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BEFORE THE
GROWTH MANAGEMENT HEARINGS BOARD
OF CENTRAL PUGET SOUND REGION
STATE OF WASHINGTON

CITY OF SHORELINE, a municipal corporation
of the State of Washington,

Petitioner,

vs.

SNOHOMISH COUNTY,

Respondent.

Case No.

**AMENDED PETITION FOR
REVIEW**

I. IDENTITY OF PARTIES

1.1 Petitioner is the city of Shoreline, a municipal corporation of the State of Washington,
whose principal place of business is located in King County, Washington. The mailing address
and representation for the City of Shoreline is:

Ian R. Sievers, City Attorney
City of Shoreline
17500 Midvale Avenue N.
Shoreline, Washington 98133.
Phone (206) 801-2221
Fax (206) 801-2781

1
2 1.2 The Respondent in this action is Snohomish County. Snohomish County is a
3 municipal corporation of the State of Washington required to comply with all of the requirements
4 of the Growth Management Act Chapter 36.70A RCW (GMA) and the State Environmental
5 Policy Act Chapter 43.21 RCW (SEPA).

6 **II. ACTION UNDER APPEAL**

7 2.1 Amendments to the Snohomish County development regulations establishing
8 design and bulk standards and other development standards for the Urban Center zoning district,
9 Snohomish County Amended Ordinance No. 09-079, and a development regulation amending the
10 Snohomish County zoning map designating Point Wells as an Urban Center zone, Amended
11 Ordinance No. 09-080 (collectively referenced as "Ordinances" herein)

12 2.2 Notice of Enactment of the Ordinances was published on May 26, 2010 in the
13 Everett Herald.

14 **III. STATEMENT OF ISSUES**

15 3.1 Did the Ordinances fail to be guided by RCW 36.70A.010, .020(3) and
16 (11) because the record demonstrates that there are widespread unresolved conflicts with
17 the City of Shoreline, the Richmond Beach community, and the Town of Woodway, and
18 that the County did not "ensure coordination between communities and jurisdictions to
19 reconcile conflicts?"

20 3.2 Did the Ordinances fail to be guided by RCW 36.70A.020(12) because the
21 County did not, and cannot, due to the remote location of Point Wells, lack of nearby
22 Snohomish County-based urban governmental services, and unique circumstances of
23 vehicular access resulting in impacts to levels of urban services in Shoreline proximate to
24 Point Wells, "ensure that those facilities and services necessary to support development
25

1 shall be adequate to serve the development at the time the development is available for
2 occupancy and use without decreasing current service levels below locally established
3 minimum standards” in Shoreline?
4

5 3.3 Did the Ordinances fail to be guided by RCW 36.70A.020(9) because they
6 make inadequate provisions to “retain open space, enhance recreational opportunities . . .”
7 or to “develop park and recreation facilities” that would be necessary to support
8 development of a magnitude and mix contemplated by the “Urban Centers” designation?

9 3.4 Did the Ordinances fail to be guided by RCW 36.70A.020(3) because,
10 “efficient multimodal transportation systems that are based on regional priorities” do not
11 serve Point Wells and transit agencies responsible for providing bus and rail service in
12 Snohomish County, i.e., Community Transit and Sound Transit, have explicitly pointed
13 out in the record that no such service to Point Wells is planned?
14

15 3.5 Did the County fail to comply with the requirements of Chapter 43.21C
16 RCW, the State Environmental Policy Act, because the DNS prepared for the Ordinances
17 was issued in error since the Urban Center development regulations applied through the
18 Urban Center rezone to Point Wells will have probable significant adverse impacts on the
19 environment requiring an Environmental Impact Statement under RCW 43.21.C.030(2)(c)
20 including inadequate police, fire and emergency medical response to support projected
21 growth; impacts to parks in Shoreline; and implementation of transportation projects in
22 Shoreline to mitigate projected growth without interlocal agreements or development
23 agreements for such development. These impacts are different than those addressed in the
24 Environmental Impact Statement prepared in 2005 for the GMA Comprehensive Plan
25

1 Update by the County ("EIS"), and a 2009 Supplemental Environmental Impact Statement
2 prepared for Point Wells ("SEIS") and relied upon in issuing the DNS.

3 3.6 Did the County fail to comply with the requirements of Chapter 43.21C
4 RCW, the State environmental Policy Act, because the DNS prepared for the Ordinances
5 and the EIS and SEIS relied upon in issuing the DNS failed to identify the specific units of
6 local government that would provide parks, police, fire and emergency services to an
7 Urban Center at Point Wells, in view of the fact that the Shoreline Police Department and
8 the Shoreline Fire Department have explicitly stated in this record that they will not
9 provide such services?
10

11 3.7 Did the County fail to comply with requirements of RCW 36.70A.140,
12 RCW 36.70A.040(4) and RCW 36.70A.120 by adopting a SEPA review process for the
13 Urban Center zoning district for Point Wells without a non-project Environmental Impact
14 Statement, an action which was inconsistent with and failed to implement Snohomish
15 County Comprehensive Plan LU Policy 5.B.12 and in violation of the early and
16 continuous public participation that was contemplated by requiring this environmental
17 impact statement as a planning tool.
18

19 3.8 Did the Ordinances fail to comply with RCW 36.70A.040(4) and RCW
20 36.70A.120 by adopting development regulations that were not consistent with and failed
21 to implement the provisions of the Snohomish County Comprehensive Plan (Centers
22 Section of the LU Urban Center Chapter, LU Policy 3.A.3, Center Designation "Urban
23 Center " of the Future Land Use Map Section of the LU Chapter, and "Urban Center"
24 Definition of the Glossary- Appendix) by designation of Point Wells as an Urban Center
25

1 zone where the location of Point Wells is not in proximity to existing or planned high
2 capacity transit routes, transportation corridors, or public transportation stations.
3
4

5 **IV. STANDING**

6 The City of Shoreline has governmental standing to bring this Petition for Review under
7 RCW 36.70A.280(2)(a) because Shoreline is a city that plans under GMA and has provided
8 written comment to the Snohomish County Council.
9

10 **V. LENGTH OF HEARING**

11 The estimated length of hearing is half a day.
12

13 **VI. RELIEF SOUGHT**

14 6.1 Shoreline seeks an order from the Board declaring amendments to development
15 regulations and zoning map for urban centers invalid as to Point Wells pursuant to RCW
16 36.70A.302 and remanding these provisions to Snohomish County to be amended for consistency
17 with the Act.

18 6.2 Shoreline also seeks such other and further relief that the Board deems just and
19 equitable.
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VII. VERIFICATION

The undersigned attorneys for Shoreline have read this petition and believe its contents to be true.

RESPECTFULLY SUBMITTED THIS 26th day of July 2010.



Ian R. Sievers, WSBA No. 6723
Attorney for Petitioner City of Shoreline



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SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

AMENDED ORDINANCE NO. 09-079

RELATING TO URBAN CENTER DESIGN STANDARDS, ESTABLISHING A NEW ZONE FOR URBAN CENTERS, ESTABLISHING BULK REGULATIONS FOR URBAN CENTERS; AMENDING BULK REGULATIONS FOR THE NEIGHBORHOOD BUSINESS ZONE; AMENDING AND REPEALING DEFINITIONS TO SUBTITLE 30.9 SCC; AMENDING SECTIONS OF AND ADDING SECTIONS TO TITLE 30 SCC.

WHEREAS, pursuant to the Growth Management Act (GMA), chapter 36.70A RCW, the Snohomish County Council has adopted the Snohomish County Growth Management Act Comprehensive Plan (GMACP) – General Policy Plan (GPP) for the unincorporated areas of Snohomish County; and

WHEREAS, on December 9, 2002, the Snohomish County Council (county council) adopted the Unified Development Code (UDC), title 30 of the Snohomish County Code (SCC) containing regulations that guide development within the unincorporated areas of Snohomish County; and

WHEREAS, adoption of title 30 SCC combined 17 code chapters together under one title resulting in a significant restructuring of the county's development regulations; and

WHEREAS, the restructuring of the county's development regulations focused on creating a more logical and streamlined grouping of like provisions and removal of duplicative, conflicting or ambiguous regulations; and

WHEREAS, on December 21, 2005, the county council adopted a series of ordinances to complete the required 10-year update to the Snohomish County GMACP, including Amended Ordinance No. 05-069 that amended the GPP; and

WHEREAS, the UDC Update Project was launched in 2007 to bring development regulations into alignment with state and federal mandates and with current policies in the GMACP, and to update antiquated development regulations; and

WHEREAS, the GMACP – GPP contains goals, objectives and policies that provide direction for planning and implementing urban centers; and

WHEREAS, the county council desires to encourage urban center development consistent with the intent and policies of the GMACP; and

1 WHEREAS, the county council adopted Ordinance No. 01-052 on August 8,
2 2001, creating an Urban Centers Demonstration Program (UCDP); and
3

4 WHEREAS, the county council adopted Ordinance No. 02-072 on November 18,
5 2002, amending the UCDP to include changes related to project applications submitted
6 under the program; and
7

8 WHEREAS, the county council adopted Ordinance No. 03-083 on September 10,
9 2003, amending the UCDP to include changes related to project applications submitted
10 under the program; and
11

12 WHEREAS, the county council adopted Ordinance No. 05-087 on December 21,
13 2005, amending the UCDP as part of the ten year update; and
14

15 WHEREAS, the UCDP has been in effect for seven years, during which feedback
16 from participants and staff has demonstrated that the program is successful; and
17

18 WHEREAS, the UCDP has exceeded its intended lifespan and permanent
19 regulations are justified, and it has expired by its terms on November 28, 2009; and
20

21 WHEREAS, the Department of Planning and Development Services (PDS)
22 drafted amendments to title 30 SCC, to respond to the feedback and experience of
23 implementing the UCDP; and
24

25 WHEREAS, PDS conducted early and continuous public participation in
26 developing draft Urban Center regulations. PDS provided notice through its website,
27 contacted interested parties, held public forums and received public input before
28 formulating the code amendments; and
29

30 WHEREAS, PDS briefed the Snohomish County Planning Commission (planning
31 commission) at its public meeting on March 24, 2009; and
32

33 WHEREAS, on April 28, 2009, after proper notice, the planning commission held
34 a public hearing to receive public testimony concerning the proposed development
35 regulations; and
36

37 WHEREAS, pursuant to RCW 36.70A.106, a notice of intent to adopt this code
38 amendment was transmitted to the Washington State Department of Community, Trade
39 and Economic development on April 16, 2009; and
40

1
2 WHEREAS, a State Environmental Policy Act (SEPA) threshold Determination of
3 Nonsignificance (DNS) for the proposed code amendments was issued on April 16,
4 2009, Addendum #1 to the DNS was issued on July 14, 2009, Addendum #2 to the DNS
5 on September 15, 2009, Addendum #3 to the DNS on November 13, 2009, and
6 Addendum #4 to the DNS on April 8, 2010; and
7

8 WHEREAS, on April 28, 2009, the planning commission deliberated on the
9 proposed development regulations at an advertised public meeting; and
10

