	10 per 1,000 SF of waiting area	
Stage 1 Utility	See SCC 30.26.035	See SCC 30.26.035	
All Others	See SCC 30.26.035	See SCC 30.26.035	
Amusement Facility, by type			
Tennis courts, racquet or handball clubs, and similar commercial recreation	10 per 1,000 SF assembly area plus 2 per court	15 per 1,000 SF assembly area plus 2 per court	
Theaters and cinemas	1 per 3 seats or 8 feet of bench	1 per 4 seats or 8 feet of bench	
All other places without fixed seats including dance halls and skating rinks	See SCC 30.26.035	See SCC 30.26.035	
Antique Shop	3 per 1,000 GFA	4 per 1,000 GFA	
Art Gallery [41]	2.5 per 1,000 GFA	2.5 per 1,000 GFA	
Asphalt Batch Plant & Continuous Mix Asphalt Plant	See SCC 30.26.035	See SCC 30.26.035	

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

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

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, MC, SA-1, RC, RU, R-20,000, R-12,500	NOTES
	the minimum dimension requirements for parking of only 1 car; see notes 1 & 2.	the minimum dimension requirements for parking of only 1 car; see notes 1 & 2.	spaces. All applicable provisions of chapter 30.26 SCC shall be followed.
Electric Vehicle Infrastructure			
Electric Vehicle Charging Station – Levels 1 to 3	No requirement	No requirement	Note: service bays and work areas inside repair facilities do not count as parking spaces.
Battery Exchange Stations	4 per 1,000 GFA	5 per 1,000 GFA	
Equestrian Center	See SCC 30.26.035	See SCC 30.26.035	One space accommodating a vehicle and horse trailer for every two horses expected at equestrian or mini-equestrian center events.
Excavation & Processing of Minerals	See SCC 30.26.035	See SCC 30.26.035	
Explosives, Storage	See SCC 30.26.035	See SCC 30.26.035	
Fairgrounds	See SCC 30.26.035	See SCC 30.26.035	
Family Day Care Home	See dwelling, single family requirements	See dwelling, single family requirements	An off-street load and unload area equivalent to one space is also required.
Farm Product Processing	1 per 1,000 GFA	1 per 1,000 GFA	
Farm Stand			
Up to 400 SF	2 per stand	2 per stand	
401 to 5,000 SF	3 per 1,000 GFA (3 minimum)	3 per 1,000 GFA (3 minimum)	
Farm Support Business	See SCC 30.26.035	See SCC 30.26.035	
Farm Worker Dwelling	See SCC 30.26.035	See SCC 30.26.035	
Farmers Market	3 per 1,000 GFA (3 minimum)	3 per 1,000 GFA (3 minimum)	
Farmland Enterprises	See SCC 30.26.035	See SCC 30.26.035	
Fish Farm	See SCC 30.26.035	See SCC 30.26.035	

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

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

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

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, MC, SA-1, RC, RU, R-20,000, R-12,500	NOTES
Park-and-Ride Lot	No Additional Requirement	No Additional Requirement	
Personal Wireless Service Facilities	1 space	1 space	
Printing Plant	2.5 per 1,000 GFA	3 per 1,000 GFA	
Public Events/Assemblies on Farmland	See SCC 30.26.035	See SCC 30.26.035	
Race Track	See SCC 30.26.035	See SCC 30.26.035	
Recreational Facility Not Otherwise Listed	See SCC 30.26.035	See SCC 30.26.035	
Recreational Vehicle	1 per RV	1 per RV	
Recreational Vehicle Park	See SCC 30.26.035	See SCC 30.26.035	
Recycling Facility	See SCC 30.26.035	See SCC 30.26.035	
Rendering of Fat, Tallow, or Lard	See SCC 30.26.035	See SCC 30.26.035	
Resort	See SCC 30.26.035	See SCC 30.26.035	
Restaurant	6 per 1,000 GFA	8 per 1,000 GFA	Clear queuing space, not interfering with the parking areas, for at least five vehicles is required in front of any drive up window.
Retail, General	3 per 1,000 GFA	4 per 1,000 GFA	
Retirement Apartments	1 per dwelling plus guest parking at 1 per 4 dwellings	1 per dwelling plus guest parking at 1 per 4 dwellings	See SCC 30.26.040(1).
Retirement Housing	1 per dwelling	1 per dwelling plus guest parking at 1 per 4 dwellings	See SCC 30.26.040(2).
Rural Industries	See SCC 30.26.035	See SCC 30.26.035	
Sanitary Landfill	See SCC 30.26.035	See SCC 30.26.035	
Schools	See SCC 30.26.035	See SCC 30.26.035	See SCC 30.26.035; Sufficient on-site space for safe loading and unloading of students from school buses and cars is also required.
K-12 & Preschool			
College			
Other			
Service Station	3 per 1,000 GFA	4 per 1,000 GFA	

