

1 Adopted:

2 Effective:

3 SNOHOMISH COUNTY COUNCIL

4 Snohomish County, Washington

5
6 ORDINANCE NO. 25-047

7
8 RELATING TO NONCONFORMING STRUCTURES AND USES; AMENDING
9 SECTIONS 30.28.070, 30.28.072, AND 30.91N.050, AND REPEALING SECTION
10 30.28.075 OF THE SNOHOMISH COUNTY CODE
11

12 WHEREAS, a nonconforming structure is defined in Snohomish County Code
13 (SCC) 30.91N.050 as a structure that met all the required development regulations,
14 such as building height and setbacks, when it was first established, although it no longer
15 does; and
16

17 WHEREAS, a nonconforming use is defined in SCC 30.91N.070 as a use of land
18 or a structure that was allowed when established, although is no longer allowed; and
19

20 WHEREAS, the County Code has regulated nonconforming structures and uses
21 since the Code's adoption in 1966; and
22

23 WHEREAS, the intent of such regulations has been and will remain to allow a
24 nonconforming structure to continue for the life of the structure, and to allow for
25 nonconforming uses to remain until abandonment and even expand under certain
26 circumstances; and
27

28 WHEREAS, since the adoption of Title 30 SCC, the Unified Development Code,
29 in 2002, regulations related to nonconforming structures and uses have only been
30 updated twice; and
31

32 WHEREAS, state law does not regulate nonconforming uses and structures, so
33 there is diversity in how local jurisdictions address the issue; and
34

35 WHEREAS, there are inconsistencies between the three nonconforming use
36 provisions, there are issues with implementation of the provisions as identified by staff
37 and the Snohomish County Hearing Examiner, and the current regulations lack
38 important references to other provisions of Title 30 SCC; and
39

40 WHEREAS, the amendments contained in this ordinance reduce inconsistencies
41 by repealing SCC 30.28.075, clarifying criteria for expanding nonconforming uses by

1 amending SCC 30.28.072(4), and expressly requiring that any expansions of
2 nonconforming structures or uses must comply with all development regulations; and
3

4 WHEREAS, a 21-day early public comment period on draft amendments
5 occurred from January 22 through February 12, 2025, where comments received from
6 staff as well as the Washington State Department of Ecology ("Ecology"), Washington
7 Department of Fish and Wildlife (WDFW), and The Tulalip Tribes led to further
8 amendments now contained in this ordinance; and
9

10 WHEREAS, on April 22, 2025, the Snohomish County Planning Commission (the
11 "Planning Commission") was briefed by Snohomish County Planning and Development
12 Services (PDS) staff about the code amendments contained in this ordinance; and
13

14 WHEREAS, the Planning Commission held a public hearing on May 27, 2025, to
15 receive public testimony concerning the proposed code amendments contained in this
16 ordinance; and
17

18 WHEREAS, at the conclusion of the Planning Commission's public hearing, the
19 Planning Commission deliberated on the proposed ordinance and voted to recommend
20 approval of the code amendments relating to nonconforming structures and uses as
21 shown in its May 28, 2025, recommendation letter; and
22

23 WHEREAS, on _____, 2025, the Snohomish County Council
24 ("County Council") held a public hearing after proper notice, and considered public
25 comment and the entire record related to the code amendments contained in this
26 ordinance; and
27

28 WHEREAS, following the public hearing, the County Council deliberated on the
29 amendments contained in this ordinance;
30

31 NOW, THEREFORE, BE IT ORDAINED:
32

33 Section 1. The County Council makes the following findings:
34

- 35 A. The foregoing recitals are adopted as findings as if set forth in full herein.
36
37 B. This ordinance proposes to amend SCC 30.28.070, 30.28.072, and 30.91N.050 and
38 to repeal SCC 30.28.075 to increase consistency throughout Title 30 SCC and
39 clarify criteria for expansion of nonconforming structures and uses.
40

1 C. In developing the proposed code amendments, the County considered the goals of
2 the GMA identified in RCW 36.70A.020, specifically those goals related to economic
3 development, property rights, and permits. The proposed regulations are reasonably
4 related to, and necessary for, the advancement of the GMA planning goals.

- 5
- 6 1. GMA Goal 5 – Economic development. Encourage economic development
7 throughout the state that is consistent with adopted comprehensive plans,
8 promote economic opportunity for all citizens of this state, especially for
9 unemployed and for disadvantaged persons, promote the retention and
10 expansion of existing businesses and recruitment of new businesses, recognize
11 regional differences impacting economic development opportunities, and
12 encourage growth in areas experiencing insufficient economic growth, all within
13 the capacities of the state's natural resources, public services, and public
14 facilities.