11 WHEREAS, at the conclusion of its deliberations the planning commission voted
12 7-0 to recommend that the county council adopt the proposed development regulations,
13 with amendments as enumerated in its recommendation letter dated May 8, 2009; and
14

15 WHEREAS, the Snohomish County Executive (county executive) and county
16 council have each submitted several alternative amendments to the planning
17 commission's recommended development regulations; and
18

19 WHEREAS, after proper notice, the county council held a public hearings on
20 September 30 and December 9, 2009, and April 21, May 5 and May 12, 2010, to
21 consider the entire record, including the planning commission's recommendations on
22 the full package of development regulations, and to hear public testimony on this
23 Ordinance No. 09-079; and
24

25 WHEREAS, the county council deliberated on the planning commission
26 recommendations, executive alternatives, council-initiated amendments, and public
27 testimony on April 21, May 5 and May 12, 2010.
28

29 NOW, THEREFORE, BE IT ORDAINED:
30

31 Section 1. The foregoing recitals are incorporated herein as findings and conclusions
32 as if set forth in full.
33

34 Section 2. The county council makes the following additional findings of fact and
35 conclusions:
36

- 37 A. The GMA discourages sprawl and encourages growth in urban areas served by
38 a multimodal transportation system.
39
40 B. The Snohomish County GMACP - GPP contains Urban Center goals,
41 objectives and policies and designates the general locations of planned Urban
42 Center zones.
43

- 1 C. The GPP encourages the use of innovative urban design techniques and
2 development guidelines for meeting the goals and objectives of the plan.
3
- 4 D. The amendments related to Urban Center zones maintain the GMACP's
5 consistency with the multi-county planning policies adopted by the Puget Sound
6 Regional Council and the GPP for Snohomish County.
7
- 8 E. The UCDP code has been updated as implementation of the demonstration
9 project progressed. The amendments occurred in 2002 (Ordinance No. 02-072
10 on November 18, 2002), as part of the 2003 Docket (Ordinance No. 03-083 on
11 September 10, 2003) and the ten year update (Ordinance No. 05-087 on
12 December 21, 2005).
13
- 14 F. Since its inception, PDS staff completed a general review of the UCDP and
15 determined that a permanent set of regulations is necessary to implement the
16 GMACP and Future Land Use Map (FLUM).
17
- 18 G. The proposal by PDS to amend SCC 30.21.020 and 30.21.025 is necessary to
19 add a new zoning classification, Urban Center, to implement the Urban Center
20 and Transit/Pedestrian Village comprehensive plan designations.
21
- 22 H. The proposal by PDS to amend SCC 30.22.100 is necessary to add a new
23 zoning classification, Urban Center, to the Urban Zone Categories-Use Matrix,
24 to add appropriate reference numbers, and to delete reference numbers related
25 to the UCDP.
26
- 27 I. The proposal by PDS to amend SCC 30.22.130 is necessary to remove
28 references to the UCDP and to include references related to the new Urban
29 Center zoning classification.
30
- 31 J. The proposal by PDS to amend SCC 30.23.030 is necessary to amend the bulk
32 regulations for the Neighborhood Business (NB) zone to preserve development
33 rights afforded property owners with land designated Urban Village on the
34 GMACP – FLUM that were allowed under the UCDP.
35
- 36 K. The proposal by PDS to amend SCC 30.23.030 is necessary to add a cross-
37 reference to chapter 30.34A SCC for bulk standards related to the Urban
38 Center zone.
39
- 40 L. The proposal by PDS to amend SCC 30.23.040 is necessary to remove
41 references to the UCDP.
42

- 1 M. The proposal by PDS to amend SCC 30.28A.120 is necessary to add the
2 Urban Center zone to the list of priority locations for personal wireless
3 communications facilities.
4
- 5 N. The proposal by PDS to amend SCC 30.31A.010 and 30.31A.020 is necessary
6 to remove references to the Planned Community Business-Transit Pedestrian
7 Village (PCB-TPV) subzone, which will be replaced by the Urban Center zone.
8
- 9 O. The proposal by PDS to amend SCC 30.31A.100 is necessary to change the
10 parking standards for the NB zone from chapter 30.26 SCC to chapter 30.34A
11 SCC.
12
- 13 P. The proposal by PDS to enact chapter 30.34A SCC as an amended version is
14 necessary because the UCDP has expired by its terms, and a new set of
15 regulations needs to be adopted to replace it with set of new regulations
16 contained in SCC 30.34A.010 through .220.
17
- 18 Q. The proposal by PDS to amend SCC 30.66B.625 is necessary to clarify the
19 requirements of that code section and to cross-reference projects submitted
20 under chapter 30.34A SCC.
21
- 22 R. The proposal by PDS to amend SCC 30.86.620 is necessary to clarify the
23 requirements of that code section and to change the reference from UCDP to
24 Urban Center.
25
- 26 S. The proposal to amend SCC 30.70.110 to exclude any period during which an
27 agreement is negotiated or design review is conducted for an urban center
28 pursuant to SCC 30.34A.180(1) or (2) is necessary to implement these two new
29 processes.
30
- 31 T. The proposal to amend SCC 30.71.020 is necessary to implement the change
32 in review process from a Type 1 administrative action to a Type 2 permit
33 decision process.
34
- 35 U. The proposal to amend SCC 30.72.020 is necessary to implement the change
36 in review process from a Type 1 administrative action to a Type 2 permit
37 decision process.
38
- 39
- 40 V. The proposal by PDS to amend chapter 30.86 SCC is necessary to add a new
41 section, SCC 30.86.800 Urban center development fees, to state the fees
42 required to submit a project. This section is relocated from the UCDP.
43

- 1 W. The proposal by PDS to amend subtitle 30.9 SCC is necessary: to include new
2 definitions of "floor area ratio," "mixed use" and "wall, blank": to remove
3 definitions of "applicant," "committee," "developable area," "net acreage,"
4 "public use," and "transit pedestrian village"; and to amend the definitions of
5 "secondhand store," "urban center" and "urban village."
6
- 7 X. State Environmental Policy Act (SEPA) requirements, with respect to this non-
8 project action, have been satisfied through the completion of an environmental
9 checklist and the issuance of a Determination of Nonsignificance (DNS) on
10 April 16, 2009, Addendum #1 on July 14, 2009, Addendum #2 on September
11 15, 2009, Addendum #3 on November 13, 2009, and Addendum #4 on April 8,
12 2010.
13
- 14 Y. Amendments involving cities and towns that are directly impacted by the level
15 and type of development in an urban center are necessary to address
16 coordination of planning efforts and the encouragement of development within
17 the unincorporated area that enhances the vitality of a city's center or
18 mainstreet.
19
- 20 Z. The county council retained the Urban Land Institute to convene a technical
21 advisory panel of persons with relevant expertise. The panel developed a
22 series of recommendations for urban center design regulations to improve the
23 code and to provide adequate incentives to create high density mixed use
24 developments with public benefits as envisioned by the urban centers
25 objectives and policies contained in the GPP. The proposed amendments have
26 incorporated the recommendations provided by the Urban Land Institute and
27 will provide incentives for high density development with public benefits.
28
- 29 AA. Urban center development can provide a valuable market for Transfer of
30 Development Right (TDR) credits, thus more fully implementing chapters
31 30.35A and 30.35B SCC. Amendments adding floor area ratio bonuses for use
32 of TDR credits are necessary to encourage the use of these credits by urban
33 center project applicants.
34
- 35 BB. As high density, mixed use development, urban centers could provide
36 opportunities to provide needed housing for lower income families.
37 Amendments adding bonuses for affordable housing are necessary to
38 encourage project applicants to include affordable housing in their urban
39 center developments.
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CC. The county council finds that amendments requiring a project applicant for an urban center development abutting a shoreline of the State as defined in RCW 90.58.030(2)(c) and SCC 30.91S.250 to provide for public access to the water and shoreline consistent with the goals, policies and regulations of the Snohomish County Shoreline Management Master Program is necessary to preserve public access to these waters and is also consistent with the GMA policy to increase access to natural resource lands and water.

DD. The proposed amendments have been broadly disseminated and opportunities have been provided for written comments and public hearing after effective notice.

EE. The public participation process related to the adoption of this ordinance has been early and continuous and complies with all applicable requirements including, but not limited to, RCW 36.70A.140, chapters 30.73 and 30.74 SCC, and the Snohomish County Charter.

FF. The improvement in urban development will better achieve the overall goals of the GMACP and facilitate eventual annexation of unincorporated urban areas by the cities, as envisioned by the GMA.

GG. The amendments are consistent with goals and requirements of the GMA.

HH. This ordinance is adopted pursuant to the Snohomish County Charter and Washington State Constitution, Article XI, Section 11.

II. The Washington State Attorney General is directed under RCW 36.70A.370 to advise state agencies and local governments on an orderly, consistent process that better enables government to evaluate proposed regulatory actions to assure that the actions do not result in the unconstitutional taking of private property or violate substantive due process guarantees.

JJ. The Washington State Attorney General issued an advisory memorandum in December of 2006 entitled Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property to help local governments avoid the unconstitutional taking of private property.

KK. The 2006 advisory memorandum was used by the County in objectively evaluating the regulatory changes proposed by this ordinance and by Ordinance No. 09-080.

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LL. The county council has considered and assessed potential constitutional issues related to the regulations proposed by this ordinance including, but not limited to: whether the proposed regulations will result in a permanent or temporary physical occupation of private property; whether the proposed regulations will deprive affected property owners of all economically viable uses of their properties; whether the proposed regulations will deny or substantially diminish a fundamental attribute of property ownership; whether the proposed regulations require a property owner to dedicate a portion of property or to grant an easement; and whether the proposed regulations will have a severe impact on the property owners' economic interests.

MM. The county council has balanced the affected property owners' economic impacts with the extent to which the proposed regulations impact legitimate and long-standing expectations about the use of the properties and the character of the proposed regulations.

NN. The regulations proposed by this ordinance are reasonably related to and necessary for the advancement of the GMA's goal of encouraging the availability of affordable housing to all economic segments of the County.

OO. The regulations proposed by this ordinance are reasonably related to and necessary for the advancement of the GMA's goal of promoting a variety of residential densities and housing types in the County.

PP. The regulations proposed by this ordinance are reasonably related to and necessary for the advancement of the GMA's goals of discouraging sprawl and encouraging growth in urban areas served by a multimodal transportation system.

QQ. The regulations proposed by this ordinance are reasonably related to and necessary for the advancement of the GMA's goal that applications for local government permits be processed in a timely and fair manner to ensure predictability.

RR. The additional permitted, conditional, and administrative uses proposed by the amendments help ensure that the County's actions do not result in an unconstitutional taking.

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

1 Section 3. The county council bases its findings and conclusions on the entire
 2 record of the planning commission and the county council, including all testimony and
 3 exhibits. Any finding, which should be deemed a conclusion, and any conclusion which
 4 should be deemed a finding, is adopted as such.