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, MC, SA-1, RC, RU, R-20,000, R-12,500	NOTES
Shooting Range	See SCC 30.26.035	See SCC 30.26.035	
Sludge Utilization	No parking required	No parking required	
Small Animal Husbandry	No parking required	No parking required	
Small Workshop	2 per 1,000 GFA	2.5 per 1,000 GFA	May also be determined by the department on a case-by-case basis per SCC 30.26.035 when the employee to SF GFA ratio is less than the normal minimum requirement for the zone.
Stables	1 per 4 seats or 8 feet of bench; see note	1 per 4 seats or 8 feet of bench; see note	One space accommodating a vehicle and horse trailer for every two horses expected at equestrian or mini-equestrian center events.
Stockyard or Slaughter House	See SCC 30.26.035	See SCC 30.26.035	
Storage, Retail Sales Livestock Feed	1 per 1,000 GFA	1 per 1,000 GFA	
Storage Structure, Accessory	No parking required	No parking required	
Storage Structure, Non-accessory	No parking required	No parking required	
Studio	2.5 per 1,000 GFA	3 per 1,000 GFA	
Swimming/Wading Pool			
Public	1 per 10 swimmers, based on pool capacity as defined by the Washington State Department of Health.	1 per 10 swimmers, based on pool capacity as defined by the Washington State Department of Health.	
Private	See SCC 30.26.035	See SCC 30.26.035	
Television/Radio Stations	2.5 per 1,000 GFA	3 per 1,000 GFA	
Temporary Dwelling During Construction	1 per dwelling	1 per dwelling	

USE	Number of Spaces Required in R-9,600, R-8,400, R-7,200, WFB, T, MR, LDMR, GC, CB, NB, PCB, MHP, HI, LI, BP, and IP	Number of Spaces Required in RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, MC, SA-1, RC, RU, R-20,000, R-12,500	NOTES
Temporary Dwelling For Relative	1 per dwelling	1 per dwelling	
Temporary Logging Crew Quarters	See SCC 30.26.035	See SCC 30.26.035	
Temporary Residential Sales Coach[73]	1 per coach	1 per coach	
Transit Center	See SCC 30.26.035	See SCC 30.26.035	
Ultralight Airpark	See SCC 30.26.035	See SCC 30.26.035	
Utility Facilities, Electromagnetic Transmission & Receiving Facility	1 space	1 space	
Utility Facilities, Transmission Wires, Pipes & Supports	See SCC 30.26.035	See SCC 30.26.035	
Utility Facilities-All Other Structures	1 space	1 space	
Vehicle and Equipment Sales and Rental	1 per 1,000 GFA of sales office, plus	1 per 1,000 GFA of sales office, plus	
	2 per 1,000 GFA of service or repair space, plus	2 per 1,000 GFA of service or repair space, plus	
	1 per 4,000 SF of outdoor display area (or of showroom display area in the CB zone)	1 per 4,000 SF of outdoor display area (or of showroom display area in the CRC zone)	
Veterinary Clinic	3 per 1,000 GFA	4 per 1,000 GFA	
Warehousing	0.5 per 1,000 GFA	0.5 per 1,000 GFA	
Wedding Facility	See SCC 30.26.035	See SCC 30.26.035	
Wholesale Establishment	1 per 1,000 GFA	1 per 1,000 GFA	
Woodwaste Recycling and Woodwaste Storage	1 per site plus 1 per 1,000 GFA	1 per site plus 1 per 1,000 GFA	
All other uses not otherwise mentioned	See SCC 30.26.035	See SCC 30.26.035	

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Section 13. Snohomish County Code Section 30.28.010, last amended by Amended Ordinance No. 10-072 on September 8, 2010, is amended to read:

30.28.010 Accessory ((~~apartments~~)) dwelling units.

Accessory dwelling units are allowed subordinate to a single-family dwelling in zones where single-family dwellings are permitted under SCC 30.22.100, 30.22.110, and 30.22.120.

