

1 ADOPTED:
2 EFFECTIVE:

3
4 SNOHOMISH COUNTY COUNCIL
5 Snohomish County, Washington

6
7 ORDINANCE NO. 24-055

8
9 CORRECTING INADVERTENT ERRORS IN SNOHOMISH COUNTY CODE (SCC)
10 TITLE 30, AMENDING SCC 30.22.010, 30.22.110, 30.22.120, 30.22.130, 30.34A.180,
11 30.71.050, 30.81.010, 30.91E.235, and 30.91P.123
12

13 WHEREAS, on December 9, 2002, the county adopted title 30 of the SCC to
14 consolidate and streamline the previously separate county land use and development
15 codes into one title to eliminate duplication, inconsistency, and ambiguity; and
16

17 WHEREAS, the county has identified certain inadvertent errors and
18 inconsistencies in title 30 SCC that cannot be addressed by the county code reviser
19 through the authority established in SCC 1.02.020(2); and
20

21 WHEREAS, the inadvertent errors and inconsistencies identified for correction in
22 this ordinance include typographical errors, outdated or inaccurate citations and cross-
23 references, and missing language that was accidentally omitted or deleted during
24 previous amendments; and
25

26 WHEREAS, the county has conducted early and continuous public participation
27 with respect to the code amendments contained in this ordinance; and
28

29 WHEREAS, the Snohomish County Planning Commission ("Planning
30 Commission") held a briefing on March 26, 2024, concerning the proposed 2024 code
31 corrections; and
32

33 WHEREAS, the Planning Commission held a public hearing on April 23, 2024, to
34 receive public testimony concerning the proposed 2024 code corrections; and
35

36 WHEREAS, at the conclusion of the Planning Commission's public hearing, the
37 Planning Commission voted to recommend approval of the proposed 2024 code
38 corrections, as set forth in its recommendation letter dated April 24, 2024; and
39

40 WHEREAS, on _____, 2024, the Snohomish County Council ("County
41 Council") held a public hearing after proper notice, and considered public comment and
42 the entire record related to the code amendments contained in this ordinance; and

1
2 WHEREAS, following the public hearing, the County Council deliberated on the
3 code amendments contained in this ordinance;
4

5 NOW, THEREFORE, BE IT ORDAINED:
6

7 Section 1. The County Council makes the following findings of fact:
8

- 9 A. The County Council adopts and incorporates the foregoing recitals as findings as
10 if set forth in full herein.
11
- 12 B. This ordinance will amend title 30 SCC to correct inadvertent errors, omissions,
13 and inconsistencies by amending SCC 30.22.010, 30.22.110, 30.22.120,
14 30.22.130, 30.34A.180, 30.71.050, 30.81.010, 30.91E.235, and 30.91P.123. The
15 code amendments are intended to make the code more understandable and
16 consistent and to provide greater certainty to the community.
17
- 18 C. In developing the code amendments, the county considered the goals of the
19 GMA identified in RCW 36.70A.020, specifically the goal related to permitting.
20 The proposed amendments are reasonably related to, and necessary for, the
21 advancement of the GMA planning goals.
22
- 23 D. The code amendments contained in this ordinance improve the quality and
24 accessibility of the SCC. The county has considered the goals, objectives, and
25 policies of the county's Growth Management Act (GMA) Comprehensive Plan,
26 particularly those that contribute to a regulatory environment that is fair,
27 predictable, and accessible. The proposed amendments are consistent with:
28
- 29 1. Goal ED 1 "Maintain and enhance a healthy economy."
30
 - 31 2. Goal ED 2 "Provide a planning and regulatory environment which
32 facilitates growth of the local economy."
33
 - 34 3. Objective ED 2.A "Develop and maintain a regulatory system that is fair,
35 understandable, coordinated and timely."
36
 - 37 4. ED Policy 2.A.1 "Snohomish County shall work to ensure that the
38 Snohomish County Code is an understandable, accessible, and user
39 friendly document."
40
 - 41 5. ED Policy 2.A.2 "Snohomish County should stress predictability but
42 maintain enough flexibility in the Comprehensive Plan and development

1 codes to allow for timely response to unanticipated and desirable
2 developments.”

3
4 E. Procedural requirements.

- 5
6 1. Under Snohomish County Code, this ordinance is a Type 3 legislative
7 action under SCC 30.73.010 and 30.73.020.
8
9 2. This ordinance is consistent with state law.
10
11 3. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance
12 was transmitted to the Washington State Department of Commerce for
13 distribution to state agencies on April 10, 2024.
14
15 4. This action is considered procedural and is exempt from the State
16 Environmental Policy Act (SEPA), chapter 43.21C RCW, review pursuant
17 to WAC 197-11-800(19)(b) and SCC 30.61.030.
18
19 5. The public participation process used in the adoption of this ordinance
20 complies with all applicable requirements of the GMA and the SCC.
21
22 6. As required by RCW 36.70A.370, the Washington State Attorney General
23 last issued an advisory memorandum in September 2018, entitled
24 “Advisory Memorandum and Recommended Process for Evaluating
25 Proposed Regulatory or Administrative Actions to Avoid Unconstitutional
26 Takings of Private Property” to help local governments avoid the
27 unconstitutional taking of private property. The process outlined in the
28 State Attorney General’s 2018 advisory memorandum was used by the
29 county in objectively evaluating the regulatory changes proposed by this
30 ordinance.
31

32 F. The proposed amendments are consistent with the record.

- 33
34 1. This ordinance will amend several sections of title 30 SCC to correct
35 inadvertent errors, omissions, and inconsistencies. The errors, omissions,
36 and inconsistencies identified for correction in this ordinance include
37 (i) grammatical and typographical errors, (ii) outdated or inaccurate
38 citations and cross-references, and (iii) missing language that was
39 accidentally deleted or omitted during previous amendments.
40
41 2. The correction to SCC 30.22.010 is necessary to remove a reference to
42 the Freeway Service (FS) zone. Ordinance No. 20-080 amended various

sections and deleted references to the FS zone, as the FS zone is no longer being implemented and no properties are zoned FS. This correction removes a reference to the FS zone not caught by Ordinance No. 20-080.