5
 6 Section 4. Snohomish County Code Section 30.21.020, last amended by
 7 Amended Ordinance No. 07-029, on April 25, 2007, is amended to read:

8
 9 **30.21.020 Establishment of zones.**

10
 11 Snohomish County's use zones are established and categorized pursuant to SCC Table
 12 30.21.020.

13
 14 Table 30.21.020
 Snohomish County Zones by Category

ZONE CATEGORY	ZONES
URBAN	Residential 9,600 R-9,600
	Residential 8,400 R-8,400
	Residential 7,200 R-7,200
	Townhouse T
	Low-Density Multiple Residential LDMR
	Multiple Residential MR
	Neighborhood Business NB
	Planned Community Business PCB
	Community Business CB
	General Commercial GC
	Freeway Service FS
	Business Park BP
	Industrial Park IP
	Light Industrial LI
Heavy Industrial HI	
Mobile Home Park MHP	
Urban Center UC	
RURAL	Rural Diversification RD
	Rural Resource Transition -- 10 Acre RRT-10
	Rural 5-Acre R-5
	Rural Business RB
	Clearview Rural Commercial CRC
	Rural Freeway Service RFS
	Rural Industrial RI
RESOURCE	Forestry F
	Forestry and Recreation F&R
	Agriculture-10 Acre A-10
	Mineral Conservation MC

OTHER	Suburban Agriculture-1 Acre	SA-1
	Rural Conservation	RC
	Rural Use	RU
	Residential 20,000	R-20,000
	Residential 12,500	R-12,500
	Waterfront Beach	WFB

Section 5. Snohomish County Code Section 30.21.025, last amended by Amended Ordinance No. 07-029, on April 25, 2007, is amended to read:

30.21.025 Intent of zones.

This section describes the intent of each use zone. Snohomish County's use zones are categorized and implemented consistent with the comprehensive plan. The comprehensive plan establishes guidelines to determine compatibility and location of use zones. The intent of each zone is established pursuant to SCC Table 30.21.020 and is set forth below in SCC 30.21.025(1) - (4).

(1) Urban Zones. The urban zones category consists of residential, commercial, and industrial zoning classifications in Urban Growth Areas (UGAs) located outside of cities in unincorporated Snohomish County. These areas are either already characterized by, or are planned for, urban growth consistent with the comprehensive plan.

(a) Single Family Residential. The intent and function of single family residential zones is to provide for predominantly single family residential development that achieves a minimum net density of four dwelling units per net acre. These zones may be used as holding zones for properties that are designated urban medium-density residential, urban high-density residential, urban commercial, urban industrial, public/institutional use (P/IU), or other land uses in the comprehensive plan. The official Snohomish County zoning maps prepared pursuant to SCC 30.21.030 shall use the suffix "P/IU" to indicate all areas in which these zones implement the P/IU designation (e.g., R-7,200-P/IU). Single family residential zones consist of the following:

- (i) Residential 7,200 sq. ft. (R-7,200);
- (ii) Residential 8,400 sq. ft. (R-8,400); and
- (iii) Residential 9,600 sq. ft. (R-9,600).

(b) Multiple Family Residential. Multiple family residential zones provide for predominantly apartment and townhouse development in designated medium- and high-density residential locations. Multiple family residential zones consist of the following:

(i) Townhouse (T). The intent and function of the townhouse zone is to:

(A) provide for single family dwellings, both attached and detached, or different styles, sizes, and prices at urban densities greater than those for strictly single family detached development, but less than multifamily development;

(B) provide a flexible tool for development of physically suitable, skipped-over or under-used lands in urban areas without adversely affecting adjacent development; and

1
2 (C) provide design standards and review which recognize the special
3 characteristics of townhouses, to ensure the development of well-planned communities,
4 and to ensure the compatibility of such housing developments with adjacent, existing,
5 and planned uses. Townhouses are intended to serve the housing needs of a variety of
6 housing consumers and producers. Therefore, townhouses may be built for renter
7 occupancy of units on a site under single ownership, owner agreements pursuant to
8 chapters 64.32 or 64.34 RCW, or owner or renter occupancy of separately conveyed
9 units on individual lots created through formal subdivision pursuant to chapter 58.17
10 RCW;

11 (ii) Low-Density Multiple Residential (LDMR). The intent and function of the
12 low-density multiple residential zone is to provide a variety of low-density, multifamily
13 housing including townhouses, multifamily structures, and attached or detached homes
14 on small lots; and

15 (iii) Multiple Residential (MR). The intent and function of the multiple
16 residential zone is to provide for high-density development, including townhouses and
17 multifamily structures generally near other high-intensity land uses; and

18 (iv) Mobile Home Park (MHP). The intent and function of the Mobile Home
19 Park zone is to provide and preserve high density, affordable residential development
20 consisting of mobile homes for existing mobile home parks.

21 (c) Commercial. The commercial zones provide for neighborhood, community
22 and urban center commercial, and mixed use developments that offer a range of retail,
23 office, personal service and wholesale uses. Commercial zones consist of the
24 following:

25 (i) Neighborhood Business (NB). The intent and function of the neighborhood
26 business zone is to provide for local facilities that serve the everyday needs of the
27 surrounding neighborhood, rather than the larger surrounding community. ~~((Urban~~
28 ~~villages implemented under chapter 30.34A SCC Urban Centers Demonstration~~
29 ~~Program are only permitted within the Neighborhood Business (NB) zone));~~

30 (ii) Planned Community Business (PCB). The intent and function of the
31 planned community business zone is to provide for community business enterprises in
32 areas desirable for business but having highly sensitive elements of vehicular
33 circulation, or natural site and environmental conditions while minimizing impacts upon
34 these elements through the establishment of performance criteria. Performance criteria
35 for this zone are intended to control external as well as internal effects of commercial
36 development. It is the goal of this zone to discourage "piecemeal" and strip
37 development by encouraging development under unified control. ~~((Urban centers~~
38 ~~implemented under chapter 30.34A SCC Urban Centers Demonstration Program are~~
39 ~~only permitted within the Planned Community Business (PCB) zone));~~

40 (iii) Community Business (CB). The intent and function of the community
41 business zone is to provide for businesses and services designed to serve the needs of
42 several neighborhoods;

43 (iv) General Commercial (GC). The intent and function of the general
44 commercial zone is to provide for a wide variety of retail and nonretail commercial and

1 business uses. General commercial sites are auto-oriented as opposed to pedestrian
2 or neighborhood oriented. Certain performance standards, subject to review and
3 approval of an official site plan, are contained in chapter 30.31B SCC;

4 (v) Freeway Service (FS). The intent and function of the freeway service
5 zone is to provide for needed freeway commercial facilities in the vicinity of on/off ramp
6 frontages and access roads of limited access highways with a minimum of traffic
7 congestion in the vicinity of the ramp. Allowed uses are limited to commercial
8 establishments dependent upon highway users. Certain performance standards,
9 subject to review and approval of an official site plan, are contained in chapter 30.31B
10 SCC to protect freeway design;

11 (vi) Business Park (BP). The intent and function of the business park zone is
12 to provide for those business/industrial uses of a professional office, wholesale and
13 manufacturing nature which are capable of being constructed, maintained, and operated
14 in a manner uniquely designed to be compatible with adjoining residential, retail
15 commercial, or other less intensive land uses, existing or planned. Strict zoning
16 controls must be applied in conjunction with private covenants and unified control of
17 land; many business/industrial uses otherwise provided for in the zoning code will not
18 be suited to the BP zone due to an inability to comply with its provisions and achieve
19 compatibility with surrounding uses. The BP zone, under limited circumstances, may
20 also provide for residential development where sites are large and where compatibility
21 can be assured for on-site mixed uses and for uses on adjacent properties;

22 (vii) Light Industrial (LI). The intent and function of the light industrial zone is
23 to promote, protect, and provide for light industrial uses while also maintaining
24 compatibility with adjacent nonindustrial areas;

25 (viii) Heavy Industrial (HI). The intent and function of the heavy industrial
26 zone is to promote, protect, and provide for heavy industrial uses while also maintaining
27 compatibility with adjacent nonindustrial areas; and

28 (ix) Industrial Park (IP/PIP). The intent and function of the industrial park and
29 planned industrial park zones is to provide for heavy and light industrial development
30 under controls to protect the higher uses of land and to stabilize property values
31 primarily in those areas in close proximity to residential or other less intensive
32 development. The IP and remaining Planned Industrial Park (PIP) zones are designed
33 to ensure compatibility between industrial uses in industrial centers and thereby
34 maintain the attractiveness of such centers for both existing and potential users and the
35 surrounding community. Vacant/undeveloped land which is currently zoned PIP shall
36 be developed pursuant to industrial park zone regulations (chapter 30.31A SCC).

37 (d) Industrial Zones. The industrial zones provide for a range of industrial and
38 manufacturing uses and limited commercial and other nonindustrial uses necessary for
39 the convenience of industrial activities. Industrial zones consist of the following:

- 40 (i) Business Park (BP). See description under SCC 30.21.025(1)(c)(vi);
- 41 (ii) Light Industrial (LI). See description under SCC 30.21.025(1)(c)(vii);
- 42 (iii) Heavy Industrial (HI). See description under SCC 30.21.025(1)(c)(viii);

43 and

- 44 (iv) Industrial Park (IP). See description under SCC 30.21.025(1)(c)(ix).

Amended Ordinance No. 09-079

RELATING TO URBAN CENTER DESIGN STANDARDS, ESTABLISHING A NEW ZONE FOR URBAN CENTERS,
ESTABLISHING BULK REGULATIONS FOR URBAN CENTERS; AMENDING BULK REGULATIONS FOR THE
NEIGHBORHOOD BUSINESS ZONE; AMENDING AND REPEALING DEFINITIONS TO SUBTITLE 30.9 SCC;
AMENDING SECTIONS OF AND ADDING SECTIONS TO TITLE 30 SCC.

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1 (e) Mixed use zone. The mixed use (MU) zone shall only be applied to
2 properties approved for an fully contained communities (FCC) in accordance with
3 Chapter 30.33A SCC. Allowed and/or prohibited uses for the MU zone shall be
4 administered through the FCC permit Master Plan pursuant to SCC 30.33A.100(9).

5 (i) Purposes. The MU zone is established to achieve the following
6 purposes:

7 (A) To enable FCC development, pursuant to this chapter, with
8 imaginative site and building design in a compatible mixture of land uses that will
9 encourage pedestrian rather than automotive access to employment opportunities and
10 goods and services;

11 (B) To ensure sensitivity in land use and design to adjacent land uses in
12 the MU district, and avoid the creation of incompatible land uses;

13 (C) To ensure that all development in the FCC gives adequate
14 consideration to and provides mitigation for the impacts it creates with respect to
15 transportation, public utilities, open space, recreation and public facilities, and that
16 circulation, solid waste disposal and recycling, water, sewer and storm water systems
17 are designed to adequately serve the FCC; and

18 (D) To ensure that development protects and preserves the natural
19 environment to the maximum extent possible, including but not limited to protection of
20 the water quality of the county's rivers, contribution to the long-term solution of flooding
21 problems, protection of wetlands and critical areas and protection of views of the
22 county's foothills, mountains, open space areas, or other scenic resources within the
23 county.