(1) ((~~An owner-occupant of a single family dwelling unit may establish only one accessory apartment, which may be either attached to, or detached from, the single family dwelling. A detached accessory apartment may not be located on a lot on which a temporary dwelling is located.~~)) *General standards*. All accessory dwelling units shall comply with the following standards:

(a) Development of accessory dwelling units shall be subject to compliance with all other applicable provisions of title 30 SCC;

(b) Development of accessory dwelling units shall be subject to physical and legal availability of water and the applicant providing documentation that the water supply is potable and of adequate flow;

(c) Applicants must provide documentation that the existing or proposed sewage or septic system is capable of handling the additional demand placed upon it by the attached or detached accessory dwelling unit;

(d) The floor area of an accessory dwelling unit shall not exceed 1,200 square feet. Floor areas shall be exclusive of garages, porches, and unfinished basements;

(e) Accessory dwelling units shall meet the off-street parking requirements in chapter 30.26 SCC;

(f) Attached accessory dwelling units shall be designed such that the architectural character of the primary dwelling is preserved. Exterior materials, roof form, window spacing, and proportions shall match that of the primary dwelling; and

(g) Detached accessory dwelling units shall be constructed such that exterior materials, roof form, window spacing, and proportions approximate those of the single-family dwelling. A detached accessory dwelling unit proposed for location within an existing accessory structure is not required to approximate the exterior features of the existing single family dwelling. A mobile home, where allowed as a detached accessory dwelling unit pursuant to SCC 30.28.010(4)(a), is not required to approximate the exterior features of the existing single-family dwelling.

(2) ((~~The owner-occupant(s) shall reside in either the single family dwelling unit, the accessory apartment, or both.~~)) *Urban zones*. Accessory dwelling units are permitted uses in the urban zones on lots with a single-family dwelling pursuant to SCC 30.22.100. One attached accessory dwelling unit and one detached accessory dwelling unit may be established on lots that contain a legally-established single-family dwelling.

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

~~**Table 30.28.010(1) Accessory Apartments-Maximum Floor Area**~~

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

~~The floor area of a detached accessory apartment shall not exceed 40 percent of the floor area of the single family dwelling unit to which it is accessory, or 850 square feet, whichever is less. The square footage of a mobile home allowed as a detached accessory apartment pursuant to SCC 30.91A.050 may exceed this limitation; provided, that the floor area remains less than the square footage of the existing owner occupied home.~~)) *Rural, resource, and other zones*. Accessory dwelling units are permitted uses in the rural, resource, and other zones on lots with a single-family dwelling pursuant to SCC 30.22.110 and 30.22.120 and the following standards:

(a) One accessory dwelling unit may be established on lots that contain a legally-established single-family dwelling pursuant to the following:

(i) Detached accessory dwelling units are prohibited on lots that do not meet the minimum required lot area, pursuant to SCC 30.23.030, in the zone in which they are located. The following prohibitions also apply:

(A) Detached accessory dwelling units are prohibited on lots in the R-5 zone that are less than 5 acres in size; and

(B) Detached accessory dwelling units are prohibited on lots in the RC zone that are less than 100,000 square feet in size.

(ii) A mobile home that is subordinate to the single-family dwelling may be allowed as a detached accessory dwelling unit on lots equal to or greater than 10 acres.

(b) The distance between the nearest walls of the primary dwelling and a proposed detached accessory dwelling unit shall not exceed 100 feet except when:

(i) The accessory dwelling unit is proposed to be located in an existing structure that was legally constructed before [the effective date of this ordinance]; or

(ii) The applicant demonstrates that the physical characteristics of the property, including, but not limited to, critical areas, topography, sewage, septic, and water systems, and their associated buffers or setbacks, limit the siting of an accessory dwelling unit within 100 feet of the primary dwelling. In these circumstances the accessory dwelling unit shall be located as close as reasonably possible to the primary dwelling unit.

(c) Accessory dwelling units shall utilize the same driveway as the primary single-family dwelling.