3. The correction to the Rural and Resource Zone Categories Use Matrix in SCC 30.22.110 is necessary to correct the erroneous omission of parcels of exactly 3 acres in determining the permit type required for detached private accessory garages and accessory storage structures that are 2,401-4,000 square feet in size. This amendment clarifies that a detached private accessory garage or accessory storage structure that is 2,401-4,000 square feet in size on a 3-acre parcel is a permitted use.
4. The correction to the Other Zone Categories Use Matrix in SCC 30.22.120 is necessary to correct the erroneous omission of parcels of exactly 3 acres in determining the permit type required for detached private accessory garages and accessory storage structures that are 2,401-4,000 square feet in size. This amendment clarifies that a detached private accessory garage or accessory storage structure that is 2,401-4,000 square feet in size on a 3-acre parcel is a permitted use.
5. The correction to SCC 30.22.130(22) is necessary to remove a reference to the Freeway Service (FS) zone. Ordinance No. 20-080 amended various sections and deleted references to the FS zone, as the FS zone is no longer being implemented and no properties are zoned FS. This correction removes the content of the reference note in SCC 30.22.130(22), which was inadvertently missed in Ordinance No. 20-080, and reserves footnote 22 for future use.
6. The correction to SCC 30.22.130(41) is necessary to correct a reference to an incorrect footnote. The reference contained in SCC 30.22.130(41), which is to SCC 30.23.110(26), was added by Amended Ordinance No. 18-011. Prior to the adoption of Amended Ordinance No. 18-011, reference note (41) generally cited SCC 30.23.110, special setbacks for certain uses. This correction returns the footnote to generally citing SCC 30.23.110.
7. The correction to SCC 30.34A.180(3) is necessary to correct a reference to marijuana retail inadvertently not changed by Ordinance No. 23-009. Under Ordinance No. 23-009, marijuana retail became a permitted use in all zones in which it is allowed, including the Urban Center zone as indicated in the Urban Zone Categories Use Matrix, SCC 30.22.100. However, SCC 30.34A.180(3) was inadvertently not amended and still

1 states that marijuana retail in the UC zone requires a conditional use
2 permit. This amendment makes SCC 30.34A.180(3) consistent with SCC
3 30.22.100 and the intent of Ordinance No. 23-009.

4
5 8. The correction to SCC 30.71.050(4) is necessary to update a change in a
6 permit appeal fee that was not changed by Ordinance No. 21-048. The
7 appeal fee for Type 1 permits in SCC Table 30.86.600 was changed from
8 \$500 to \$1,500 under Ordinance No. 21-048. However, the \$500 fee
9 indicated under SCC 30.70.050(4) was not changed, resulting in
10 conflicting fee amounts in Title 30. This amendment reconciles the
11 discrepancy by deleting the amount and instead referring to SCC Table
12 30.86.600.

13
14 9. The correction to SCC 30.81.010 is necessary to reflect the updated name
15 of the Department of Conservation and Natural Resources. Amended
16 Ordinance No. 20-081 amended references to the then-new department,
17 however, missed a reference in SCC 30.81.010. This correction amends
18 the oversight.

19
20 10. The correction to SCC 30.91E.235, which contains the definition of
21 "excavation and processing of minerals," is necessary because the
22 definition includes a cross-reference to SCC 30.91D.010(2), which was
23 removed by Amended Ordinance No. 15-057. The substance of the code
24 section was moved to SCC 30.32C.010(1) by Amended Ordinance No.
25 15-057, and this correction removes a reference to a code section that no
26 longer exists.

27
28 11. The correction to SCC 30.91P.123 is necessary to preserve alphabetical
29 ordering among definitions and create space for future definitions
30 beginning with the word "principal." Renumbering places the term
31 "Principal party," in alphabetical order within chapter 30.91P SCC.
32 Renumbering the term to SCC 30.91P.303 leaves room for other
33 definitions beginning with "principal."

34
35 G. The proposed amendments are consistent with the record as set forth in the PDS
36 Staff Report dated March 26, 2024.

37
38 Section 2. The county council makes the following conclusions:

39
40 A. This ordinance is necessary to correct certain inadvertent errors in title 30 SCC
41 which cannot be addressed by the county code reviser through the authority in
42 SCC 1.02.020(2).

- 1
2 B. The code amendments proposed by this ordinance comply with the GMA.
3
4 C. The code amendments proposed by this ordinance comply with the County's
5 GMA Comprehensive Plan.
6
7 D. The county has complied with all SEPA requirements in respect to this non-
8 project action.
9
10 E. The public participation process used in the adoption of this ordinance complies
11 with all applicable requirements of the GMA and title 30 SCC.
12
13 F. The code amendments proposed by this ordinance do not result in an
14 unconstitutional taking of private property for a public purpose.
15

16 Section 3. The county council bases its findings and conclusions on the entire record,
17 including all testimony and exhibits. Any finding, which should be deemed a conclusion,
18 and any conclusion which should be deemed a finding, is hereby adopted as such.
19

20 Section 4. Snohomish County Code Section 30.22.010, last amended by Amended
21 Ordinance No. 13-007 on September 11, 2013, is amended to read:
22

23 **30.22.010 Purpose and applicability.**
24

25 This chapter establishes which uses or types of uses are permitted, which require
26 special approvals, and which are prohibited in the various county zones. Zones are
27 grouped into four categories, as shown below, with each of the zones listed from left to
28 right in increasing intensity of use in a matrix. Some uses have additional or special
29 requirements that are listed by numbered reference notes in SCC 30.22.130. The
30 categories and zones are as follows:
31

32 (1) Urban Zones - R-9,600, R-8,400, R-7,200, T, LDMR, MR, NB, PCB, CB, GC, ((FS,))
33 IP, BP, LI, HI, MHP, UC;
34

35 (2) Rural Zones - RD, RRT-10, R-5, RB, CRC, RFS, RI;
36

37 (3) Resource Zones - F, F&R, A-10, MC; and
38

39 (4) Other Zones - SA-1, RC, RU, R-20,000, R-12,500, WFB.
40

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

1 **30.22.110 Rural and Resource Zone Categories Use Matrix.**

2

TYPE OF USE	Rural Zones							Resource Zones		
	RD	RRT-10	R-5	RB ²⁶	CRC	RFS	RI	F	F&R	A-10
Accessory Dwelling Unit ⁶²	P	P	P	P	P			P	P	P
Agriculture ^{41, 107}	P	P	P	P	P	P	P	P	P	P
Airport: Stage 1 Utility ¹	C	C	C ¹¹⁵					C		
Antique Shop	C		C ^{45, 115}	P ⁷⁹	P					
Art Gallery ⁴¹	C		C ¹¹⁵	P ⁷⁹	P					
Asphalt Batch Plant & Continuous Mix Asphalt Plant										
Auto Repair, Major							P			
Auto Repair, Minor				P	P	P	P			
Auto Towing	C		C							
Auto Wrecking and Junkyards							A 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	

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Caretaker's Quarters	P		C	P			P			
Cemetery and Funeral Home	P		C ¹¹⁵							
Church ^{41, 129}	P		C ¹¹⁵	C ³⁶	P					
Clubhouse	C		C ¹¹⁵	P	P ¹³³					
Commercial Vehicle Home Basing			C ³³							
Commercial Vehicle Storage Facility				P	P	P	P			
Community Facilities for Juveniles ¹⁰³										
1 to 8 residents			P ^{102, 115}	P	P					
9 to 24 residents			S ^{103, 115}	P	P					
Construction Contracting				P ^{80, 81}						
Dams, Power Plants, & Associated Uses									P	
Day Care Center ^{2, 129}	P		C ¹¹⁵	P	P	P				
Distillation of Alcohol	C ³⁴		C ^{34, 115}							C ³⁴
Dock & Boathouse, Private, Non-commercial ^{3, 41}	P	P	P	P				P	P	P
Dwelling, Duplex	P	P	P					P		P
Dwelling, Mobile Home	P	P	P		P ⁶			P	P	P
Dwelling, Single Family	P	P	P		P			P	P	P
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	
Explosives, Storage	C	C	C				C	P	C	
Family Day Care Home ^{8, 130}	P		P ¹¹⁵	P	P			P		P