24 (ii) Objectives. Each proposal for development within the MU zone shall be
25 in conformity with the FCC permit master plan and advance the achievement of the
26 foregoing purposes of the MU zone and the following objectives:

27 (A) The preservation or creation of open space for the enjoyment of the
28 residents of the FCC, employees of business located within the FCC and the general
29 public;

30 (B) The creation of attractive, pedestrian-oriented neighborhoods with a
31 range of housing types, densities, costs and ownership patterns;

32 (C) The provision of employment opportunities and goods and services
33 in close proximity to, interspersed with, or attached to residential uses;

34 (D) The provision of a balanced mix and range of land uses within and
35 adjacent to the development that minimize the necessity for the use of automobiles on a
36 daily basis;

37 (E) The use of highest quality architectural design and a harmonious use
38 of materials;

39 (F) The provision of a range of street sizes and designs, including narrow
40 streets designed principally for the convenience of pedestrians as well as streets of
41 greater width designed primarily for vehicular traffic;

42 (G) The provision of commons, greens, parks or civic buildings or spaces
43 as places for social activity and assembly for the community; and
44

1
2 (H) The provision of clustered development to preserve open space
3 within the FCC while still achieving an overall desired density for the FCC.

4 (f) Urban Center (UC). The intent and function of the Urban Center zone is to
5 implement the Urban Center designation on the future land use map by providing a
6 zone that allows a mix of high-density residential, office and retail uses with public and
7 community facilities and pedestrian connections located within one-half mile of existing
8 or planned stops or stations for high capacity transit routes such as light rail or
9 commuter rail lines, regional express bus routes, or transit corridors that contain
10 multiple bus routes or which otherwise provide access to such transportation as set
11 forth in SCC 30.34A.085.

12 (2) Rural Zones. The rural zones category consists of zoning classifications
13 applied to lands located outside UGAs that are not designated as agricultural or forest
14 lands of long-term commercial significance. These lands have existing or planned rural
15 services and facilities, and rural fire and police protection services. Rural zones may be
16 used as holding zones for properties that are primarily a transition area within UGAs on
17 steep slopes adjacent to non-UGA lands designated rural or agriculture by the
18 comprehensive plan. Rural zones consist of the following:

19 (a) Rural Diversification (RD). The intent and function of the rural diversification
20 zone is to provide for the orderly use and development of the most isolated, outlying
21 rural areas of the county and at the same time allow sufficient flexibility so that
22 traditional rural land uses and activities can continue. These areas characteristically
23 have only rudimentary public services and facilities, steep slopes and other natural
24 conditions, which discourage intense development, and a resident population, which
25 forms an extremely rural and undeveloped environment. The resident population of
26 these areas is small and highly dispersed. The zone is intended to protect, maintain,
27 and encourage traditional and appropriate rural land uses, particularly those which allow
28 residents to earn a satisfactory living on their own land. The following guidelines apply:

29 (i) a minimum of restrictions shall be placed on traditional and appropriate
30 rural land uses;

31 (ii) the rural character of these outlying areas will be protected by carefully
32 regulating the size, location, design, and timing of large-scale, intensive land use
33 development; and

34 (iii) large residential lots shall be required with the intent of preserving a
35 desirable rural lifestyle as well as preventing intensive urban- and suburban-density
36 development, while also protecting the quality of ground and surface water supplies and
37 other natural resources;

38 (b) Rural Resource Transition - 10 Acre (RRT-10). The intent and function of
39 the rural resource transition - 10 acre zone is to implement the rural residential-10
40 (resource transition) designation and policies in the comprehensive plan, which identify
41 and designate rural lands with forestry resource values as a transition between
42 designated forest lands and rural lands;

43

1
2 (c) Rural-5 Acre (R-5). The intent and function of the rural-5 acre zone is to
3 maintain rural character in areas that lack urban services. Land zoned R-5 and having
4 an RA overlay, depicted as R-5-RA on the official zoning map, is a Transfer of
5 Development Rights (TDR) receiving area and, consistent with the comprehensive plan,
6 will be retained in the R-5 RA zone until regulatory controls are in place which ensure
7 that TDR certificates issued pursuant to SCC.30.35A.050 will be required for
8 development approvals within the receiving area;

9 (d) Rural Business (RB). The intent and function of the rural business zone is to
10 permit the location of small-scale commercial retail businesses and personal services
11 which serve a limited service area and rural population outside established UGAs. This
12 zone is to be implemented as a "floating zone" and will be located where consistent with
13 specific locational criteria. The rural business zone permits small-scale retail sales and
14 services located along county roads on small parcels that serve the immediate rural
15 residential population, and for a new rural business, are located two and one-half miles
16 from an existing rural business, rural freeway service zone, or commercial designation
17 in the rural area. Rural businesses, which serve the immediate rural population, may be
18 located at crossroads of county roads, state routes, and major arterials;

19 (e) Clearview Rural Commercial (CRC). The intent and function of the CRC
20 zone is to permit the location of commercial businesses and services that primarily
21 serve the rural population within the defined boundary established by the CRC land use
22 designation. Uses and development are limited to those compatible with existing rural
23 uses that do not require urban utilities and services.

24 (f) Rural Freeway Service (RFS). The intent and function of the rural freeway
25 service zone is to permit the location of small-scale, freeway-oriented commercial
26 services in the vicinity of on/off ramp frontages and access roads of interstate highways
27 in areas outside a designated UGA boundary and within rural areas of the county.
28 Permitted uses are limited to commercial establishments dependent upon highway
29 users; and

30 (g) Rural Industrial (RI). The intent and function of the rural industrial zone is to
31 provide for small-scale light industrial, light manufacturing, recycling, mineral
32 processing, and resource-based goods production uses that are compatible with rural
33 character and do not require an urban level of utilities and services.

34 (3) Resource Zones. The resource zones category consists of zoning
35 classifications that conserve and protect lands useful for agriculture, forestry, or mineral
36 extraction or lands which have long-term commercial significance for these uses.
37 Resource zones consist of the following:

38 (a) Forestry (F). The intent and function of the forestry zone is to conserve and
39 protect forest lands for long-term forestry and related uses. Forest lands are normally
40 large tracts under one ownership and located in areas outside UGAs and away from
41 residential and intense recreational use;

42 (b) Forestry and Recreation (F&R). The intent and function of the forestry and
43 recreation zone is to provide for the development and use of forest land for the
44 production of forest products as well as certain other compatible uses such as

1 recreation, including recreation uses where remote locations may be required, and to
2 protect publicly-owned parks in UGAs;

3 (c) Agriculture-10 Acre (A-10). The intent and function of the agricultural-10 acre
4 zone is:

5 (i) To implement the goals and objectives of the County General Policy Plan,
6 which include the goals of protecting agricultural lands and promoting agriculture as a
7 component of the County economy;

8 (ii) To protect and promote the continuation of farming in areas where it is
9 already established and in locations where farming has traditionally been a viable
10 component of the local economy; and

11 (iii) To permit in agricultural lands, with limited exceptions, only agricultural
12 land uses and activities and farm-related uses that provide a support infrastructure for
13 farming, or that support, promote or sustain agricultural operations and production
14 including compatible accessory commercial or retail uses on designated agricultural
15 lands.

16 (iv) Allowed uses include, but are not limited to:

17 (A) Storage and refrigeration of regional agricultural products;

18 (B) Production, sales and marketing of value-added agricultural products
19 derived from regional sources;

20 (C) Supplemental sources of on-farm income that support and sustain
21 on-farm agricultural operations and production;

22 (D) Support services that facilitate the production, marketing and
23 distribution of agricultural products;

24 (E) Off farm and on-farm sales and marketing of predominately regional
25 agricultural products from one or more producers, agriculturally related experiences,
26 products derived from regional agricultural production, products including locally made
27 arts and crafts, and ancillary sales or service activities.

28 (F) Accessory commercial or retail uses which shall be accessory to the
29 growing of crops or raising of animals and which shall sell products predominately
30 produced on-site, agricultural experiences, or products, including arts and crafts,
31 produced on-site. Accessory commercial or retail sales shall offer for sale a significant
32 amount of products or services produced on-site.

33 (v) Allowed uses shall comply with all of the following standards:

34 (A) The uses shall be compatible with resource land service standards.

35 (B) The allowed uses shall be located, designed and operated so as not
36 to interfere with normal agricultural practices.

37 (C) The uses may operate out of existing or new buildings with parking
38 and other supportive uses consistent with the size and scale of agricultural buildings but
39 shall not otherwise convert agricultural land to non-agricultural uses.

40 (d) Mineral Conservation (MC). The intent and function of the mineral
41 conservation zone is to comprehensively regulate excavations within Snohomish
42 County. The zone is designed to accomplish the following:

43

- 1
2 (i) preserve certain areas of the county which contain minerals of
3 commercial quality and quantity for mineral conservation purposes and to prevent
4 incompatible land use development prior to the extraction of such minerals and
5 materials and to prevent loss forever of such natural resources;
6 (ii) preserve the goals and objectives of the comprehensive plan by setting
7 certain guidelines and standards for location of zones and under temporary, small-scale
8 conditions to permit other locations by conditional use permit;
9 (iii) permit the necessary processing and conversion of such material and
10 minerals to marketable products;
11 (iv) provide for protection of the surrounding neighborhood, ecological and
12 aesthetic values, by enforcing controls for buffering and for manner and method of
13 operation; and
14 (v) preserve the ultimate suitability of the land from which natural deposits
15 are extracted for rezones and land usages consistent with the goals and objectives of
16 the comprehensive plan.
17 (4) Other Zones: The other zones category consists of existing zoning
18 classifications that are no longer primary implementing zones but may be used in
19 special circumstances due to topography, natural features, or the presence of extensive
20 critical areas. Other zones consist of the following:
21 (a) Suburban Agriculture-1 Acre (SA-1);
22 (b) Rural Conservation (RC);
23 (c) Rural Use (RU);
24 (d) Residential 20,000 sq. ft. (R-20,000);
25 (e) Residential 12, 500 sq. ft. (R-12,500); and
26 (f) Waterfront beach (WFB).