((~~(4) For an attached accessory apartment, the architectural character of the single family dwelling shall be preserved. Exterior materials, roof form, and window spacing and proportions shall match that of the existing single family dwelling. Only one main entrance shall be permitted on the front (street face) of the dwelling. Entrances for the attached accessory apartment shall be on the side or in the rear of the dwelling.~~))

((~~(5) The exterior materials, roof form, and window spacing and proportions of a proposed detached accessory apartment structure shall approximate those of the existing single family dwelling. A detached accessory apartment proposed for location within an existing structure, is not required to approximate the exterior features of the existing single family dwelling. A mobile home, where allowed as a detached accessory apartment pursuant to SCC 30.91A.050, is not required to approximate the exterior features of the existing single family dwelling if the existing owner occupied home is a mobile home or if the minimum planting standards for screening set forth at SCC 30.25.028 are incorporated in the building permit application.~~))

((~~(6) In zones categorized as residential, multiple-family or commercial, no portion of a detached accessory apartment shall extend beyond the building front of the existing single family dwelling, unless screening, landscaping, or other measures are provided to ensure compatibility with the immediate neighborhood. Where a proposed detached accessory apartment extends beyond the building front of the existing single family dwelling as described above, the building permit application site plan shall depict the existing and proposed screening, landscaping or other measures to ensure visual compatibility with the immediate neighborhood. The location of existing or proposed structures on the subject property and surrounding structures in the immediate vicinity shall be shown on the site plan. The site plan shall show the amount, type and spacing~~

~~of proposed planting materials. Plant materials, species and design shall be approved by the department. Landscaping modifications, installation and maintenance requirements and minimum planting standards set forth at SCC 30.25.015 shall apply.~~))

((~~(7) An applicant must provide documentation that the water supply is potable and of adequate flow and that the existing or proposed sewage or septic system is capable of handling the additional demand placed upon it by the attached or detached accessory apartment.~~))

((~~(8) One off-street parking space shall be provided and designated for the attached or detached accessory apartment (in addition to the two off-street parking spaces required for the primary single family dwelling unit). Additional spaces shall be provided to accommodate any additional vehicles owned and/or used by occupants of the attached or detached accessory apartment. Driveways may be counted as one parking space but no parking areas other than driveways shall be created in front yards.~~))

((~~(9) An owner-occupant of a single family dwelling with an attached or detached accessory apartment shall file, on a form available from the department, a declaration of owner occupancy with the department prior to issuance of the building permit for the attached or detached accessory apartment. The initial declaration of owner occupancy shall be recorded with the county auditor prior to filing the declaration with the department. If the department receives information calling into question the owner-occupied status of the property, the department may request a renewed recording of the owner occupancy declaration. This renewal shall be submitted to the department upon request. Within 30 days of a sale or transfer of the property, the new property owner(s) shall record a declaration of owner occupancy with the county auditor. A copy of this recorded declaration shall be submitted to the department referencing the assessor's tax parcel number.~~))

Section 14. Snohomish County Code Section 30.28.020, last amended by Amended Ordinance No. 20-088 on January 13, 2021, is amended to read:

30.28.020 Bed and breakfast guesthouses and bed and breakfast inns.

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

(2) The following requirements apply to an administrative conditional use permit application or a building permit application for a bed and breakfast inn or a bed and breakfast guesthouse:

(a) *Site plan requirements*. The site plan shall indicate the location of the off-street parking, proposed screening, the location and size of the bed and

breakfast inn, and any proposed new construction to the premises, including additions, remodeling, and outbuildings; and

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

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

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

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

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

(3) *Minimum performance standards.*

(a) Parking requirements shall be in accordance with SCC Table 30.26.030(1). No on-street parking shall be allowed;

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

(c) The owner shall operate the facility and reside on the premises;

(d) One sign for business identification and advertising shall be permitted in conjunction with the bed and breakfast establishment in accordance with SCC 30.27.060(4);

(e) The bed and breakfast establishment shall be conducted in such a manner as to give no outward appearance nor manifest any characteristics of a business, except as to the sign as allowed above, that would be incompatible with the

ability of the neighboring residents to enjoy peaceful occupancy of their properties;

(f) There is no limit on the number of days a guest may stay at the establishment;

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

(h) The applicant shall comply with all applicable county codes for fire, health, and building requirements and any applicable food service regulations and on-site sewage disposal requirements of the Snohomish Health District. The applicant shall comply with the applicable state regulations pertaining to public water systems, if a water system is to be developed or connected to an existing public water system;

(i) If three or more guest rooms are proposed, the applicant shall also meet state regulations pertaining to transient accommodation;

(j) If six guest rooms are proposed, the applicant shall meet all requirements for a hotel occupancy pursuant to the building code in chapter 30.52A SCC;

(k) If outbuilding(s) are proposed for guest rooms, each outbuilding shall be a minimum of 130 square feet. The aggregate outbuilding square footage for guest use shall not exceed 850 square feet; and

(l) If an accessory ((~~apartment~~)) dwelling unit or temporary dwelling exists on the premises, the maximum number of bed and breakfast guest rooms shall be one less than otherwise permitted.