15

16 Many nonconforming uses are business related. These proposed amendments
17 protect the ability to maintain and, under certain circumstances, expand
18 nonconforming uses and structures to ensure business viability without
19 compromising the welfare of neighboring properties.

- 20
- 21 2. GMA Goal 6 – Property rights. Private property shall not be taken for public use
22 without just compensation having been made. The property rights of landowners
23 shall be protected from arbitrary and discriminatory actions.

24

25 The proposed amendments state that nonconforming uses and structures are
26 permitted to be maintained and clarify how expansions can occur to ensure that
27 the private property rights of the nonconforming use or structure owner as well as
28 neighboring properties can be maintained.

- 29
- 30 3. GMA Goal 7 – Permits. Applications for both state and local government permits
31 should be processed in a timely and fair manner to ensure predictability.

32

33 The proposed amendments better define ordinary maintenance, clarify expansion
34 criteria, and increase consistency throughout Title 30 SCC allowing for more
35 predictability and efficiency in permit processing.

- 36
- 37 D. The proposed amendments will better achieve, comply with, and implement the
38 goals and policies of the Puget Sound Regional Council's Vision 2050 Multicounty
39 Planning Policies (MPPs), including the following policies:
40

- 1 1. MPP-DP-47: Streamline development standards and regulations for residential
2 and commercial development and public projects, especially in centers and high-
3 capacity transit station areas, to provide flexibility and to accommodate a broader
4 range of project types consistent with the regional vision.

5
6 The proposed amendments better define ordinary maintenance, clarify expansion
7 criteria, and increase consistency across Title 30 SCC to allow for more
8 predictability and efficiency in permit processing.

- 9
10 2. MPP-H-10: Encourage jurisdictions to review and streamline development
11 standards and regulations to advance their public benefit, provide flexibility, and
12 minimize additional costs to housing.

13
14 The proposed amendments better define ordinary maintenance, clarify expansion
15 criteria, and increase consistency throughout Title 30 SCC to allow for more
16 predictability and efficiency in permit processing.

- 17
18 3. MPP-Ec-17: Preserve and enhance the region's unique attributes and each
19 community's distinctive identity and design as economic assets as the region
20 grows.

21
22 Nonconforming uses and structures can contribute to the uniqueness of
23 neighborhoods and communities. Proposed amendments confirm the
24 commitment to the retention of these uses and structures in Snohomish County.

- 25
26 E. The proposed amendments will better achieve, comply with, and implement the
27 goals and policies contained within the Countywide Planning Policies (CPPs),
28 including the following policy:

- 29
30 1. CPP-ED-16: The expeditious processing of development applications shall not
31 result in the reduction of environmental and land use standards.

32
33 The proposed amendments better define normal maintenance, clarify expansion
34 criteria, and increase consistency throughout Title 30 SCC to allow for more
35 predictability and efficiency in permit processing.

- 36
37 F. The proposed amendments will better achieve, comply with, and implement the
38 goals, objectives, and policies of the Snohomish County GMA Comprehensive Plan
39 (GMACP), including the following:
40

1. HO Policy 3.A.2: Development standards and building permit requirements shall be reviewed on a continual basis to ensure clarity and consistency while providing for a timely, fair, and predictable application processing outcome.
2. ED Policy 2.A.3: To ensure timeliness, responsiveness, and increased efficiency, the county shall maintain a program of continuous review of the permitting process to eliminate unnecessary procedures that do not respond to legal requirements for public review and citizen input.

The proposed amendments better define normal maintenance, clarify expansion criteria, and increase consistency throughout Title 30 SCC to allow for more predictability and efficiency in permit processing related to nonconforming uses and structures.

G. The proposed code amendments are consistent with the record:

1. SCC 30.28.070 is proposed to be amended to clarify that nonconforming structures may remain for the life of the structure and be improved or repaired if doing so is in full compliance with all requirements within Title 30 SCC including the fire code and critical area regulations.
 - a) Staff and the public are often confused about how many walls can be repaired or replaced and still be considered ordinary maintenance. Proposed amendments help define ordinary repair by specifying that up to 50 percent of the total number of exterior walls can be replaced. Amendments also clarify that all exterior walls cannot be removed and the entire structure cannot be replaced or rebuilt, even in the same footprint, under the banner of ordinary maintenance. This is not consistent with the intent of allowing a nonconforming structure to remain for the life of the structure, whereas ordinary repair and maintenance can be a part of the normal life of a structure.
 - b) Improvements and repairs cannot create or expand a nonconformity and any expansion must be done in compliance with all applicable code requirements. While nonconforming structures are allowed to be maintained, proposed amendments make it clear that any proposed expansion must comply with all applicable codes so that new nonconformities are not created. For instance, an expansion of an existing building could not be proposed within a critical area without compliance with critical area regulations like any other newly proposed structure in unincorporated Snohomish County.