27
28 Section 6. Snohomish County Code Section 30.22.030, last amended by
29 Amended Ordinance No. 05-087 on December 21, 2005, is amended to read:

30 **30.22.030 Number of uses per lot.**

31 Uses shall be established upon legally created lots that conform to current zoning
32 requirements or on legal nonconforming lots. A lot may have more than one use placed
33 within its bounds, except that only one single family dwelling may be placed on a lot.
34 This exception shall not apply to model homes as defined herein, to planned residential
35 developments proposed and approved pursuant to chapter 30.42B SCC, ((center))
36 projects proposed and approved pursuant to chapter 30.34A SCC, or to land zoned
37 commercial or multiple family residential. Multifamily structures may be placed on lots
38 at densities controlled by chapter 30.23 SCC.
39

1
2 Section 7. Snohomish County Code Section 30.22.100, last amended by
3 Amended Ordinance No. 08-101 on January, 21, 2009, is amended to read:
4
5 **30.22.100 Urban Zone Categories Use Matrix**

TYPE OF USE	R9,600 ⁵⁵	R8,400 ⁵⁶	R7,200 ⁵⁷	T	LDMR	MR	NEI ^(C) (1 ⁵⁸)	PCB (1 ⁵⁹)	GC	FS	IP ⁶⁰	BP	LJ ⁶¹	HJ ⁶²	MHP 1 ⁶³	UC ⁶⁴
Accessory Apartment ⁶²	A	A	A	A	A	A	A	A	A							
Adult Entertainment Business/Use ⁶⁷																
Agriculture ⁴¹	P	P	P	P	P	P	P	P	P							
Airport, Stage 1 Utility ¹	C	C	C	C												
Airport-All Others																
Amusement Facility ⁴¹								P	P							P
Antique Shop								P	P							P
Art Gallery ⁴¹	C	C	C	C	C	C	P	P	P							P
Asphalt Batch Plant & Continuous Mix Asphalt Plant																
Auto Repair, Major																P ⁶⁶
Auto Repair, Minor							P	P	P							P ⁶⁸
Auto Towing																
Auto Wrecking Yard																
Bakery							P ⁶⁹	P	P							P
Bed and Breakfast Guesthouse ⁵¹	C	C	C	C	C	C										
Billboards ⁴⁶																
Boarding House	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵	P	P	P	P	P							P
Boat Launch, Commercial ³¹																P ¹¹⁸
Boat Launch, Non-commercial ⁵¹	C	C	C	C	C	C										
Boat Sales																
Caretaker's Quarters																
Crematory, Columbarium, Mausoleum ⁴¹	C	C	C	C	C	C										P

Amended Ordinance No. 09-079
RELATING TO URBAN CENTER DESIGN STANDARDS, ESTABLISHING A NEW ZONE FOR URBAN CENTERS, ESTABLISHING BULK REGULATIONS FOR URBAN CENTERS; AMENDING BULK REGULATIONS FOR THE NEIGHBORHOOD BUSINESS ZONE; AMENDING AND REPEALING DEFINITIONS TO SUBTITLE 30.9 SCC; AMENDING SECTIONS OF AND ADDING SECTIONS TO TITLE 30 SCC.
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TYPE OF USE	R6, 600'	R6, 200' 400'	T	LDMR	MR	MBI ⁽¹⁾	PCB (⁽²⁾)	CB	GC	FS	IP ³	BP	L ⁴⁵ 19	HI ¹⁵	MHP 114	UC ¹⁷
Church ⁴¹	C	C	C		P	P	P	P	P		P	P	P	P		P
Cleaning Establishment						P	P	P	P		P	P	P	P		P
Clubhouse				C	C	C	C				P	P	P	P		P
Cold Storage									P		P	P	P	P		P
Commercial Vehicle Storage Facility									P		P	P	P	P		
Community Club	C	C	C	C	C	C		P	P		P	P	P	P		P
Community Facilities for Juveniles ¹⁰³	P	P	P	P	P	P	P	P	P		P	P	P	P		P
1 to 8 Resident Facility	S	S	S	S	S	P	P	P	P		P	P	P	P		P
9 to 24 Resident Facility																P
Construction Contracting									P		P	P	P	P		P
Country Club	C	C	C								P	P	P	P		P
Craft Shop ²¹																P ⁸⁶
Day Care Center ²	C	C	C	C	C	C	P	P	P	P	P	P	P	P		P
Department Store								P	P							P
Distillation of Alcohol																P ⁸⁶
Distillation of Wood, Coal, Bones or Manufacturing of Their By-products												P				
Deck & Boathouse, Private, Non-commercial ^{3, 11}	P	P	P	P	P	P	P	P	P							
Drug Store							P	P	P	P ² ₂						P
Dwelling, Attached Single Family ⁵	P	P	P	P	P	P	P	P	P							
Dwelling, Cottage Housing ¹¹⁶	A	A	A	A	A											
Dwelling, Duplex	P ⁴²	P ⁴²	P ⁴²	P	P	P	P	P	P							

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TYPE OF USE	R9,600 ⁸⁸	R8, RT,200 ⁸⁸	T	LMIR	MR	NB ⁽¹⁾	PCB	CB	GC	FS	IP ¹⁴	BP	L ¹⁵ , 76	H ¹⁵ , 76	MHP ¹¹⁴	UC ¹¹⁷
Dwelling, Mobile Home	P ⁵	P ⁶	P ⁶	P	P	P ⁹		P ⁶	P ⁶							
Dwelling, Multifamily				P	P	P	P	P	P			P ⁵¹				P
Dwelling, Single Family	P	P	P	P	P	P	P ⁴	P	P			P ⁵¹				
Dwelling, Townhouse ⁵			A	P	P	P	P	P	P							P
Explosives, Manufacturing											P					
Explosives, Storage											P					
Extraction of Animal or Fish Fat or Oil											P					
Fabrication Shop											P	P	P	P		
Fairgrounds											P	P	P	P		
Fallout Shelter, Individual	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P
Fallout Shelter, Joint ⁷	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P
Family Day-Care Home ⁸	P	P	P	P	P	P	P	P	P							
Farm Product Processing																
Up to 5000 sq ft								P	P				P	P		
Over 5000 sq ft ⁸⁴								A	P				P	P		
Farm Stand																
Up to 400 sq ft ⁹	P	P	P					P	P				P	P		
401 to 5,000 sq ft ⁸⁹																
Farmers Market ⁸³																
Financial Institutions							P	P	P			P	P	P		P
Fish Farm																
Fix-It Shop							P	P ⁸⁶	P							P ⁸⁶
Forestry																

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TYPE OF USE	RS-600 ⁴⁸	RS-7,200 ⁴⁹	T	LDMR	MR	MBI ⁽¹⁾ (^(100%))	PCB ⁽²⁾ (^(100%))	CB	GC	FS	IP ³	BP	L ¹⁶ ₇₆	HI ¹⁶	MHP ¹¹ ₁₁₄	UC ¹⁷
Forge, Foundry, Blast Furnace for Melting of Ore																
Foster Home	P	P	P	P	P	P		P	P							
Fuel & Coal Yard									P							
Garage; Detached Private Accessory ⁶⁰																
Up to 2,400 sq. ft.	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
2,401 - 4,000 sq. ft. on More than 3 Acres ^{41, 59}	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
2,401 - 4,000 sq. ft. on Less than 3 acres ^{41, 59}	A	A	A	A	A	A	A	A	A	A	A	A	A	A		
4,001 sq. ft. and Greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Garage, Detached Private Non-accessory ⁶⁰																
Up to 2,400 sq. ft.	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
2,401 sq. ft. and greater ^{41, 59}	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Golf Course and Driving Range	C	C	C					P	P							
Government Structures & Facilities ^{37, 41}																
Greenhouse, Lath House, & Nurseries ³⁸ ; Retail	C	C	C	C	C	C	C	P	P	P	P	P	P	P		P
Greenhouse, Lath House, & Nurseries ³⁸ ; Wholesale								P	P	P	P	P	P	P		P ⁶⁵
Grocery Store								P	P	P ²	P ²					P
Grooming Parlor								P	P							P
Guesthouse ⁶⁵	P	P	P	P	P	P	P	P	P							P

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TYPE OF USE	R9,600 ⁴³	R6, RT, 200 ⁴⁴ 400 ⁴⁵	T	LDNR	MR	NB(⁴⁶) (⁴⁷)	PCB (⁴⁸)	GC	FS	SP ⁴⁹	BP	LI ⁵⁰ 7 ⁵¹	HI ⁵²	MHP 11 ⁵³	UC ⁵⁴
Gymnasium							P	P		P	P	P	P		P
Hardware Store						P	P	P				P	P		P
Hazardous Waste Storage & Treatment Facilities, Offsite ⁵⁵										C	C	C	C		
Hazardous Waste Storage & Treatment Facilities, Onsite ⁵⁵						P	P	P	P	P	P	P	P		
Health and Social Service Facility ⁵⁰	P	P	P	P	P	P	P	P							P
Level I ⁴¹	C	C	C	C	C	C	C	C							P
Level II ⁴¹															P
Level III															P
Home Improvement Center						P	P	P ⁵⁶				P	P		P
Home Occupation ¹¹	P	P	P	P	P	P	P	P							P
Hotel/Motel						C	C	P	P						P
Junkyard															
Kennel, ⁴¹ Commercial ¹²	C	C	C					P	P						
Kennel, ⁴¹ Private-Breeding ¹³	P	P	P	P	P	P	P	P	P						
Kennel, ⁴¹ Private-Non-Breeding ¹³	P	P	P	P	P	P	P	P							
Laboratory															
Library ⁴¹	C	C	C	C	C	C	C	P	P						P ⁵⁶
Licensed Practitioner ^{28, 41}								P	P						P
Livestock Auction Facility								P	P						P
Locksmith															
Lumberyard															
Manufacturing, Heavy ¹²															

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TYPE OF USE	R9,600 ⁴⁴	R8, RT, 200 ⁴⁵ 400 44	T	LDMR	MR	NBC ^(*) (***)	PCB (***)	CB	GC	FS	IP ³³	BP	L ¹⁰⁴ 70	H ¹⁰⁵ 70	MHP 114	UC ¹¹⁷
Manufacturing-All Other Forms Not Specifically Listed ²⁵																
Message Parlor								P					P	P		
Medical Clinic ²⁹								P	P				P	P		P
Mini Self-Storage				C	C	P	P	P	P				P	P		P
Mobile Home Park ³⁶																
Mobile Home & Travel Trailer Sales				C	C			C	C						P	
Model Hobby Park ⁷⁵											C ³⁶					
Model House/Sales Office	P	P	P	P	P	P	P	P	P			A	A	A		P
Mortuary				C	C			P	P							
Motocross Racetrack									C ¹¹	C ¹¹	C ¹⁰	C ¹⁰	C ¹⁰	C ¹¹		
Motor Vehicle & Equipment Sales									P ²³	P						P ²³
Museum ⁴¹	C	C	C	C	C	C	C	P	P	P	P	P	P	P		P
Office, General								P	P	P	P	P	P	P		P
Park, Public ¹⁴	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P
Park-and-Pool Lot	C	C	C	C	C	C	C	P	P	P	P	P	P	P		P
Park-and-Ride Lot	C	C	C	C	C	C	C	P	P	P	P	P	P	P		P
Personal Services Shop								P	P ⁸⁶	P	P ⁴⁹	P ⁴⁹	P	P		P
Personal Wireless Communications Facilities ^{27, 41, 104, 105, 106}	C	C	C	C	C	C	C	C	C	C	C	C	P	P		P ¹¹⁸
Pet Shop																
Petroleum Products & Gas Storage - Bulk ³								P	P					P ⁸³	P	P
Petroleum Refining ⁴³																