(4) A certificate of occupancy, to ensure compliance with applicable codes, shall be obtained from the department prior to allowing guests at the establishment. The certificate of occupancy shall be subject to an annual inspection and renewal pursuant to SCC 30.53A.361.

(5) In the Forestry (F) zone, bed and breakfast establishments shall not be permitted if the comprehensive plan designates the property as "Commercial Forest." In the F zone, up to three outbuildings for guest use may be permitted, provided that the aggregate outbuilding square footage does not exceed 850 square feet.

Section 15. Snohomish County Code Section 30.31A.115, last amended by Amended Ordinance No. 19-021 on June 19, 2019, is amended to read:

30.31A.115 Optional performance standards for properties designated as Urban Village.

Properties designated Urban Village on the future land use map may develop under the underlying zoning or pursuant to the following performance standards. In choosing to submit a development application under this section, all of the requirements of this section shall be met including the requirements in SCC 30.31A.100 and 30.31A.110.

(1) The following uses shall not be allowed:

(a) Accessory ((~~apartment~~)) dwelling unit;

(b) Dwelling attached, single-family;

(c) Dwelling, duplex;

(d) Dwelling, single-family;

(e) Family daycare home;

(f) Foster home;

(g) Garage, detached; private accessory;

(h) Garage, detached; private non-accessory;

(i) ((*Greenhouse, lath house, and nurseries*.)) Greenhouse, lath house, and nurseries, retail;

(j) ((*Greenhouse, lath house, nurseries*.)) Greenhouse, lath house, and nurseries, wholesale;

(k) Guest house;

(l) Hazardous waste storage and treatment facilities, on-site;

(m) Kennel;

(n) Mini self-storage;

(o) Stables; and

(p) Wholesale establishment.

(2) The maximum building height shall be 75 feet. The director may recommend a height increase in appropriate locations within the Urban Village of up to an additional 50 feet beyond that otherwise allowed when the applicant prepares an environmental impact statement pursuant to chapter 30.61 SCC and where such increased height in designated locations does not unreasonably interfere with the views from nearby residential structures.

(3) Front setbacks may be reduced to zero only if such reduction will not have a likely impact upon future right-of-way needs and/or right-of-way improvements as determined by the county engineer.

(4) Residential development shall maintain a minimum density of 12 dwelling units per acre and a maximum density of 44 dwelling units per acre.

(5) Open space shall comply with SCC 30.34A.070.

(6) Design standards shall comply with SCC 30.34A.100 through 30.34A.160.

(7) Development applications shall comply with the submittal checklist established by the department pursuant to SCC 30.70.030.

(8) A neighborhood meeting shall be held pursuant to SCC 30.34A.165.

(9) Development applications shall be reviewed and approved pursuant to SCC 30.34A.180(2). In addition, because the Urban Village at Point Wells is singularly unique due to its location, geography, access points, and historical uses, the applicant for any Urban Village development at Point Wells shall be subject to the following provisions:

(a) The applicant shall successfully negotiate binding agreements for public services, utilities or infrastructure that are to be provided by entities other than the county prior to the county approving a development permit that necessitates the provision of public services, utilities or infrastructure;

(b) Development applications may be planned and programmed in phases; and

(c) The intensity of development shall be consistent with the level of service standards adopted by the entity identified as providing the public service, utility or infrastructure.

Section 16. Snohomish County Code Section 30.35A.020, last amended by Amended Ordinance No. 18-070 on December 5, 2018, is amended to read:

30.35A.020 TDR overview.

(1) *Issuance and conveyance of TDR certificates*. Subject to the requirements of this chapter, sending site owners may obtain from the department serially numbered TDR

certificates reflecting the number of certified development rights that may be transferred from the sending site owner to a purchaser, and which may thereafter be freely transferred from purchaser to purchaser until ultimately applied to a receiving site located within a receiving area. The number of certified development rights that can be transferred from a sending site is determined based on the size, zoning, and current development of the sending site. TDR certificates may be applied to receiving sites pursuant to the requirements of this chapter or pursuant to an interlocal agreement.