- 1
- 2 c) If a nonconforming structure is accidentally destroyed, it may only be
- 3 rebuilt if it complies with all of Title 30 SCC. An exception to this general
- 4 rule exists if it was a historic building. Even if the destroyed nonconforming
- 5 structure is historic and could be rebuilt in the same footprint, proposed
- 6 amendments require the restoration to be in compliance with the building
- 7 and fire codes and receive an approved building permit.
- 8
- 9 d) Some nonconforming structures, such as larger garages or accessory
- 10 structures, could become conforming with the issuance of a conditional
- 11 use permit. The proposed amendments require a conditional use permit in
- 12 these situations if an applicant also applies for a building permit to do an
- 13 improvement or repair. The intent is to require such structures to become
- 14 conforming to current code when possible.
- 15
- 16 e) This code section has not been updated to incorporate nonconforming
- 17 uses and structures section within the County's Shoreline Management
- 18 Program. SCC 30.67.450 supersedes the nonconforming use and
- 19 structure provisions within Chapter 30.28 SCC, although there is no cross
- 20 reference within Chapter 30.28 SCC. Proposed amendments add this
- 21 reference to SCC 30.28.070 and SCC 30.28.072 to ensure staff and the
- 22 public are aware of the requirements of the Shoreline Management
- 23 Program.
- 24
- 25 2. Proposed amendments to SCC 30.28.072 clarify that all expansions of
- 26 nonconforming uses must comply with Title 30 SCC and provide criteria for such
- 27 expansions.
- 28
- 29 a) Proposed amendments specify that any expansion of a nonconforming
- 30 use must obtain any required permits. For instance, a land disturbing
- 31 activity permit is required for an expansion in ground area if 7,000 square
- 32 feet or more of clearing is necessary or 2,000 square feet or more of new
- 33 plus replaced hard surfaces is proposed. Similar to newly proposed text
- 34 within SCC 30.28.070, there is also proposed language within SCC
- 35 30.28.072(4) to require a conditional use permit if the use would become
- 36 conforming by obtaining such a permit. The intent of this amendment is to
- 37 convert nonconforming structures to conforming structures whenever
- 38 possible.
- 39
- 40 b) Without identifying quantitative and clear criteria for when a use can be
- 41 expanded, it is difficult to ensure consistent review and application of

County Code. The proposed amendments add clarity to existing criteria through measurable statements, illustrative examples, and definitions. For instance, an expansion cannot be approved under existing code if it is “detrimental to surrounding properties,” although existing code does not provide guidance allowing for consistent application of this criterion. To help staff implement this criterion, SCC 30.28.072(g) is proposed to include examples of expansion that are considered detrimental. Similarly, under current code, an expansion under SCC 30.28.072(h) cannot “result in a significant increase in the intensity of the use of the nonconformity” and proposed amendments are intended to provide quantitative measures for what is considered significant. These proposed amendments provide backstops for staff when applying the code to a given proposal, while still allowing for some flexibility. These proposed amendments are also similar to code provisions found in other jurisdictions’ nonconforming codes such as King County, Kitsap County, and the City of Tacoma.

c) Proposed amendments also aim to clarify that the total sum of expansions in ground area and building area for nonconforming uses is limited to 100 percent of what existed when the use became nonconforming. This is to prevent multiple permit applications over time that result in a more than doubling of the nonconforming use. The proposed amendments also require that any expansion to a ground area or building area must comply with all applicable Title 30 SCC requirements.

d) Amendments add the restoration subsections from SCC 30.28.075 into SCC 30.28.072 as SCC 30.28.075 is proposed for repeal.

3. SCC 30.28.075 is repealed to both ensure consistency with SCC 30.28.072 and because requirements currently found in the section have been recodified in SCC 30.28.072.

4. SCC 30.91N.050 is amended to clarify that a nonconforming structure can be nonconforming to more than just bulk regulations. A nonconforming structure exists when the structure no longer complies with any of the requirements in Title 30 SCC.