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TYPE OF USE	R9,600 ⁵⁵	R6,400 ⁵⁶	R7,200 ⁵⁷	T	LDMR	MR	MBI ⁽⁶⁾ (⁵⁸)	PCB (⁵⁹)	CB	GC	FS	IP ⁶⁰	BP	LI ⁶¹ 7 ₆	HI ⁶²	MHP 11 ⁶³	UC ¹¹⁷
Specialty Store							P	P	P ⁵⁶	P				P	P		P
Stables		P	P				P	P	P	P				P	P		
Stockyard or Slaughter House																	
Storage, Retail Sales Livestock Feed									P	P					P		
Storage Structure, Accessory ⁵⁰																	
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
2,401 - 4,000 sq ft on More than 3 Acres ^{41,59}	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
2,401 - 4,000 on Less than 3 acres ^{41,59}	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		
4,001 sq ft and Greater ^{41,59}	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Storage Structure, Non-accessory ⁵⁰																	
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
2,401 sq ft and greater ^{41,59}	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Studio ⁴¹	C ⁷⁷	C ⁷⁷	C ⁷⁷		C ⁷⁷	C ⁷⁷	P	P	P ⁵⁶	P				P	P		P
Swimming/Wading Pool ^{17,41}	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P
Tannery																	
Tar Distillation or Manufacturing																	
Tavern ⁴¹								P	P	P							P
Television/Radio Stations																	
Temporary Dwelling During Construction	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A
Temporary Dwelling For Relative ¹⁰	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A

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TYPE OF USE	R9,600 ⁶⁸		R8, 400 ⁴⁰		R7,200 ⁴		T	LDMR	MR	NB(C ⁵) (¹⁹⁸³)	PCB	CB	GC	FS	IP ⁸	BP	L ^{1A} 7	HI ⁶⁸	MHP 14	UC ¹⁷
	A	A	A	A																
Temporary Residential Sales Coach ⁷³	A	A	A																	A
Temporary Woodwaste Recycling ⁴³																		A	A	
Temporary Woodwaste Storage ⁴³																		A	A	
Tire Store										P	P	P ⁸⁶								P ⁸⁶
Tool Sales & Rental										P	P	P ⁸⁶								P ⁸⁶
Transit Center										P	P	P								P
Ultralight Airpark ²⁰										P	P	P								P
Utility Facilities, Electromagnetic										P	P	P								P
Transmission & Receiving Facility ²⁷										P	P	P								P
Utility Facilities, Transmission Wires, Pipes & Supports ²⁷										P	P	P								P
Utility Facilities-All Other Structures ^{27, 41}										P	P	P								P
Veterinary Clinic										P	P	P								P
Warehousing										P	P	P								P
Wholesale Establishment										P	P	P								P
Woodwaste Recycling ⁵⁷										P	P	P								P
Woodwaste Storage ⁵⁷										P	P	P								P
Yacht/Boat Club										P	P	P								P
All other uses not otherwise mentioned										P	P	P								P

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1 Section 8. Snohomish County Code Section 30.22.130, last amended by
2 Amended Ordinance No 10-008 on March 24, 2010, is amended to read:

3
4 **30.22.130 Reference notes for use matrix.**

5
6 (1) Airport, Stage 1 Utility:

- 7 (a) Not for commercial use and for use of small private planes;
8 (b) In the RU zone, they shall be primarily for the use of the resident property
9 owner; and
10 (c) When the airport is included in an airpark, the disclosure requirements of
11 SCC 30.28.005 shall apply.

12 (2) Day Care Center:

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

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

18 (3) Dock and Boathouse, Private, Non-commercial:

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

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

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

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

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

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

35 (4) Dwelling, Single family: In PCB zones, shall be allowed only if included within the
36 same structure as a commercial establishment.

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

40 (6) Dwelling, Mobile Home:

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

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

44

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1
2 (c) Except where the base of the mobile home is flush to ground level, shall be
3 installed either with:

- 4 (i) skirting material which is compatible with the siding of the mobile home; or
5 (ii) a perimeter masonry foundation;

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

7 (e) In the RU zone the above only applies if the permitted lot size is less than
8 20,000 square feet.

9 (7) Fallout Shelter, Joint, by two or more property owners:

10 Side and rear yard requirements may be waived by the department along the
11 boundaries lying between the properties involved with the proposal, and zone; provided
12 that its function as a shelter is not impaired.

13 (8) Family Day Care Home:

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

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

17 (9) Farm Stand:

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

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

22 (10) Farm Worker Dwelling:

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

25 (b) An agricultural farm worker dwelling unit affidavit must be signed and
26 recorded with the county attesting to the need for such dwellings to continue the farm
27 operation;

28 (c) The number of farm worker dwellings shall be limited to one per each 40
29 acres under single contiguous ownership to a maximum of six total dwellings, with 40
30 acres being required to construct the first accessory dwelling unit. Construction of the
31 maximum number of dwelling units permitted shall be interpreted as exhausting all
32 residential potential of the land until such time as the property is legally subdivided; and

33 (d) All farm worker dwellings must be clustered on the farm within a 10-acre
34 farmstead which includes the main dwelling. The farmstead's boundaries shall be
35 designated with a legal description by the property owner with the intent of allowing
36 maximum flexibility while minimizing interference with productive farm operation. Farm
37 worker dwellings may be located other than as provided for in this subsection only if
38 environmental or physical constraints preclude meeting these conditions.

39 (11) Home Occupation: See SCC 30.28.050(1).

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

42 (13) Kennel, Private-breeding, and Kennel, Private Non-breeding: Where the animals
43 comprising the kennel are housed within the dwelling, the yard or some portion thereof
44 shall be fenced and maintained in good repair or to contain or to confine the animals

- 1 upon the property and restrict the entrance of other animals.
- 2 (14) Parks, Publicly-owned and Operated:
- 3 (a) No bleachers are permitted if the site is less than five acres in size;
- 4 (b) All lighting shall be shielded to protect adjacent properties; and
- 5 (c) No amusement devices for hire are permitted.
- 6 (15) Boarding House: There shall be accommodations for no more than two
- 7 persons.
- 8 (16) RESERVED for future use (Social Service Center - DELETED by Amended Ord.
- 9 04-010 effective March 15, 2004)
- 10 (17) Swimming/Wading Pool (not to include hot tubs and spas): For the sole use of
- 11 occupants and guests:
- 12 (a) No part of the pool shall project more than one foot above the adjoining
- 13 ground level in a required setback; and
- 14 (b) The pool shall be enclosed with a fence not less than four feet high, of
- 15 sufficient design and strength to keep out children.
- 16 (18) Temporary Dwelling for a relative:
- 17 (a) The dwelling shall be occupied only by a relative, by blood or marriage, of the
- 18 occupant(s) of the permanent dwelling;
- 19 (b) The relative must receive from, or administer to, the occupant of the other
- 20 dwelling continuous care and assistance necessitated by advanced age or infirmity;
- 21 (c) The need for such continuous care and assistance shall be attested to in
- 22 writing by a licensed physician;
- 23 (d) The temporary dwelling shall be occupied by not more than two persons;
- 24 (e) Use as a commercial rental unit shall be prohibited;
- 25 (f) The temporary dwelling shall be situated not less than 20 feet from the
- 26 permanent dwelling on the same lot and shall not be located in any required yard of the
- 27 principal dwelling;
- 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 to the
- 30 department for inclusion in the permit file;
- 31 (h) Adequate screening, landscaping, or other measures shall be provided
- 32 pursuant to SCC 30.25.015 to protect surrounding property values and ensure
- 33 compatibility with the immediate neighborhood;
- 34 (i) An annual renewal of the temporary dwelling permit, together with
- 35 recertification of need, shall be accomplished by the applicant through the department in
- 36 the same month of each year in which the initial mobile home/building permit was
- 37 issued;
- 38 (j) An agreement to terminate such temporary use at such time as the need no
- 39 longer exists shall be executed by the applicant and recorded with the Snohomish
- 40 County Auditor; and
- 41 (k) Only one temporary dwelling may be established on a lot. The temporary
- 42 dwelling shall not be located on a lot on which a detached accessory apartment is
- 43 located.
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2 (19) Recreational Vehicle:

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

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

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

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

10 (ii.) Temporary overnight use by farm workers on the farm where they are
11 employed subject to SCC 30.22.130(19)(a) and (b) above; and

12 (iii) Subject to SCC 30.22.130(19)(a) and (b) above and SCC
13 30.22.120(7)(b), temporary overnight use in a mobile home park, which has been in
14 existence continuously since 1970 or before, that provides septic or sewer service,
15 water and other utilities, and that has an RV flood evacuation plan that has been
16 approved and is on file with the Department of Emergency Management and
17 Department of Planning and Development Services.

18 (20) Ultralight Airpark:

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

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

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

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

31 (ii) occur between sunset and sunrise;

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

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

36 (21) Craft Shop:

37 (a) Articles shall not be manufactured by chemical processes;

38 (b) No more than three persons shall be employed at any one time in the
39 fabricating, repair, or processing of materials; and

40 (c) The aggregate nameplate horsepower rating of all mechanical equipment on
41 the premises shall not exceed two.

42 (22) Grocery and Drug Stores: In the FS zone, there shall be a 5,000-square foot
43 floor area limitation.
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(23) Motor Vehicle and Equipment Sales: In the CB and CRC zone, all display, storage, and sales activities shall be conducted indoors.

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

(25) Rural Industry:

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

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

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

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

(26) Sawmill, Shake and Shingle Mill:

(a) Such uses shall not include the manufacture of finished wood products such as furniture and plywood, but shall include lumber manufacturing;

(b) The number of employees shall not exceed 25 during any eight-hour work shift;

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

(d) Sawmills and shakemills adjacent to a state highway in the RU zone shall provide 25 feet of Type A landscaping as defined in SCC 30.25.017.

(27) Governmental and Utility Structures and Facilities:

Special lot area requirements for this use are contained in SCC 30.23.200.