Farm Product Processing										
Up to 5,000 sq ft	P	P	P ¹¹⁵	P			P	P		P
Over 5,000 sq ft ⁹⁴	A	A	A ¹¹⁵	A			A	A		A
Farm Support Business ⁹⁴	A	A	A ¹¹⁵	A			P			A
Farm Stand										
Up to 400 sq ft ⁹	P	P	P ^{100, 115}	P	P	P	P	P	P	P
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
Forestry Industry Storage & Maintenance Facility	P ³⁰	P					P	P	P	
Foster Home	P	P	P	P				P		P
Fuel Yard⁴³							P			
Garage, Detached Private Accessory⁶⁰										
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P
2,401 - 4,000 sq ft on ((More than)) 3 Acres and more ^{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

Garage, Detached Private Non-accessory ⁶⁰										
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P
2,401 sq ft and greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C
Golf Course, Driving Range, and Country Club	C		C ¹¹⁵	P						C ⁷⁴
Government Structures & Facilities ^{27, 41}	C	C	C ¹¹⁵	C	P		C	C	C	
Greenhouse, Lath House, Nurseries	P	P	P ¹¹⁵	P	P		P	P		P
Guest House ⁸⁵	P	P	P	P				P	P	P
Hazardous Waste Storage & Treatment Facilities Onsite ⁶⁵	P			P		P	P	P	P	
Health and Social Service Facility ⁹⁰										
Level I	P	P	P ¹¹⁵	P	P			P	P	
Level II ^{41, 91, 129}			C ¹¹⁵	C						
Level III										
Home Occupation ¹¹	P	P	P	P	P			P	P	P
Homestead Parcel ⁴⁰	C		C ¹¹⁵							C
Hotel/Motel				P		P				
Kennel, ⁴¹ Commercial ^{12, 130}	P	P	P ¹¹⁵					P		C
Kennel, ⁴¹ Private-Breeding ¹³	P	P	P					P		P
Kennel, ⁴¹ Private-Non-Breeding ¹³	P	P	P	P				P		P
Kitchen, farm	P	P	P	P			P			P
Laboratory				P			P			
Library ⁴¹	C		C ¹¹⁵	P						

Livestock Auction Facility	C ⁴⁸		C ^{48, 115}		P		P			C ⁴⁸
Lumber Mill	C ²⁶	C ²⁶	C ^{26, 115}				P	P	P	
Lumberyard							P			
Manufacturing - All Other Forms Not Specifically Listed ⁸³				C			C			
Marijuana Processing ^{124, 131}							P			P
Marijuana Production ^{124, 131}							P			P
Marijuana Retail ^{131, 132}				P	P					
Mini-equestrian Center ^{41, 72}	P	P	P ¹¹⁵	P			P	P	P	P ⁷¹
Mini Self-Storage				P		P	P			
Model Hobby Park ^{75, 130}			A ¹¹⁵							A
Model House/Sales Office	P	P	P ¹¹⁵					P	P	
Motocross Racetrack ¹²⁹			C ¹¹³						C ¹¹³	
Museum ^{41, 130}	C		C ¹¹⁵	P						C ⁶¹
Neighborhood Services				P	P ¹³³					
Office and Banking				P	P ¹³³					
Off-road vehicle use area, private									C ¹⁰⁹	
Park, Public ^{14, 130}	P	P	P	P	P		P	P	P	P
Park-and-Pool Lot				P	P	P	P			
Park-and-Ride Lot	C	C	C	P		P		C	C	
Personal Wireless Service Facilities ^{27, 41, 104, 106, 130}	C	C	C	C	C	C	C	C	C	C
Public Events/Assemblies on Farmland ⁹⁶										P

Race Track ^{24, 41, 129}			C ¹¹⁵							
Railroad Right-of-way	C	C	C ¹¹⁵		P		P	C	C	C
Recreational Facility Not Otherwise Listed ⁹⁸	C		C ¹¹⁵		P		P 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		
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
Small Animal Husbandry ⁴¹	P		P		P			P	P	P
Small Workshop				P			P			
Stables	P	P	P	P			P	P	P	P
Stockyard or Slaughter House ¹²⁹							C 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
2,401 - 4,000 sq ft on ((More than)) 3 Acres and more ^{41, 59}	P	P	P	P	P	P	P	P	P	P
2,401 - 4,000 sq ft on Less than 3 acres ^{41, 59}	A	A	A	A	A	A	A	A	A	A
4,001 sq ft and Greater ^{41, 59}	C	C	C		C	C	C	C	C	C
Storage Structure, Non-accessory ⁶⁰										
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P
2,401 sq ft and greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C
Studio ⁴¹	C ⁷⁷		C ^{77, 115}							
Supervised Drug Consumption Facility										
Swimming/Wading Pool ^{17, 41}	P	P	P					P	P	P
Temporary Dwelling During Construction	A	A	A	A	A	A	A	A	A	A
Temporary Dwelling For Relative ¹⁸	A	A	A					A	A	A
Temporary Logging Crew Quarters								P	P	
Temporary Residential Sales Coach ⁷³	A		A ¹¹⁵							
Transit Center	C	C	C ¹¹⁵	P		P		C	C	
Ultralight Airpark ²⁰	C	C	C ¹¹⁵					C		
Utility Facilities, Electromagnetic Transmission & Receiving Facilities ^{27, 129}	C	C	C	C	P	C	P	C	C	C

Utility Facilities, Transmission Wires or Pipes & Supports ²⁷	P	P	P	P	P	P	P	P	P	P
Utility Facilities - All Other Structures ^{27, 41, 130}	C	C	C	C	P	C	P	C	C	C
Vehicle, Vessel and Equipment Sales and Rental					P ²³					
Veterinary Clinic	P		C ¹¹⁵	P	P					C
Warehouse							P			
Wedding Facility ^{87, 130}		P	P ¹¹⁵							P
Woodwaste Recycling and Woodwaste Storage	A ⁶³	C ⁵⁷	C ⁵⁷				A ⁶³	A ⁶³		

1

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	

2

3 Section 6. Snohomish County Code Section 30.22.120, last amended by Amended
4 Ordinance 21-018 on June 9, 2021, is amended to read:

5

6 **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 Dwelling Unit ⁶²	P	P	P	P	P	P
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
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				

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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			
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				

ORDINANCE NO. 24-055

CORRECTING INADVERTENT ERRORS IN SNOHOMISH COUNTY CODE (SCC) TITLE 30, AMENDING SCC 30.22.010, 30.22.110, 30.22.120, 30.22.130, 30.34A.180, 30.71.050, 30.81.010, 30.91E.235, and 30.91P.123