(2) *Grant of TDR conservation easement*. TDR certificates may be issued in exchange for a conservation easement granted to the county pursuant to the requirements of this chapter. The TDR conservation easement is used to conserve the sending site for which TDR certificates are certified by removing the potential for future dwelling units, subdivision, short subdivision, or boundary line adjustments. For the purposes of this section, accessory ((~~apartments~~)) dwelling units, farm worker dwellings and temporary dwellings are not considered dwellings units.

(3) *Application of certified development rights to receiving areas*. Subject to the requirements of this chapter or applicable city regulations, certified development rights, as reflected by properly issued TDR certificates, may be used to obtain development incentives within designated TDR receiving areas.

Section 17. Snohomish County Code Section 30.35A.040, last amended by Amended Ordinance No. 18-070 on December 5, 2018, is amended to read:

30.35A.040 TDR sending site calculations.

(1) *Calculation for transfer purposes only*. The determination of the number of certified development rights that a sending site is eligible to transfer shall be valid for transfer purposes only and shall not entitle the sending site landowner to building permits or other development approvals.

(2) *Calculation for countywide and regional certified development rights*. The number of certified development rights that a sending site is eligible to transfer through the countywide TDR program or the regional TDR program shall be:

(a) ((~~the~~)) The number of legal, existing, unimproved lots larger than 5,000 square feet and not counted in subsection (2)(b) of this section;

(b) ((~~plus~~)) Plus the sum of:

(i) ((~~the~~)) The area in acres of lots not counted in subsection (2)(a) of this section and designated as Commercial Forest, Local Forest, or Commercial Forest - Forest Transition Area on the Comprehensive Plan Future Land Use Map, minus any area already subject to a conservation easement or similar encumbrance, divided by 80 acres, rounded down to the nearest whole number; plus

(ii) ((~~the~~)) The area in acres of lots not counted in subsection (2)(a) of this section and designated as Low Density Rural Residential on the Comprehensive Plan Future Land Use Map, minus any area already subject to a conservation easement or similar encumbrance, divided by 20 acres, rounded down to the nearest whole number; plus

(iii) ((~~the~~)) The area in acres of lots not counted in subsection (2)(a) of this section and designated as Local Commercial Farmland, Upland Commercial Farmland, Riverway Commercial Farmland, Rural Residential-10, or Rural Residential-10 (Resource Transition) on the Comprehensive Plan Future Land Use Map, minus any area already subject to a conservation easement or similar encumbrance, divided by 10 acres, rounded down to the nearest whole number; plus

(iv) ((~~the~~)) The area in square feet of lots not counted in subsection (2)(a) of this section and designated as Rural Residential-5, Rural Residential, or Rural Residential RD on the Comprehensive Plan Future Land Use Map, minus any area already subject to a conservation easement or similar encumbrance, divided by 200,000 square feet, rounded down to the nearest whole number;

(v) ((~~minus~~)) Minus the number of existing dwelling units on all lots in the sending site. For the purposes of this section, accessory ((~~apartments~~)) dwelling units, farm worker dwellings and temporary dwellings are not considered dwellings units.

(3) *TDR calculation final*. Except as otherwise provided by SCC 30.35A.050(4)(c), the final determination of the number of certified development rights that a sending site is eligible to transfer is the administrative authority of the director in accordance with chapter 30.81 SCC and shall not be revised due to subsequent rezones or other changes to the sending site.

Section 18. Snohomish County Code Section 30.35A.060, last amended by Amended Ordinance No. 13-064 on September 4, 2013, is amended to read:

30.35A.060 TDR conservation easement.

(1) *TDR conservation easement required*. No TDR certificates shall be issued pursuant to SCC 30.35A.050 unless a conservation easement is accepted by the director pursuant to the requirements of this section.

(2) *Acceptance and recording of TDR conservation easement*. Subject to the restrictions of SCC 30.35A.050(4)(c), the director shall accept and sign on behalf of the county a conservation easement offered by a sending site owner in exchange for TDR certificates following issuance of a TDR certificate letter of intent; provided, however,

that the easement meets the requirements set forth in subsection (3) of this section. Following acceptance of a conservation easement by the director, the department shall record the easement with the county auditor.