H. The code amendments are consistent with the record as set forth in the PDS Staff Report dated April 22, 2025.

I. The amendments have been evaluated for the potential to create barriers to the implementation of low impact development (LID) principles and measures for

1 stormwater management. The updates will not impact LID principles or measures as
2 any expansion of any structure must comply with all development regulations including
3 those related to drainage and land disturbing activities. The amendments do not
4 create a barrier to the use of LID techniques for stormwater management.
5

6 J. The amendments will not have an impact on the demand for capital facilities and
7 utilities. County and external service providers maintain long-range plans and
8 financing strategies to meet projected service demands that will not be impacted by
9 the amendments.
10

11 K. The amendments will not negatively impact housing and job creation in the County.
12 Existing nonconforming structures and uses can remain in place, and nonconforming
13 uses that may include businesses may increase under specific circumstances if the
14 business need arose. By allowing modest increases in nonconforming uses, the
15 amendments may result in a net gain in job creation.
16

17 L. Procedural requirements:
18

19 1. The proposal is a Type 3 legislative action under SCC 30.73.010 and 30.73.020.
20

21 2. As required by RCW 30.70A.106(1), a notice of intent to adopt the proposed
22 code amendments was transmitted to the Washington State Department of
23 Commerce for distribution to state agencies on May 13, 2025.
24

25 3. State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requirements
26 with respect to this non-project action was satisfied through the completion of an
27 environmental checklist and the issuance of a determination of non-significance
28 on May 13, 2025.
29

30 4. The public participation process used in the adoption of the proposed code
31 amendments has complied with all applicable requirements of the GMA and
32 SCC.
33

34 5. As required by RCW 30.70A.370, the Washington State Attorney General last
35 issued an advisory memorandum in October 2024 entitled "Advisory
36 Memorandum and Recommended Process for Evaluating Proposed Regulatory
37 or Administrative Actions to Avoid Unconstitutional Takings of Private Property"
38 to help local governments avoid unconstitutional takings of private property. The
39 process outlined in the State Attorney General's 2024 advisory memorandum
40 was used by the County in objectively evaluating the regulatory changes in this
41 ordinance.

1
2 **Section 2.** The County Council makes the following conclusions:

- 3
4 A. The proposal is consistent with Washington State law and the Snohomish County
5 Code.
6
7 B. The proposal is consistent with the GMACP and with the goals, objectives, and
8 policies of the GMACP.
9
10 C. The County has complied with all SEPA requirements with respect to this non-
11 project action.
12
13 D. The regulations proposed by this ordinance do not result in an unconstitutional
14 taking of private property for a public purpose.
15
16 E. The County complied with the state and local public participation requirements under
17 the GMA and Chapter 30.73 SCC.
18

19 **Section 3.** The County Council bases its findings and conclusions on the entire
20 record of the County Council, including all testimony and exhibits. Any finding, which
21 should be deemed a conclusion, and any conclusion which should be deemed a finding,
22 is hereby adopted as such.
23

24 **Section 4.** Snohomish County Code Section 30.28.070, last amended by Amended
25 Ordinance No. 25-014 on March 19, 2025, is amended to read:
26

27 **30.28.070 Nonconforming structures.**

28 The following requirements apply to nonconforming structures:

29
30 (1) *Continuance.* Any legally established nonconforming structure is permitted to
31 remain for the life of the structure in the form and location in which it existed on the
32 effective date of the nonconformance;
33

34 (2) *Improvements and repairs.*

35
36 (a) Nonconforming structures may be structurally altered or enlarged with the
37 required permits only if the ~~((setback, height, lot coverage, and open space))~~
38 altered or enlarged portion of the structure complies with all current and
39 applicable local, state, and federal regulations. ~~((requirements of the zone in~~
40 ~~which the structure is located are met; except when to:))~~
41

1 ~~((a))~~ (b) Repair to the existing nonconforming structure including ordinary
2 maintenance or replacement of up to 50 percent of the total number of exterior
3 walls, fixtures, or plumbing shall be permitted so long as the exterior dimensions
4 of the structure, as it existed on the effective date of the nonconformance, are not
5 increased~~((; or))~~. Demolition and reconstruction of nonconforming structures is
6 not ordinary maintenance.

7
8 ~~((b) Convert an existing nonconforming structure))~~ (c) Nonconforming structures
9 may be converted into an accessory dwelling unit pursuant to SCC
10 30.28.010(2)(d)(iv)~~((;))~~.