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Fish Farm	P	P	P			
Forestry	P	P	P			
Foster Home	P	P	P	P	P	P
Garage, Detached Private Accessory⁶⁰						
Up to 2,400 sq ft	P	P	P	P	P	P
2,401 - 4,000 sq ft on ((More than)) 3 Acres <u>and more</u>^{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-accessory⁶⁰						
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 House⁸⁵	P	P	P	P	P	P
Health and Social Service Facility⁹⁰						
Level I	P	P	P	P	P	P
Level II^{41, 91, 129}	C	C	C	C	C	C
Level III						
Home Occupation¹¹	P	P	P	P	P	P
Homestead Parcel⁴⁰		C				
Kennel,⁴¹ Commercial	C	C	P	C	C	C
Kennel,⁴¹ Private-Breeding¹³	C	P	P	P	P	P
Kennel,⁴¹ Private-Non-Breeding¹³	P	P	P	P	P	P
Kitchen, Farm		P	P			
Library⁴¹	C	C	P	C	C	C
Mini-equestrian Center^{41, 72}		P				
Model House/Sales Office	P	P	P	P	P	P
Museum⁴¹	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
2,401 - 4,000 sq ft on ((More than)) 3 Acres <u>and more</u> ^{41, 5}	P	P	P	P	P	P
2,401 sq ft - 4,000 sq ft on Less than 3 acres ^{41, 5}	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, added by Amended Ordinance No. 02-064 on December 9, 2002, 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

1 (b) Outdoor play areas shall be fenced or otherwise controlled, and noise
2 buffering provided to protect adjoining residences.
3

4 (3) *Dock and Boathouse, Private, Non-commercial.* The following standards apply
5 outside of shoreline jurisdiction only. If located within shoreline jurisdiction, the
6 standards in SCC 30.67.517 apply instead.
7

8 (a) The height of any covered over-water structure shall not exceed 12 feet as
9 measured from the line of ordinary high water;
10

11 (b) The total roof area of covered, over-water structures shall not exceed 1,000
12 square feet;
13

14 (c) The entirety of such structures shall have a width no greater than 50 percent
15 of the width of the lot at the natural shoreline upon which it is located;
16

17 (d) No over-water structure shall extend beyond the mean low water mark a
18 distance greater than the average length of all preexisting over-water structures
19 along the same shoreline within 300 feet of either side of the parcel on which the
20 structure is proposed. Where no such preexisting structures exist within 300 feet,
21 the pier length shall not exceed 50 feet;
22

23 (e) Structures permitted hereunder shall not be used as a dwelling, nor shall any
24 boat moored at any wharf be used as a dwelling while so moored; and
25

26 (f) Covered structures are subject to a minimum setback of three feet from any
27 side lot line or extension thereof. No side yard setback shall be required for
28 uncovered structures. No rear yard setback shall be required for any structure
29 permitted hereunder.
30

31 (4) *Dwelling, Single-Family.* In the MHP zone, single-family detached dwellings are
32 limited to one per existing single legal lot of record.
33

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

38 (6) *Dwelling, Mobile Home.*
39

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

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

2
3 (c) Except where the base of the mobile home is flush to ground level, shall be
4 installed either with:

5
6 (i) skirting material which is compatible with the siding of the mobile home; or

7
8 (ii) a perimeter masonry foundation;

9
10 (d) Shall have the wheels and tongue removed; and

11
12 (e) In the RU zone the above only applies if the permitted lot size is less than
13 20,000 square feet.

14
15 (7) RESERVED for future use.

16
17 (8) *Family Day Care Home.*

18
19 (a) No play yards or equipment shall be located in any required setback from a
20 street; and

21
22 (b) Outdoor play areas shall be fenced or otherwise controlled.

23
24 (9) *Farm Stand.*

25
26 (a) There shall be only one stand on each lot; and

27
28 (b) At least 50 percent by farm product unit of the products sold shall be grown,
29 raised or harvested in Snohomish County, and 75 percent by farm product unit of
30 the products sold shall be grown, raised or harvested in the state of Washington.

31
32 (10) *Farm Worker Dwelling.*

33
34 (a) At least one person residing in each farm worker dwelling shall be employed
35 full time in the farm operation;

36
37 (b) An applicant for a building permit for a farm worker dwelling shall provide a
38 declaration of farm worker occupancy on a form available from the department to
39 the department for review and approval. The applicant shall record the
40 declaration with the county auditor and provide a copy of the recorded
41 declaration to the department prior to issuance of the building permit for the farm
42 worker dwelling. Within 30 days of a sale or transfer of the property, the new

1 property owner(s) shall record a declaration of farm worker occupancy with the
2 county auditor and provide the department with a copy of the recorded
3 declaration;

4
5 (c) The number of farm worker dwellings shall be limited to one per each 20
6 acres under single contiguous ownership to a maximum of six total farm worker
7 dwellings, with no rounding provisions applied. Construction of the maximum
8 number of farm worker dwellings permitted shall be interpreted as exhausting all
9 farm worker dwelling potential of the land until such time as the property is legally
10 subdivided; and

11
12 (d) All farm worker dwellings must be built within a farm building cluster which
13 includes a farmhouse; and

14
15 (e) The floor area for an attached or detached farm worker dwelling, exclusive of
16 garages and porches, shall be a maximum of 1,200 square feet.

17
18 (11) *Home Occupation*. See SCC 30.28.050.

19
20 (12) *Kennel, Commercial*. There shall be a five-acre minimum lot area; except in the R-
21 5 and RD zones, where 200,000 square feet shall be the minimum lot area.

22
23 (13) *Kennel, Private-breeding, and Kennel, Private Non-breeding*. Where the animals
24 comprising the kennel are housed within the dwelling, the yard or some portion thereof
25 shall be fenced and maintained in good repair or to contain or to confine the animals
26 upon the property and restrict the entrance of other animals.

27
28 (14) *Parks, Publicly-owned and Operated*.

29
30 (a) No bleachers are permitted if the site is less than five acres in size;

31
32 (b) All lighting shall be shielded to protect adjacent properties; and

33
34 (c) No amusement devices for hire are permitted.

35
36 (15) *Boarding House*. There shall be accommodations for no more than two persons.

37
38 (16) RESERVED for future use (Social Service Center – DELETED by Amended Ord.
39 04-010 effective March 15, 2004)

40
41 (17) *Swimming/Wading Pool (not to include hot tubs and spas)*:. For the sole use of
42 occupants and guests

1
2 (a) No part of the pool shall project more than one foot above the adjoining
3 ground level in a required setback; and
4

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

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

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

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

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

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

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

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

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

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

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

1 (j) An agreement to terminate such temporary use at such time as the need no
2 longer exists shall be executed by the applicant and recorded with the
3 Snohomish County auditor; and
4

5 (k) Only one temporary dwelling may be established on a lot. The temporary
6 dwelling shall not be located on a lot on which a detached accessory dwelling
7 unit is located.
8

9 (19) *Recreational Vehicle.*

10
11 (a) There shall be no more than one per lot;
12

13 (b) Shall not be placed on a single site for more than 180 days in any 12-month
14 period; and
15

16 (c) Shall be limited in the floodways to day use only (dawn to dusk) during the
17 flood season (October 1st through March 30th) with the following exceptions:
18

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

22 (ii) Temporary overnight use by farm workers on the farm where they are
23 employed subject to subsections (19)(a) and (19)(b) of this section; and
24