(3) *Requirements for TDR conservation easement*. The conservation easement shall be on a form approved by the prosecuting attorney and shall be reviewed and approved by the department, subject to the requirements of this section. The easement shall contain, at a minimum, all of the following:

(a) The serial numbers of the TDR certificates to be issued by the department on the sending site that is the subject of the conservation easement.

(b) A legal description of the sending site.

(c) A covenant prohibiting any subdivision or short subdivision of the sending site.

(d) A covenant prohibiting the construction of any dwelling unit. The covenant shall allow accessory ((~~apartments~~)) dwelling units, farm worker dwellings and temporary dwellings that are subordinate to existing dwelling units.

(e) A covenant prohibiting boundary line adjustments to the sending site.

(f) A covenant that all provisions of the conservation easement shall run with the land and bind the sending site in perpetuity, and may be enforced by the county.

(g) A statement that nothing in the restrictions shall be construed to convey to the public a right of access or use of the property and that the owner of the property, his or her heirs, successors and assigns shall retain exclusive rights to such access or use subject to the terms of the conservation easement.

(h) Additional provisions that are reasonably necessary for the enforcement and administration of the conservation easement as determined by the director, including a covenant granting the county a right of entry, subject to reasonable advance notice, to conduct brief inspections for the sole purpose of determining compliance with the requirements of the easement.

Section 19. Snohomish County Code Section 30.41G.015, last amended by Amended Ordinance No. 16-073 on December 21, 2016, is amended to read:

30.41G.015 Applicability.

(1) The regulations in this section apply to cottage housing in zones where such use is permitted.

(2) Existing single family detached dwellings may be retained as part of a cottage housing development and do not count towards density calculations.

(3) Detached and attached accessory ((~~apartments~~)) dwelling units are prohibited within a cottage housing development unless the detached or attached accessory ((~~apartment~~)) dwelling unit was constructed as part of an existing single family detached dwelling that is proposed to remain pursuant to subsection (2) of this section.

(4) Where there is a conflict between a provision of this chapter and a provision in another chapter in Title 30 SCC, the requirements of this chapter shall apply.

Section 20. Snohomish County Code Section 30.66C.010, last amended by Ordinance No. 04-140 on January 12, 2005, is amended to read:

30.66C.010 Purpose and applicability.

(1) The purpose of this chapter is:

(a) to ensure that adequate school facilities are available to serve new growth and development; and

(b) to require that new growth and development pay its proportionate share of the costs of new school facilities.

(2) This chapter shall apply to all development, except for the following:

(a) Development that

(i) was the subject of a prior SEPA threshold determination that resulted in the imposition of school mitigation conditions under chapter 30.66C SCC as codified prior to January 1, 1999; and

(ii) has not undergone modifications or other administrative revisions following issuance of the SEPA threshold determination. An applicant subject to a prior version of this chapter may consent in writing to the application of this chapter.

(b) Permits for attached or detached accessory ((~~apartments~~)) dwelling units.

(c) Permits for remodeling or renovation.

(d) "Housing for Older Persons" as defined by 42 U.S.C. § 3607(2), when guaranteed by a restrictive covenant.

(e) Permits for temporary dwellings.

(f) Permits for new single-family detached units and duplexes constructed on legal lots created prior to May 1, 1991.

(g) Building permits for residential development on or located within:

(i) existing lots recognized through the administrative lot status process pursuant to SCC 30.41A.030 or SCC 30.41B.025;

(ii) unrecorded short plats filed with the county prior to September 12, 1972, and pursuant to SCC 30.41B.025(2); and

(iii) exempt subdivisions or large tract subdivisions, including five acre segregations pursuant to SCC 30.41A.030(1) or SCC 30.41B.025(1)(a), 20-acre segregations pursuant to 30.41A.030(2) or 30.41B.025(1)(b), and 80-acre segregations pursuant to SCC 30.41A.020(7) or SCC 30.41B.020(7).

Section 21. A new section is added to Snohomish County Code 30.91A to read:

30.91A.035 Accessory dwelling unit.

"Accessory dwelling unit" means a dwelling unit that is located on the same lot as, under the same ownership as, and subordinate to a single-family dwelling unit. An accessory dwelling unit must include facilities for living, sleeping, eating, cooking, and sanitation for not more than one family.

Section 22. Snohomish County Code Section 30.91A.040, added by Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

30.91A.040 Accessory ((~~apartment~~-)) <u>dwelling unit,</u> attached.