11
12 (3) *Restoration.* A structure that is accidentally destroyed may be fully restored only if
13 ~~((the setback and yard))~~ all applicable title 30 SCC requirements ~~((of chapter 30.23~~
14 SCC)) are met ~~((unless))~~ . If the structure is listed on the National Register of Historic
15 Places, Washington State Cultural Resource Inventory, or Snohomish County Cultural
16 Resource Inventory, ~~((in which case,))~~ the structure may be restored and located in its
17 former location despite noncompliance with the bulk regulations:

18
19 (a) Regardless of historical status, a building permit, compliance with subtitle
20 30.5 SCC, and compliance with the Americans with Disabilities Act are required
21 to restore a structure that is accidentally destroyed;

22
23 (b) To restore a destroyed nonconforming structure, a building permit application
24 must be submitted to the department within one year of the destruction; and

25
26 ~~((b))~~ (c) A structure shall be considered destroyed for purposes of this section if
27 the restoration costs exceed 75 percent of assessed value of record when the
28 damage occurred.

29
30 (4) If a nonconforming structure would become conforming by obtaining either a
31 conditional use permit or an administrative conditional use permit, such permit shall be
32 required to structurally alter, enlarge, or restore the nonconforming structure. The
33 conditional use permit or administrative conditional use permit is required in addition to
34 any other required permit, such as a building permit and land disturbing activity permit.

35
36 (5) Structures that do not conform to the Snohomish County Shoreline Management
37 Program or the policies of the Shoreline Management Act shall comply with SCC
38 30.67.450.

39
40 **Section 5.** Snohomish County Code Section 30.28.072, last amended by Amended
41 Ordinance No. 13-007 on September 11, 2013, is amended to read:

1
2 **30.28.072 Nonconforming uses.**

3 (1) *Continuance.* Any legally established nonconforming use may be continued subject
4 to the provisions of this section.

5
6 (2) *Changes.* Nonconforming uses may only be changed to other uses that are allowed
7 by ~~((this title))~~ chapter 30.22 SCC in the zone within which the nonconforming use is
8 located.

9
10 (3) *Abandonment.* If a nonconforming use is abandoned or discontinued for a period of
11 12 consecutive months or more, the nonconforming status of the use is terminated, and
12 any future use of the land or structures shall be in conformity with the provisions of
13 ~~((this))~~ title 30 SCC. The mere presence of a structure, equipment, or material shall not
14 be deemed to constitute the continuance of a nonconforming use unless the structure,
15 equipment, or material is actually being occupied or employed in maintaining such use.

16
17 (4) *Expansion.* A nonconforming use may be expanded upon approval of required
18 permits. ~~((an))~~ An administrative conditional use permit ((-)) shall be required whenever
19 an expansion of a nonconforming use is proposed; provided, however, if obtaining a
20 conditional use permit would make such use conforming, a conditional use permit shall
21 be required instead. The department may impose conditions upon the expansion of the
22 use to minimize impacts and ensure compatibility with nearby existing and potential
23 uses. A nonconforming use may be expanded if the department determines that the
24 following criteria are met:

25
26 (a) The area proposed for expansion is contiguous to the nonconforming use;

27
28 (b) The area is held under the same ownership as the land with the
29 nonconforming use and has been so owned since immediately prior to the time
30 the use ~~((has become))~~ became nonconforming;

31
32 (c) The area for expansion is an area where the use would have been allowed
33 immediately prior to the time the use became nonconforming;

34
35 (d) ~~((The expansion))~~ For a nonconforming use located outside of a structure,
36 the cumulative total of all expansions shall not increase the ground area devoted
37 to the nonconforming use by more than 100 percent of that in use at the effective
38 date of the nonconformance~~((, except that within))~~ . Within the UC ((zone)) and
39 MUC zones the ((expansion)) cumulative total of all expansions shall ((not
40 increase the ground area devoted to the nonconforming use by more than)) be
41 limited to a maximum increase of 10 percent of ((that existing)) ground area from

1 what existed at the effective date of the nonconformance. The increase in ground
2 area must comply with all current and applicable title 30 SCC provisions;
3