25 (iii) Subject to subsections (19)(a) and (19)(b) of this section and SCC
26 30.65.120(6), temporary overnight use in a mobile home park, which has
27 been in existence continuously since 1970 or before, that provides septic or
28 sewer service, water and other utilities, and that has an RV flood evacuation
29 plan that has been approved and is on file with the department of emergency
30 management and department of planning and development services.
31

32 (20) *Ultralight Airpark.*

33
34 (a) Applicant shall submit a plan for the ultralight airpark showing the location of
35 all buildings, ground circulation, and parking areas, common flight patterns, and
36 arrival and departure routes;
37

38 (b) Applicant shall describe in writing the types of activities, events, and flight
39 operations which are expected to occur at the airpark; and
40

41 (c) Approval shall be dependent upon a determination by the county decision
42 maker that all potential impacts such as noise, safety hazards, sanitation, traffic,

1 and parking are compatible with the site and neighboring land uses, particularly
2 those involving residential uses or livestock or small animal husbandry; and
3 further that the proposed use can comply with Federal Aviation Administration
4 regulations (FAR Part 103), which state that ultralight vehicle operations will not:

5
6 (i) create a hazard for other persons or property;

7
8 (ii) occur between sunset and sunrise;

9
10 (iii) occur over any substantially developed area of a city, town, or settlement,
11 particularly over residential areas or over any open air assembly of people; or

12
13 (iv) occur in an airport traffic area, control zone, terminal control area, or
14 positive control area without prior authorization of the airport manager with
15 jurisdiction.

16
17 (21) RESERVED for future use.

18
19 (22) (~~General Retail. In the FS zone, there shall be a 5,000-square foot floor area~~
20 ~~limitation.~~) RESERVED for future use.

21
22 (23) *Vehicle, Vessel and Equipment Sales and Rental.* In the CB and CRC zone, all
23 display, storage, and sales activities shall be conducted within a structure enclosed by
24 walls on at least two sides.

25
26 (24) *Race Track.* The track shall be operated in such a manner so as not to cause
27 offense by reason of noise or vibration beyond the boundaries of the subject property.

28
29 (25) *Rural Industry.*

30
31 (a) The number of employees shall not exceed 10;

32
33 (b) All operations shall be carried out in a manner so as to avoid the emission or
34 creation of smoke, dust, fumes, odors, heat, glare, vibration, noise, traffic,
35 surface water drainage, sewage, water pollution, or other emissions which are
36 unduly or unreasonably offensive or injurious to properties, residents, or
37 improvements in the vicinity;

38
39 (c) The owner of the rural industry must reside on the same premises as the
40 rural industry and, in the RD zone, the residence shall be considered as a
41 caretaker's quarters; and
42

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

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

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

(28) *Excavation and Processing of Minerals.*

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

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

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

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

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

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

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

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

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

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

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

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

(32) *Campground.*

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

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

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

(33) *Commercial Vehicle Home Basing.*

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

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

(c) The vehicles shall be in operable condition.

(34) *Distillation of Alcohol.*

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

(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.

1
2 (35) RESERVED for future use (Group Care Facility – DELETED by Amended Ord. 04-
3 010 effective March 15, 2004)

4
5 (36) Churches are exempt from the Rural Business zone performance standards in
6 SCC 30.31F.110(1) and (2).

7
8 (37) *Small Animal Husbandry*. There shall be a five-acre minimum site size.

9
10 (38) *Mobile Home Park*. Such development must fulfill the requirements of chapter
11 30.42E SCC.

12
13 (39) *Sludge Utilization*. See SCC 30.28.085.

14
15 (40) *Homestead Parcel*. See SCC 30.28.055.

16
17 (41) Special Setback Requirements for this use are contained in SCC
18 ((30.23.110(26))) 30.23.110 or SCC 30.67.595 if within shoreline jurisdiction.

19
20 (42) In the R-12,500 and WFB zones, the minimum lot size for duplexes shall be one
21 and one-half times the minimum lot size for single-family dwellings.

22
23 (43) *Petroleum Products and Gas, Bulk Storage*.

24
25 (a) All above ground storage tanks shall be set back from all property lines in
26 accordance with requirements in the International Fire Code (IFC); and

27
28 (b) Storage tanks below ground shall be set back no closer to the property line
29 than a distance equal to the greatest dimensions (diameter, length or height) of
30 the buried tank.

31
32 (44) *Auto Wrecking Yards and Junkyards*. A sight-obscuring fence a minimum of seven
33 feet high shall be established and maintained to the interior side of the required
34 perimeter landscaping area in the LI and RI zones. For perimeter landscaping
35 requirements for this use in all zones, see SCC 30.25.020.

36
37 (45) *Antique Shops*. When established as a home occupation as regulated by SCC
38 30.28.050(1); provided further that all merchandise sold or offered for sale shall be
39 predominantly "antique" and antique-related objects.

40
41 (46) *Billboards*. See SCC 30.27.080 for specific requirements.

- 1 (47) RESERVED for future use.
- 2
- 3 (48) *Stockyard and Livestock Auction Facility*. The minimum lot size is 10 acres.
- 4
- 5 (49) *Restaurants and Personal Service Shops*. Located to service principally the
- 6 constructed industrial park uses.
- 7
- 8 (50) *Sludge Utilization*. A conditional use permit is required for manufacture of materials
- 9 by a non-governmental agency containing stabilized or digested sludge for a public
- 10 utilization.
- 11
- 12 (51) See SCC 30.31A.140.
- 13
- 14 (52) RESERVED for future use.
- 15
- 16 (53) *Retail Store*. See SCC 30.31A.120 for specific requirements for retail stores in the
- 17 BP zone.
- 18
- 19 (54) Retail Sales of Hay, Grain, and Other Livestock Feed are permitted on site in
- 20 conjunction with a livestock auction facility.
- 21
- 22 (55) Noise of Machines and Operations in the LI and HI zones shall comply with
- 23 chapter 10.01 SCC and machines and operations shall be muffled so as not to become
- 24 objectionable due to intermittence, beat frequency, or shrillness.
- 25
- 26 (56) *Sludge Utilization*. Only at a completed sanitary landfill or on a completed cell
- 27 within a sanitary landfill, subject to the provision of SCC 30.28.085.
- 28
- 29 (57) *Woodwaste Recycling and Woodwaste Storage Facility*. See SCC 30.28.095.
- 30
- 31 (58) *Bed and Breakfast Guesthouses and Bed and Breakfast Inns*. See SCC
- 32 30.28.020.
- 33
- 34 (59) *Detached Accessory or Non-Accessory Private Garages and Storage Structures*.
- 35 Subject to the following requirements:
- 36
- 37 (a) Special setback requirements for these uses are contained in SCC
- 38 30.23.110(20);
- 39
- 40 (b) Artificial lighting shall be hooded or shaded so that direct outside lighting, if
- 41 any, will not result in glare when viewed from the surrounding property or rights-
- 42 of-way;