(28) Excavation and Processing of Minerals:

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

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

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

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

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

- 1 (31) Boat Launch Facilities, Commercial or Non-commercial:
2 (a) The hearing examiner may regulate, among other factors, required launching
3 depth, lengths of existing docks and piers;
4 (b) Off-street parking shall be provided in an amount suitable to the expected
5 usage of the facility. When used by the general public, the guideline should be 32 to 40
6 spaces capable of accommodating both a car and boat trailer for each ramp lane of
7 boat access to the water;
8 (c) A level vehicle-maneuvering space measuring at least 50 feet-square shall be
9 provided;
10 (d) Pedestrian access to the water separate from the boat launching lane or
11 lanes may be required where it is deemed necessary in the interest of public safety;
12 (e) Safety buoys shall be installed and maintained separating boating activities
13 from other water-oriented recreation and uses where this is reasonably required for
14 public safety, welfare, and health; and
15 (f) All site improvements for boat launch facilities shall comply with all other
16 requirements of the zone in which it is located.
- 17 (32) Campground:
18 (a) The maximum overall density shall be seven camp or tent sites per acre; and
19 (b) The minimum site size shall be 10 acres.
- 20 (33) Commercial Vehicle Home Basing:
21 (a) The vehicles may be parked and maintained only on the property wherein
22 resides a person who uses them in their business;
23 (b) Two or more vehicles may be so based; and
24 (c) The vehicles shall be in operable conditions.
- 25 (34) Distillation of Alcohol:
26 (a) The distillation shall be from plant products, for the purpose of sale as fuel,
27 and for the production of methane from animal waste produced on the premises;
28 (b) Such distillation shall be only one of several products of normal agricultural
29 activities occurring on the premises; and
30 (c) By-products created in this process shall be used for fuel or fertilizer on the
31 premises.
- 32 (35) RESERVED for future use (Group Care Facility - DELETED by Amended Ord.
33 04-010 effective March 15, 2004)
- 34 (36) Mobile Home and Travel Trailer Sales:
35 (a) Property shall directly front upon a principal or minor arterial in order to
36 reduce encroachment into the interior of IP designated areas;
37 (b) The hearing examiner shall consider the visual and aesthetic characteristics
38 of the use proposal and determine whether nearby business and industrial uses,
39 existing or proposed, would be potentially harmed thereby. A finding of potential
40 incompatibility shall be grounds for denial;
41 (c) The conditional use permit shall include a condition requiring mandatory
42 review by the hearing examiner at intervals not to exceed five years for the express
43 purpose of evaluating the continued compatibility of the use with other IP uses. The
44 review required herein is in addition to any review which may be held pursuant to SCC

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- 1 30.42B.100, SCC 30.42C.100 and SCC 30.43A.100;
- 2 (d) Such use shall not be deemed to be outside storage for the purpose of SCC
- 3 30.25.024; and
- 4 (e) Such use shall be temporary until business or industrial development is timely
- 5 on the site or on nearby IP designated property.
- 6 (37) Small Animal Husbandry: There shall be a five-acre minimum site size.
- 7 (38) Mobile Home Park: Such development must fulfill the requirements of chapter
- 8 30.42E SCC.
- 9 (39) Sludge Utilization: See SCC 30.28.085.
- 10 (40) Homestead Parcel: See SCC 30.28.055.
- 11 (41) Special Setback Requirements for this use are contained in SCC 30.23.110(20).
- 12 (42) Minimum Lot Size for duplexes shall be one and one-half times the minimum lot
- 13 size for single family dwellings. In the RU zone, this provision only applies when the
- 14 minimum lot size for single family dwellings is 12,500 square feet or less.
- 15 (43) Petroleum Products and Gas, Bulk Storage:
- 16 (a) All above ground storage tanks shall be located 150 feet from all property
- 17 lines; and
- 18 (b) Storage tanks below ground shall be located no closer to the property line
- 19 than a distance equal to the greatest dimensions (diameter, length or height) of the
- 20 buried tank.
- 21 (44) Auto Wrecking Yards and Junkyards: A sight-obscuring fence a minimum of
- 22 seven feet high shall be established and maintained in the LI zone. For requirements
- 23 for this use, SCC 30.25.020 and 30.25.050 applies.
- 24 (45) Antique Shops when established as a home occupation as regulated by SCC
- 25 30.28.050(1); provided further that all merchandise sold or offered for sale shall be
- 26 predominantly "antique" and antique-related objects.
- 27 (46) Billboards: See SCC 30.27.080 for specific requirements.
- 28 (47) Nursery, Wholesale: In R-20,000 zone, a wholesale nursery is permitted on
- 29 three acres or more; a conditional use permit is required on less than three acres.
- 30 (48) Stockyard and Livestock Auction Facility: The minimum lot size is 10 acres.
- 31 (49) Restaurants and Personal Service Shops: Located to service principally the
- 32 constructed industrial park uses.
- 33 (50) Sludge Utilization: A conditional use permit is required for manufacture of
- 34 materials by a non-governmental agency containing stabilized or digested sludge for a
- 35 public utilization.
- 36 (51) Single Family and Multifamily Dwellings are a prohibited use, except for the
- 37 following:
- 38 (a) Existing dwellings that are nonconforming as a result of a county-initiated
- 39 rezone to BP may make improvements or additions provided such improvements are
- 40 consistent with the bulk regulations contained in chapter 30.23 SCC; provided further
- 41 that such improvements do not increase the ground area covered by the structural
- 42 portion of the nonconforming use by more than 100 percent of that existing at the
- 43 existing date of the nonconformance; and

- 1 (b) New single family and multifamily dwellings in the BP zone authorized
2 pursuant to the provisions of SCC 30.31A.140.
- 3 (52) Greenhouses, Lath Houses, and Nurseries:
- 4 (a) Incidental sale of soil, bark, fertilizers, plant nutrients, rocks, and similar plant
5 husbandry materials is permitted;
- 6 (b) The sale of garden tools and any other hardware or equipment shall be
7 prohibited; and
- 8 (c) There shall be no on-site signs advertising other than the principal use.
- 9 (53) Retail Store: See SCC 30.31A.120 for specific requirements for retail stores in
10 the BP zone.
- 11 (54) Retail Sales of Hay, Grain, and Other Livestock Feed are permitted on site in
12 conjunction with a livestock auction facility.
- 13 (55) Noise of Machines and Operations in the LI and HI zones shall comply with
14 chapter 10.01 SCC and machines and operations shall be muffled so as not to become
15 objectionable due to intermittence, beat frequency, or shrillness.
- 16 (56) Sludge Utilization only at a completed sanitary landfill or on a completed cell
17 within a sanitary landfill, subject to the provision of SCC 30.28.085.
- 18 (57) Woodwaste Recycling and Woodwaste Storage Facility: See SCC 30.28.095.
- 19 (58) Bed and Breakfast Guesthouses and Bed and Breakfast Inns: See SCC
20 30.28.020.
- 21 (59) Detached accessory or non-accessory private garages and storage structures
22 are subject to the following requirements:
- 23 (a) Special setback requirements for these uses are contained in SCC
24 30.23.110(20);
- 25 (b) Artificial lighting shall be hooded or shaded so that direct outside lighting, if
26 any, will not result in glare when viewed from the surrounding property or rights-of-way;
- 27 (c) The following compatibility standards shall apply:
- 28 (i) proposals for development in existing neighborhoods with a well-
29 defined character should be compatible with or complement the highest quality
30 features, architectural character and siting pattern of neighboring buildings.
31 Where there is no discernable pattern, the buildings shall complement the
32 neighborhood. Development of detached private garages and storage structures
33 shall not interrupt the streetscape or dwarf the scale of existing buildings of
34 existing neighborhoods. Applicants may refer to the Residential Development
35 Handbook for Snohomish County Communities to review techniques
36 recommended to achieve neighborhood compatibility;
- 37 (ii) building plans for all proposals larger than 2,400 square feet in the
38 Waterfront Beach, R 7,200, R 8,400, R 9,600 and R 12,500 zones and rural
39 cluster subdivisions shall document the use of building materials compatible and
40 consistent with existing on-site residential development exterior finishes;
- 41 (iii) in the Waterfront Beach, R 7,200, R 8,400, R 9,600 and R 12,500
42 zones and rural cluster subdivisions, no portion of a detached accessory private
43 garage or storage structure shall extend beyond the building front of the existing

- 1 single family dwelling, unless screening, landscaping, or other measures are
2 provided to ensure compatibility with adjacent properties; and
3 (iv) in the Waterfront Beach, R 7,200, R 8,400, R 9,600 and R 12,500
4 zones and rural cluster subdivisions, no portion of a detached non-accessory
5 private garage or storage structure shall extend beyond the building front of
6 existing single family dwellings on adjacent lots where the adjacent dwellings are
7 located within 10 feet of the subject property line. When a detached non-
8 accessory private garage or storage structure is proposed, the location of
9 existing dwellings on adjacent properties located within 10 feet of the subject site
10 property lines shall be shown on the site plan;
- 11 (d) All detached accessory or non-accessory private garages and storage
12 structures proposed with building footprints larger than 2,400 square feet shall
13 provide screening or landscaping from adjacent properties pursuant to chapter
14 30.25 SCC;
- 15 (e) On lots less than ten acres in size having no established residential use, only
16 one non-accessory private garage and one storage structure shall be allowed. On lots
17 10 acres or larger without a residence where the cumulative square footage of all
18 existing and proposed non-accessory private garages and storage structures is 6,000
19 square feet or larger, a conditional use permit shall be required.
- 20 (f) Where permitted, separation between multiple private garages or storage
21 structures shall be regulated pursuant to subtitle 30.5 SCC.
- 22 (60) The cumulative square footage of all detached accessory and non-accessory
23 private garages and storage structures shall not exceed 6,000 square feet on any lot
24 less than 5 acres, except this provision shall not apply in the LDMR, MR, T, NB, GC,
25 PCB, CB, FS, BP, IP, LI, HI, RB, RFS, CRC and RI zones.
- 26 (61) Museums: Museums within the agriculture A-10 zone are permitted only in
27 structures which are legally existing on October 31, 1991.
- 28 (62) Accessory Apartments: See SCC 30.28.010.
- 29 (63) Temporary Woodwaste Recycling and Temporary Woodwaste Storage
30 Facilities: See SCC 30.28.090.
- 31 (64) Home Occupation: See SCC 30.28.050(2).
- 32 (65) On-site Hazardous Waste Treatment and Storage Facilities are allowed only as
33 an incidental use to any use generating hazardous waste which is otherwise allowed;
34 provided that such facilities demonstrate compliance with the state siting criteria for
35 dangerous waste management facilities pursuant to RCW 70.105.210 and WAC 173-
36 303-282 as now written or hereafter amended.
- 37 (66) An application for a conditional use permit to allow an off-site hazardous waste
38 treatment and storage facility shall demonstrate compliance with the state siting criteria
39 for dangerous waste management facilities pursuant to RCW 70.105.210 and WAC
40 173-303-282 as now written or hereafter amended.
- 41 (67) Adult Entertainment Uses: See SCC 30.28.015.
- 42 (68) Special Building Height provisions for this use are contained in SCC
43 30.23.050(2)(d).
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(69) Bakery: In the NB zone, the gross floor area of the use shall not exceed 1,000 square feet and the bakery business shall be primarily retail in nature.

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

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

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

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

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

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

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

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

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

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

(73) Temporary Residential Sales Coach (TRSC):

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

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

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

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

(i) plat construction plans have been approved;

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

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

(iv) the site has been inspected for TRSC installation to verify compliance with all applicable regulations and plat conditions, and to assure that grading, 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. Grading shall be limited in order to preserve prime farmland. At least 75 percent of prime farmland on site shall remain

1 undisturbed.

2 (75) Model Hobby Park: SCC 30.28.060.

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

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

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

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

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

21 (78) The gross floor area of the use shall not exceed 1,000 square feet.

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

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

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

26 (a) The use complies with all of the performance standards required by SCC
27 30.31F.100 and 30.31F.110;

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

30 (c) In addition to the provisions of SCC 30.22.130(81)(b), not more than five
31 commercial vehicles or construction machines shall be stored outdoors and shall be
32 screened in accordance with SCC 30.25.020 and 30.25.032;

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

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

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

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

Amended Ordinance No. 09-079

RELATING TO URBAN CENTER DESIGN STANDARDS, ESTABLISHING A NEW ZONE FOR URBAN CENTERS,
ESTABLISHING BULK REGULATIONS FOR URBAN CENTERS; AMENDING BULK REGULATIONS FOR THE
NEIGHBORHOOD BUSINESS ZONE; AMENDING AND REPEALING DEFINITIONS TO SUBTITLE 30.9 SCC;
AMENDING SECTIONS OF AND ADDING SECTIONS TO TITLE 30 SCC.