((~~"Accessory apartment-attached" means a dwelling unit that is in the same structure as, under the same ownership as, and subordinate to an owner-occupied single-family dwelling unit. An attached accessory apartment is intended for use as a complete, independent living facility, and does not substantially alter the single-family character, and appearance of the structure or its conformity with the character of the neighborhood. An attached accessory apartment must include facilities for living, sleeping, eating, cooking, and sanitation for not more than one family in accordance with the state and local law.~~))<u>"Accessory dwelling unit, attached" ("Attached accessory dwelling unit") means an accessory dwelling unit that is located in the same structure as the primary dwelling.</u>

Section 23. Snohomish County Code Section 30.91A.050, last amended by Ordinance No. 06-138 on December 13, 2006, is amended to read:

30.91A.050 Accessory ((~~apartment~~-)) dwelling unit, detached.

((~~"Accessory apartment-detached" means a dwelling unit other than a mobile home, which is located on the same lot and under the same ownership as, and subordinate to, an owner-occupied single-family dwelling unit, except that a mobile home may be allowed as a detached accessory apartment on lots ten acres or larger located outside of a UGA when the accessory apartment remains subordinate to the existing owner occupied home and meets the requirements of chapter 30.28 SCC. A detached accessory apartment is intended for use as a complete, independent living facility, and does not substantially alter the single-family character. and appearance of the structure or its conformity with the character of the neighborhood. A detached accessory apartment must include facilities for living, sleeping, eating, cooking, and sanitation for not more than one family in accordance with the state and local law.~~)) "Accessory dwelling unit, detached" ("Detached accessory dwelling unit") means an accessory dwelling unit that is physically separated from and located in a different structure than the primary dwelling.

Section 24. Snohomish County Code Section 30.91D.200, last amended by Amended Ordinance No. 18-036 on October 3, 2018, is amended to read:

30.91D.200 Development.

"Development" means all residential subdivisions and short subdivisions, single family detached unit, cottage housing, townhouse, mixed townhouse, and multifamily residential developments, including multifamily rezones which require binding site plans, planned residential developments, mobile home parks, and all multifamily structures which require building permits and are subject to but does not include permits for attached or detached accessory ((~~apartments~~)) dwelling units, or remodeling or renovation permits which do not result in additional dwelling units.

This definition applies only to "Park and recreation impact mitigation" regulations in chapter 30.66A SCC and "School impact mitigation" regulations in chapter 30.66C SCC.

Section 25. Snohomish County Code Section 30.91D.210, last amended by Ordinance No. 16-010 on June 1, 2016, is amended to read:

30.91D.210 Development.

"Development" means all applications for development activity that will generate vehicular traffic except for:

(1) Single family dwellings;

(2) Structures accessory to a single family use that are not used for commercial purposes;

(3) Attached or detached accessory ((~~apartments~~)) dwelling units;

(4) Duplex conversions;

(5) Temporary dwellings; or

(6) Portable classrooms for public k-12 schools utilizing existing access.

This definition applies only to the concurrency and road impact mitigation regulations in chapter 30.66B SCC.

Section 26. Snohomish County Code Section 30.91D.480, added by Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

30.91D.480 Duplex.

"Duplex" means a residential structure containing two dwelling units that have a contiguous wall, which structure is located on one lot. The term does not include a mobile home, or a structure containing an attached or detached accessory ((~~apartment~~)) dwelling unit.

Section 27. Snohomish County Code Section 30.91D.510, added by Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

30.91D.510 Dwelling, single family.

"Dwelling, single family ("Single family dwelling") means a dwelling containing one dwelling unit, or the dwelling unit and an attached or detached accessory ((~~apartment~~)) dwelling unit. This term shall also include factory built housing constructed pursuant to the standards delineated in RCW 43.22.455, as amended, and rules and regulations promulgated pursuant thereto.

Section 28. Severability and Savings. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid by the Growth Management Hearings Board (Board), or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided, however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by the Board or court of competent jurisdiction, then the section, sentence, clause or phrase in effect prior to the effective date of this ordinance shall be in full force and effect for that individual section, sentence, clause or phrase as if this ordinance had never been adopted.

PASSED this 9th day of June, 2021.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Stephanie Wright
Council Chair

ATTEST:

Debbie Eco, CMC
Clerk of the Council

(X)APPROVED

( )EMERGENCY

( )VETOED

DATE: 6/9/2021

County Executive

ATTEST:

Melissa Geraghty

Approved as to form only:

Deputy Prosecuting Attorney