1
2 (c) The following compatibility standards shall apply:
3

4 (i) proposals for development in existing neighborhoods with a well-defined
5 character should be compatible with or complement the highest quality
6 features, architectural character and siting pattern of neighboring buildings.
7 Where there is no discernable pattern, the buildings shall complement the
8 neighborhood. Development of detached private garages and storage
9 structures shall not interrupt the streetscape or dwarf the scale of existing
10 buildings of existing neighborhoods. Applicants may refer to the Residential
11 Development Handbook for Snohomish County Communities to review
12 techniques recommended to achieve neighborhood compatibility;
13

14 (ii) building plans for all proposals larger than 2,400 square feet in the
15 Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones and rural
16 cluster subdivisions shall document the use of building materials compatible
17 and consistent with existing on-site residential development exterior finishes;
18

19 (iii) in the Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones
20 and rural cluster subdivisions, no portion of a detached accessory private
21 garage or storage structure shall extend beyond the building front of the
22 existing single-family dwelling, unless screening, landscaping, or other
23 measures are provided to ensure compatibility with adjacent properties; and
24

25 (iv) in the Waterfront Beach, R-7,200, R-8,400, R-9,600 and R-12,500 zones
26 and rural cluster subdivisions, no portion of a detached non-accessory private
27 garage or storage structure shall extend beyond the building front of existing
28 single-family dwellings on adjacent lots where the adjacent dwellings are
29 located within 10 feet of the subject property line. When a detached non-
30 accessory private garage or storage structure is proposed, the location of
31 existing dwellings on adjacent properties located within 10 feet of the subject
32 site property lines shall be shown on the site plan;
33

34 (d) All detached accessory or non-accessory private garages and storage
35 structures proposed with building footprints larger than 2,400 square feet shall
36 provide screening or landscaping from adjacent properties pursuant to chapter
37 30.25 SCC;
38

39 (e) On lots less than 10 acres in size having no established residential use, only
40 one non-accessory private garage and one storage structure shall be allowed.
41 On lots 10 acres or larger without a residence where the cumulative square
42 footage of all existing and proposed non-accessory private garages and storage

1 structures is 6,000 square feet or larger, a conditional use permit shall be
2 required.

3
4 (f) Where permitted, separation between multiple private garages or storage
5 structures shall be regulated pursuant to subtitle 30.5 SCC.

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

11
12 (61) *Museums*. Museums within the agriculture A-10 zone are permitted only in
13 structures which were legally existing on October 31, 1991.

14
15 (62) *Accessory Dwelling Units*. See SCC 30.28.010.

16
17 (63) *Temporary Woodwaste Recycling and Temporary Woodwaste Storage Facilities*.
18 See SCC 30.28.090.

19
20 (64) RESERVED for future use.

21
22 (65) *On-Site Hazardous Waste Treatment and Storage Facilities*. Allowed only as an
23 incidental use to any use generating hazardous waste which is otherwise allowed;
24 provided that such facilities demonstrate compliance with the state siting criteria for
25 dangerous waste management facilities pursuant to RCW 70.105.210 and WAC 173-
26 303-282, as now written or hereafter amended.

27
28 (66) An application for a conditional use permit to allow an off-site hazardous waste
29 treatment and storage facility shall demonstrate compliance with the state siting criteria
30 for dangerous waste management facilities pursuant to RCW 70.105.210 and WAC
31 173-303-282 as now written or hereafter amended.

32
33 (67) *Adult Entertainment Uses*. See SCC 30.28.015.

34
35 (68) Special Building Height provisions for this use are contained in SCC
36 30.23.050(2)(d).

37
38 (69) RESERVED for future use.

39
40 (70) *Equestrian Centers*. Allowed with a conditional use permit on all lands zoned A-10
41 except in that portion of the special flood hazard area of the lower Snohomish and
42 Stillaguamish rivers designated density fringe as described in chapter 30.65 SCC.

1
2 (71) Mini-Equestrian Centers are allowed as a permitted use on all lands zoned A-10
3 except in that portion of the special flood hazard area of the lower Snohomish and
4 Stillaguamish rivers designated density fringe as described in chapter 30.65 SCC.

5
6 (72) Equestrian Centers and Mini-equestrian Centers require the following:

7
8 (a) Five-acre minimum site size for a mini-equestrian center;

9
10 (b) Covered riding arenas shall not exceed 15,000 square feet for a mini-
11 equestrian center; provided that stabling areas, whether attached or detached,
12 shall not be included in this calculation;

13
14 (c) Any lighting of an outdoor or covered arena shall be shielded so as not to
15 glare on surrounding properties or rights-of-way;

16
17 (d) On sites located in RC and R-5 zones, Type A landscaping as defined in
18 SCC 30.25.017 is required to screen any outside storage, including animal waste
19 storage, and parking areas from adjacent properties;

20
21 (e) Riding lessons, rentals, or shows shall only occur between 8:00 a.m. and
22 9:00 p.m.;

23
24 (f) Outside storage, including animal waste storage, and parking areas shall be
25 set back at least 30 feet from any adjacent property line. All structures shall be
26 set back as required in SCC 30.23.110(8); and

27
28 (g) The facility shall comply with all applicable county building, health, and fire
29 code requirements.

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

31
32 (a) The commercial coach shall be installed in accordance with all applicable
33 provisions within chapter 30.54A SCC;

34
35 (b) The TRSC shall be set back a minimum of 20 feet from all existing and
36 proposed road rights-of-way and five feet from proposed and existing property
37 lines;

38
39 (c) Vehicular access to the temporary residential sales coach shall be approved
40 by the county or state; and
41

(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

1 proposed within 100 feet of adjacent residential, multiple family, and rural-zoned
2 properties. The buffer shall be an effective site obscuring screen consistent with
3 Type A landscaping as defined in SCC 30.25.017.
4

5 (78) RESERVED for future use.
6

7 (79) The gross floor area of the use shall not exceed 2,000 square feet.
8

9 (80) The gross floor area of the use shall not exceed 4,000 square feet.
10

11 (81) The construction contracting use in the Rural Business zone shall be subject to the
12 following requirements:
13

14 (a) The use complies with all of the performance standards required by SCC
15 30.31F.100 and 30.31F.110;
16

17 (b) Not more than 1,000 square feet of outdoor storage of materials shall be
18 allowed and shall be screened in accordance with SCC 30.25.024;
19

20 (c) In addition to the provisions of subsection (81)(b) of this section, not more
21 than five commercial vehicles or construction machines shall be stored outdoors
22 and shall be screened in accordance with SCC 30.25.020 and 30.25.032;
23

24 (d) The on-site fueling of vehicles shall be prohibited; and
25

26 (e) The storage of inoperable vehicles and hazardous or earth materials shall be
27 prohibited.
28

29 (82) Manufacturing, Heavy includes the following uses: Distillation of wood, coal,
30 bones, or the manufacture of their by-products; explosives manufacturing; manufacture
31 of fertilizer; extraction of animal or fish fat or oil; forge, foundry, blast furnace or melting
32 of ore; manufacturing of acid, animal black/black bone, cement or lime, chlorine,
33 creosote, fertilizer, glue or gelatin, potash, pulp; rendering of fat, tallow and lard, rolling
34 or booming mills; tannery; or tar distillation and manufacturing. See SCC 30.91M.028.
35

36 (83) "All other forms of manufacture not specifically listed" is a category which uses
37 manufacturing workers, as described under the Dictionary of Occupational Titles,
38 published by the U.S. Department of Labor, to produce, assemble or create products
39 and which the director finds consistent with generally accepted practices and
40 performance standards for the industrial zone where the use is proposed. See SCC
41 30.91M.024 and 30.91M.026.
42

1 (84) RESERVED for future use.