4 (e) ~~((The expansion))~~ For a nonconforming use located inside of a structure, the
5 cumulative total of all expansions shall not increase the ((ground area covered by
6 the structural portion)) building footprint of the structure or portion of the structure
7 housing the nonconforming use by more than 100 percent of that existing at the
8 effective date of the nonconformance((, except that within)) . Under this
9 subsection, expansion of the building footprint can include utilizing more of an
10 existing building than the nonconforming use previously occupied, additions to
11 existing buildings, and construction of new building(s) that house the
12 nonconforming use. Within the UC ((zone)) and MUC zones the ((expansion))
13 cumulative total of all expansions shall not increase the ((ground area covered by
14 the structural portion)) building footprint of the structure or portion of the structure
15 housing the nonconforming use by more than 10 percent of that existing at the
16 effective date of the nonconformance. New and expanded buildings that house
17 an expanded nonconforming use must comply with all current and applicable title
18 30 SCC provisions;
19

20 (f) Any expansion in ground area or building footprint shall not create a new
21 nonconforming use or structure. If the structure housing the nonconforming use
22 is a nonconforming structure, any expansions shall also comply within SCC
23 30.28.070;
24

25 ~~((f))~~ (g) The expansion shall not be approved if it is found to be detrimental to
26 surrounding properties((, or to the implementation of the adopted comprehensive
27 land use plan for the area;)). Detrimental in this section is defined as, but is not
28 limited to, increased hours of operation or increased light, glare, or noise;
29

30 ~~((g))~~ (h) The expansion shall not be ((granted)) approved if it would result in a
31 significant increase in the intensity of the use of the nonconformity. A significant
32 increase is a 10 percent or greater increase in average daily trips to the site, or
33 an increase of 10 percent or greater required minimum parking spaces. If
34 multiple expansions are proposed over time, the aggregate increase related to
35 criterion (h) shall not exceed the 10 percent limit as calculated from when the use
36 became nonconforming;
37

38 ~~((h))~~ Within the UC zone reconstruction of a destroyed nonconforming use is not
39 permitted unless it complies with the requirements of chapter 30.34A SCC; and))
40

1 (i) ~~((For purposes of this section "ground area" includes, but is not limited to,~~
2 ~~building footprint, paved surface parking, enclosed outdoor storage area, and~~
3 ~~enclosed outdoor service areas.))~~
4

5 The expansion shall not be approved if it would result in a net loss of critical area
6 functions or values as demonstrated by a critical area study if required pursuant
7 to chapter 30.62A SCC; and
8

9 (j) To be approved, the applicant must demonstrate that the expansion will further
10 the goals, objectives, and policies of the Snohomish County Comprehensive
11 Plan, including the Land Use Element.
12

13 (5) Uses that do not conform to the Snohomish County Shoreline Management Program
14 or the policies of the Shoreline Management Act shall comply with SCC 30.67.450.
15

16 (6) A structure housing a nonconforming use that is accidentally destroyed may be
17 restored under SCC 30.28.070(3).
18

19 **Section 6.** Snohomish County Code Section 30.28.075, added by Amended
20 Ordinance No. 02-064 on December 9, 2002, is repealed.
21

22 **Section 7.** Snohomish County Code Section 30.91N.050, last amended by
23 Amended Ordinance No. 13-007 on September 11, 2013, is amended to read:
24

25 **30.91N.050 Nonconforming structure.**

26 "Nonconforming structure" means a structure which was lawful when established and
27 which no longer conforms to the ~~((setback, height, or lot coverage requirements of the~~
28 ~~zone in which it is located))~~ provisions of title 30 SCC.
29

30 **Section 8.** Severability and Savings. If any section, sentence, clause, or phrase
31 of this ordinance shall be held to be invalid by the Growth Management Hearings Board
32 (Board), or unconstitutional by a court of competent jurisdiction, such invalidity or
33 unconstitutionality shall not affect the validity or constitutionality of any other section,
34 sentence, clause, or phrase of this ordinance. Provided, however, that if any section,
35 sentence, clause, or phrase of this ordinance is held to be invalid by the Board or court
36 of competent jurisdiction, then the section, sentence, clause, or phrase in effect prior to
37 the effective date of this ordinance shall be in full force and effect for that individual
38 section, sentence, clause, or phrase as if this ordinance had never been adopted.
39
40
41

1 PASSED this _____ day of _____, 20__.

2
3 SNOHOMISH COUNTY COUNCIL
4 Snohomish County, Washington
5

6 _____
7 Council Chair

8 ATTEST:
9

10 _____
11 Asst. Clerk of the Council
12

13 () APPROVED
14 () EMERGENCY
15 () VETOED

DATE:
16
17

18 _____
19 County Executive

20 ATTEST:
21

22 _____
23 Approved as to form only:

24
25  7/23/25
26 _____
27 Deputy Prosecuting Attorney
28
29
30
31
32
33
34
35
36
37
38
39
40
41