2
3 (85) A single-family dwelling may have only one guesthouse.

4
5 (86) Outdoor display or storage of goods and products is prohibited on site.

6
7 (87) *Wedding Facility*.

8
9 (a) A wedding facility is permitted only:

10
11 (i) on vacant and undeveloped land;

12
13 (ii) on developed land, but entirely outside of any permanent structure;

14
15 (iii) partially outside of permanent structures and partially inside of one or
16 more permanent structures which were legally existing no less than eight
17 years prior to the date of the submittal of a permit application for the wedding
18 facility; or

19
20 (iv) entirely inside of one or more permanent structures which were legally
21 existing no less than eight years prior to the date of the submittal of a permit
22 application for the wedding facility;

23
24 (b) A wedding facility, including any structures and adjacent outdoor space used
25 in conjunction with the wedding facility business, shall comply with the following:

26
27 (i) noise control provisions of chapter 10.01 SCC;

28
29 (ii) adequate vehicular sight distance and safe turning movements exist at
30 the access to the site consistent with county engineering design and
31 development standards (EDDS);

32
33 (iii) adequate sanitation facilities are provided on site pursuant to chapter
34 30.50 SCC and applicable board of health code provisions;

35
36 (iv) adequate on-site parking shall be provided for the use pursuant to SCC
37 30.26.035; and

38
39 (v) all other applicable regulations in Title 30 SCC including, but not limited
40 to, flood hazard regulations in hazard regulations in chapter 30.65 SCC;

1 (c) A certificate of occupancy shall be obtained pursuant to chapter 30.52A SCC
2 for the use of any existing structure. The certificate of occupancy shall be subject
3 to an annual inspection and renewal pursuant to SCC 30.53A.361 to ensure
4 building and fire code compliance.
5

6 (88) *Public/Institutional Use Designation (P/IU)*. When applied to land that is (a)
7 included in an Urban Growth Area and (b) designated P/IU on the Snohomish County
8 Future Land Use Map concurrent with or prior to its inclusion in a UGA, the R-7,200, R-
9 8,400 and R-9,600 zones shall allow only the following permitted or conditional uses:
10 churches, and school instructional facilities. All other uses are prohibited within areas
11 that meet criteria (a) and (b), unless the P/IU designation is changed.
12

13 (89) *Hotel/Motel Uses*. Permitted in the Light Industrial zone when the following criteria
14 are met:
15

16 (a) The Light Industrial zone is located within a municipal airport boundary;
17

18 (b) The municipal airport boundary includes no less than 1,000 acres of land
19 zoned light industrial; and
20

21 (c) The hotel/motel use is served by both public water and sewer.
22

23 (90) Health and Social Service Facilities regulated under this title do not include secure
24 community transition facilities (SCTFs) proposed pursuant to chapter 71.09 RCW. See
25 SCC 30.91H.095.
26

27 (a) Snohomish County is preempted from regulation of SCTFs. In accordance
28 with the requirements of state law the county shall take all reasonable steps
29 permitted by chapter 71.09 RCW to ensure that SCTFs comply with applicable
30 siting criteria of state law. Every effort shall be made by the county through the
31 available state procedures to ensure strict compliance with all relevant public
32 safety concerns, such as emergency response time, minimum distances to be
33 maintained by the SCTF from "risk potential" locations, electronic monitoring of
34 individual residents, household security measures and program staffing.
35

36 (b) Nothing herein shall be interpreted as to prohibit or otherwise limit the county
37 from evaluating, commenting on, or proposing public safety measures to the
38 state of Washington in response to a proposed siting of a SCTF in Snohomish
39 County.
40

(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.

1
2 (102) Community Facilities for Juveniles in R-5 zones must be located within one mile
3 of an active public transportation route at the time of permitting.
4

5 (103) All community facilities for juveniles shall meet the performance standards set
6 forth in SCC 30.28.025.
7

8 (104) Personal wireless service facilities are subject to development standards in
9 chapter 30.28A SCC, parking standards in SCC 30.26.030, setback requirements in
10 SCC 30.23.110(26) or SCC 30.67.595 if within shoreline jurisdiction, and landscaping
11 standards in chapter 30.25 SCC.
12

13 (105) RESERVED for future use.
14

15 (106) See SCC 30.28A.050(2) for instances when a personal wireless service facility
16 does not require a conditional use permit.
17

18 (107) *Agricultural Composting Requirements.*
19

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

31 (i) The composting operation shall be limited to 10 percent of the total farm
32 site area;
33

34 (ii) At least 50 percent of the composted materials shall be agricultural waste;
35

36 (iii) At least 10 percent of the agricultural wastes must be generated on the
37 farm site;
38

39 (iv) A maximum of 500 cubic yards of unsuitable incidental materials
40 accumulated in the agricultural waste such as rock, asphalt, or concrete over
41 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

1 where the tower was originally constructed or permitted and it does not increase the
2 number of AM radio towers constructed on the parcel.

3
4 (115) This use is prohibited in the R-5 zone with the Mineral Resource Overlay (MRO).
5 Public park is a permitted use on reclaimed portions of mineral excavation sites with the
6 MRO.

7
8 (116) See cottage housing design standard requirements in chapter 30.41G SCC.

9
10 (117) RESERVED for future use.

11
12 (118) RESERVED for future use.

13
14 (119) Only building mounted personal wireless service facilities or personal wireless
15 service facilities located on utility poles, streetlight poles, or traffic signal poles as
16 specified in SCC 30.28A.055 shall be permitted.

17
18 (120) Allowed as a conditional use only with a Park-and-Pool Lot or a Park-and-Ride
19 Lot.

20
21 (121) Permitted as an incidental use with a permitted use, conditional use or
22 administrative conditional use.

23
24 (122) Products or merchandise offered for sale or storage by a business may be
25 located outdoors; provided, that:

26
27 (a) The area occupied by the display shall not exceed 500 square feet; and

28
29 (b) Public sidewalks shall not be enclosed as space for sales or storage by
30 fencing or other means that effectively limits public use of the sidewalk.

31
32 (123) Such uses, except those as provided for in SCC 30.34A.010(4)(d), are permitted
33 only in structures which are legally existing on May 29, 2010. Such uses, except those
34 as provided for in SCC 30.34A.010(4)(d), shall also comply with subsection (122) of this
35 section.

36
37 (124) The minimum lot size for marijuana related facilities is 100,000 square feet.
38 Marijuana production and marijuana processing are allowed indoors and outdoors,
39 including in greenhouses and other structures pursuant to chapter 314-55 WAC. In the
40 A-10 zone, marijuana uses shall be subject to the same regulations that apply to
41 agricultural uses and not subject to any more restrictive regulations except as
42 specifically provided in this title and in state law. Marijuana processing is only allowed

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

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

6
7 (126) RESERVED for future use.

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

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

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

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

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

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

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

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

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

(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 30.34A.180, last amended by Ordinance No. 20-019 on June 24, 2020, is amended to read:

30.34A.180 Review processes.

This section establishes the review processes to be utilized for any development application subject to the requirements of this chapter. Applicants are encouraged to work cooperatively with the city and/or town in whose urban growth area or MUGA the proposed development will be located.

(1) The following applications shall be reviewed under chapter 30.71 SCC:

(a) Minor development activities under SCC 30.34A.025;

(b) The expansion of an existing structure containing a permitted use under SCC 30.34A.026; and

(c) Projects exempt from a design review board public meeting under SCC 30.34A.165(1)(c).

(2) Development applications not meeting subsection (1) of this section shall be reviewed under chapter 30.72 SCC, except as follows:

(a) Following the public comment period pursuant to SCC 30.70.060, at least one meeting shall be held to review comments on the development application. This meeting shall include the:

(i) Department;

(ii) Applicant; and

(iii) City and/or town in whose urban growth area or MUGA the proposed development will be located and any city or town whose municipal boundaries border the proposed urban center development application.

(b) The city and/or town and applicant may mutually agree in writing to waive the one meeting requirement in subsection (2)(a) of this section.

(c) Any changes agreed to by the department, city and/or town and applicant shall be:

(i) Consistent with county code;

(ii) Incorporated into the design of the development; and

(iii) Incorporated into the staff recommendation as conditions on the development.

(d) All comments from the city and/or town shall be included in the staff report to the hearing examiner for a Type 2 application.

(e) Applications that include low-income housing shall be given priority for expedited plan review as authorized in SCC 30.76.020 and SCC 30.76.030.

(3) Marijuana retail in the UC zone (~~((shall require a conditional use permit and shall be reviewed under chapter 30.72))~~) is a permitted use when consistent with the requirements of SCC 30.28.120.

Section 9. Snohomish County Code Section 30.71.050, last amended by Ordinance No. 20-019 on June 24, 2020, is amended to read:

30.71.050 Appeal of Type 1 decision.

(1) *Who may appeal.* Any aggrieved party of record may file an appeal of a Type 1 decision.

1
2 (2) *Time and place to appeal.* Appeals of a Type 1 decision, except as provided in
3 subsection (3) of this section, shall be addressed to the hearing examiner and filed in
4 writing with the department within 14 calendar days of the notice of the decision, except
5 that appeals of a Type 1 decision issued concurrently with a SEPA threshold
6 determination shall be filed within 21 calendar days of the notice of the decision, if the
7 SEPA decision is a determination of nonsignificance that is required to have a public
8 comment period pursuant to WAC 197-11-340.
9

10 (3) *Shoreline appeals.* Appeals of a shoreline substantial development permit, shoreline
11 conditional use permit, or shoreline variance shall be filed with the state shorelines
12 hearings board pursuant to SCC 30.44.250 and RCW 90.58.180.
13

14 (4) *Fees.* Each appeal filed on a non-shoreline Type 1 decision shall be accompanied
15 by a filing fee ((in the amount of \$500.00)) as indicated in SCC Table 30.86.600;
16 provided that the filing fee shall not be charged to a department of the county; and
17 provided further that the filing fee shall be refunded in any case where an appeal is
18 dismissed in whole without hearing pursuant to SCC 30.71.060.
19

20 (5) *Form of appeal.* A person appealing a Type 1 decision must file a written statement
21 setting forth:
22

23 (a) Facts demonstrating that the person is aggrieved by the decision;
24

25 (b) A concise statement identifying each alleged error and the manner in which
26 the decision fails to satisfy the applicable decision criteria. An appeal of a SEPA
27 environmental document shall describe any alleged inadequacy in the threshold
28 determination or environmental impact statement with respect to evaluation of a
29 specific environmental element;
30

31 (c) The specific relief requested; and
32

33 (d) Any other information reasonably necessary to make a decision on appeal.
34

35 (6) *Limitation on new appeal issues.* No new substantive appeal issues may be raised
36 or submitted after the close of the time period for filing of the original appeal. The
37 hearing examiner, if procedural limitations allow, may allow an appellant not more than
38 15 calendar days to perfect an otherwise timely filed appeal.
39

40 Section 10. Snohomish County Code Section 30.81.010, added by Amended Ordinance
41 No. 02-064 on December 9, 2002, is amended to read:
42

1 **30.81.010 Administrative authority.**

2
3 The director shall have the authority to make and issue orders, rules,
4 requirements, permits, interpretations, decisions, or determinations as necessary
5 in the administration and enforcement of the provisions of this title. Where this
6 title provides that the department of public works or the ~~((parks and recreation))~~
7 department of conservation and natural resources controls the decision or review
8 process, the respective director shall have all such equivalent authority to
9 administer and enforce the applicable provisions of this title.

10
11 Section 11. Snohomish County Code Section 30.91E.235, added by Amended
12 Ordinance No. 15-057 on September 2, 2015, is amended to read:

13
14 **30.91E.235 Excavation and processing of minerals.**

15 "Excavation and processing of minerals " means facilities where the primary uses are
16 mining, mine site development, and preparing metallic minerals and non-metallic
17 minerals such as sand, gravel, and coal for bulk transportation. Uses referred to in SCC
18 ~~((30.31D.010(2)))~~ 30.32C.010(1) are also included in this definition. The term "mining" is
19 used in the broad sense to include ore extraction, quarrying, and preparing (crushing,
20 screening, washing, sizing, concentrating, and flotation) customarily done at the mine
21 site.

22
23 Section 12. Snohomish County Code Section 30.91P.123, added by Amended
24 Ordinance No. 13-043 on June 19, 2013, is amended to read:

25
26 ~~((30.91P.123))~~ **30.91P.303 Principal party.**

27
28 "Principal party" means the applicant (if any), the appellant and the respondent in a
29 matter pending before the hearing examiner.

30
31 Section 13. Severability and savings. If any section, sentence, clause, or phrase of this
32 ordinance shall be held to be invalid or unconstitutional by the Growth Management
33 Hearings Board, or a court of competent jurisdiction, such invalidity or unconstitutionality
34 shall not affect the validity or constitutionality of any other section, sentence, clause, or
35 phrase of this ordinance. Provided, however, that if any section, sentence, clause, or
36 phrase of this ordinance is held to be invalid by the Board or court of competent
37 jurisdiction, then the section, sentence, clause, or phrase in effect prior to the effective
38 date of this ordinance shall be in full force and effect for that individual section,
39 sentence, clause, or phrase as if this ordinance had never been adopted.

1
2 PASSED this ____ day of _____, 2024.
3
4

5
6 ATTEST:

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

7
8 _____
9 Clerk of the Council

Council Chairperson

10
11 () APPROVED

12
13 () EMERGENCY

14
15 () VETOED

16 DATE: _____
17
18

19
20
21 ATTEST: _____
22
23

County Executive

24
25 Approved as to form only:
26
27 _____
28 Deputy Prosecuting Attorney