Page 38

1 which the director finds consistent with generally accepted practices and performance.
2 standards for the industrial zone where the use is proposed. See SCC 30.91M.024 and
3 30.91M.026.

4 (84) Home Occupations: See SCC 30.28.050(3).

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

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

7 (87) Wedding Facility:

8 (a) Such use is permitted only on undeveloped land or in structures which are
9 legally existing on January 1, 2001;

10 (b) The applicant shall demonstrate that the following criteria are met with
11 respect to the activities related to the use:

12 (i) compliance with the noise control provisions of chapter 10.01 SCC;

13 (ii) adequate vehicular site distance and safe turning movements exist at the
14 access to the site consistent with the EDDS as defined in title 13 SCC; and

15 (iii) adequate sanitation facilities are provided on site pursuant to chapter
16 30.52A SCC and applicable Snohomish Health District provisions;

17 (c) Adequate on-site parking shall be provided for the use pursuant to SCC
18 30.26.035;

19 (d) A certificate of occupancy shall be obtained pursuant to chapter 30.52A SCC
20 for the use of any existing structure. The certificate of occupancy shall be subject to an
21 annual inspection and renewal pursuant to SCC 30.53A.060 to ensure building and fire
22 code compliance;

23 (e) In the A-10 zone, the applicant must demonstrate that the activities related to
24 the use are subordinate to the use of the site for agricultural purposes; and

25 (f) In the A-10 zone, any grading or disturbances required to support the use
26 shall be limited to preserve prime farmland. At least 90 percent of prime farmland on
27 site shall remain undisturbed.

28 (88) Public/Institutional Use Designation (P/IU): When applied to land that is (a)
29 included in an Urban Growth Area and (b) designated P/IU on the Snohomish County
30 Future Land Use Map concurrent with or prior to its inclusion in a UGA, the R-7,200, R-
31 8,400 and R-9,600 zones shall allow only the following permitted or conditional uses:
32 churches, and school instructional facilities. All other uses are prohibited within areas
33 that meet criteria (a) and (b), unless the P/IU designation is changed.

34 (89) Hotel/Motel uses are permitted in the Light Industrial zone when the following
35 criteria are met:

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

37 (b) The municipal airport boundary includes no less than 1000 acres of land
38 zoned light industrial; and

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

40 (90) Health and social service facilities regulated under this title do not include secure
41 community transition facilities (SCTFs) proposed pursuant to chapter 71.09 RCW. See
42 SCC 30.91H.095.

43 (a) Snohomish County is preempted from regulation of SCTFs. In accordance
44 with the requirements of state law the county shall take all reasonable steps permitted

1 by chapter 71.09 RCW to ensure that SCTFs comply with applicable siting criteria of
2 state law. Every effort shall be made by the county through the available state
3 procedures to ensure strict compliance with all relevant public safety concerns, such as
4 emergency response time, minimum distances to be maintained by the SCTF from "risk
5 potential" locations, electronic monitoring of individual residents, household security
6 measures and program staffing.

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

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

13 (91) Level II health and social service uses are allowed outside the UGA only when
14 the use is not served by public sewer.

15 (92) The area of the shooting range devoted to retail sales of guns, bows, and related
16 equipment shall not exceed one-third (1/3) of the gross floor area of the shooting range
17 and shall be located within a building or structure.

18 (93) Farmers Market: See SCC 30.28.036.

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

20 (95) Farmland Enterprise: See SCC 30.28.037.

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

22 (a) Comply with the requirements of Chapter 6.37 SCC; and

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

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

27 (98) Recreational Facility Not Otherwise Listed in Ag-10 zone: See SCC 30.28.076.

28 (99) Farm Stand: See SCC 30.28.039.

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

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

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

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

43 (104) Personal wireless telecommunications service facilities: See chapter 30.28A
44 SCC and landscaping standards in SCC 30.25.025.

1 (105) Personal wireless telecommunications service facilities are subject to a building
2 permit pursuant to SCC 30.28A.020 and the development standards set forth in chapter
3 30.28A SCC and landscaping standards in SCC 30:25.025.

4 (106) A building permit only is required for facilities co-locating on existing utility
5 poles, towers, and/or antennas unless otherwise specified in 30.28A SCC.

6 (107) RESERVED for future use (R-5 w/MRO - DELETED by Ord. 07-090 effective
7 September 21, 2007)

8 ~~(108) ((Projects submitted under the Urban Centers Demonstration Program (chapter
9 30.34A SCC) and located within the NB or PCB zones may include the permitted uses
10 in these zones. Uses listed in SCC 30.34A.100(5) and conditional uses in the NB and
11 PCB zones are prohibited in these projects.))~~ RESERVED for future use.

12 (109) Privately operated off-road vehicle (ORV) use areas shall be allowed by
13 conditional use permit on Forestry and Recreation (F&R) zoned property designated
14 Forest on the comprehensive plan future land use map. These areas shall be identified
15 by an F&R ORV suffix on the zoning map. Privately operated ORV use areas are
16 regulated pursuant to SCC 30.28.080, SCC 30.28.085 and other applicable county
17 codes.

18 (110) Recreational Facility Not Otherwise Listed: Playing fields permitted in
19 accordance with chapter 30.33B SCC are allowed as a Permitted Use (P) when sited on
20 designated recreational land as identified on the future land use map in the county's
21 comprehensive plan.

22 (111) Recreational Facility Not Otherwise Listed: Playing fields not permitted in
23 accordance with chapter 30.33B SCC are allowed as an Administrative Conditional Use
24 (A) when sited on designated recreational land as identified on the future land use map
25 in the county's comprehensive plan.

26 (112) Land zoned R-5 and having an RA overlay, depicted as R-5-RA on the official
27 zoning map, is a Transfer of Development Rights (TDR) receiving area and, consistent
28 with the comprehensive plan, will be retained in the R-5-RA zone until regulatory
29 controls are in place which ensure that TDR certificates issued pursuant to SCC
30 30.35A.050 will be required for development approvals within the receiving area.

31 (113) Privately operated motocross racetracks are allowed by conditional use permit,
32 and are regulated pursuant to SCC 30.28.100, SCC 30.28.105, and other applicable
33 county codes. Motocross racetracks are allowed in the Forestry and Recreation (F&R)
34 zone only on commercial forest lands.

35 (114) Mobile Home Park zone:

36 (a) The Mobile Home Park zone is intended to promote the retention of mobile
37 home parks as a source of affordable detached single-family and senior housing. This
38 zone is assigned to certain existing mobile home parks which contain rental pads, as
39 opposed to fee simple owned lots, and as such are more susceptible to future
40 development..

41 (b) The only use permitted in the Mobile Home Park zone is mobile home
42 parks. No other use is permitted on property zoned Mobile Home Park. For any mobile
43 home park regulated by a conditional use permit, an application for vacation of the

1 conditional use permit must be submitted for approval concurrently with rezone
2 approval.

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

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

7 (117) A drive-through either freestanding or associated with any permitted use shall
8 not be permitted.

9 (118) This use is only permitted when associated with a public or private marina.

10 (119) Only building mounted personal wireless communications facilities shall be
11 permitted.

12
13 Section 9. Snohomish County Code Section 30.23.030, last amended by
14 Amended Ordinance No. 08-101 on January 21, 2009, is amended to read:

15
16 **30.23.030 Bulk matrix.**

17
18 The bulk matrix contains standard setback, lot coverage, building height, and lot
19 dimension regulations for zones in unincorporated Snohomish County. Additional
20 setback and lot area requirements and exceptions are found at SCC 30.23.100 –
21 30.23.260 and chapter 30.34A SCC.

Table 30.23.030(1)
BULK MATRIX

Zone	Max. Bldg. Height (ft) ²⁷	Lot Dimension (ft) ²⁸				Setback Requirements From: (ft) ^{28, 29, 33}				Water ¹² Bodies ¹²	Max. Lot Coverage ⁸ 51	
		Min. Lot Area ²⁹	Min. Lot Width	Min. Corner Lot Width	Public Right of Way ^{34, 42} 60'	Public and Private Right of Way ^{8, 11, 34, 42}	Commercial and Industrial Zones ¹¹	Residential, Multifamily, and Rural Zones ¹¹	Resource Lands Ag ²⁰ Forest ²¹			
MC ³¹	45 ⁶	10 ac ³²			50	50	100 ¹³	100 ³³				
		20 ac ³	300	300	130 ^{10, 13}	100 ¹³	100 ^{13, 33}	50	100	25	13	35%
F & R ^{38, 39}	30 ⁷	200,000 sf ²	100	100	50 ¹⁰	20	5	5 ³³	50	100 ³⁰	25	35%
A-10 ^{37, 40, 82}	45	10 ac	none	none	50 ¹⁰	20	5	5 ³³	50	100 ³⁰	25	none
RRT-10	45	10 ac	225	225	50	20	5	5 ³³	50	100 ³⁰	25	35%
R-5 ^{37, 38, 39, 40, 46}	45 ⁴⁸	200,000 sf ^{2, 24}	165 ²⁴	165 ²⁴	50 ¹⁰	20	5	5 ³³	50	100 ³⁰	25	35%
RC ^{37, 38, 39, 40}	35	100,000 sf ²⁴	165 ²⁴	165 ²⁴	50 ¹⁰	20	5	5 ³³	50	100 ³⁰	25	35%
RD ³⁸	45	200,000	165	165	50 ¹⁰	20	5	5 ³³	50	100 ³⁰	25	35%
RB	35	none	none	none	55	25	none	50 ³³	50	100	none	35%
CRC	35 ⁴³	none	none	none	25 ²⁸	25 ³⁸	none	25	50	100	none	50% ¹⁴ 30% ⁴⁵
RFS	35	none	none	none	55	25	none	50	50	100	none	35%
RI	50	none	none	none	55	25	none	100	100	100	none	35%
SA-1 ^{37, 38}	35	1 ac/ 43,560 sf	150	150	50 ¹⁰	20	5	5 ³³	50	100	25	35%
RU ^{37, 38}	35	41	60	65	50 ¹⁰	20	5	5 ³³	50	100	25	35%
R20,000 ^{37, 38}	25	20,000 sf	85	90	50 ¹⁰	20	5	5	50	100	25	35%

Amended Ordinance No. 09-079
RELATING TO URBAN CENTER DESIGN STANDARDS, ESTABLISHING A NEW ZONE FOR URBAN CENTERS, ESTABLISHING BULK REGULATIONS FOR URBAN CENTERS, AMENDING BULK REGULATIONS FOR THE NEIGHBORHOOD BUSINESS ZONE, AMENDING AND REPEALING BULK REGULATIONS FOR SUBTITLE 30.9 SCC; AMENDING SECTIONS OF AND ADDING SECTIONS TO TITLE 30 SCC.
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R12,500 ⁴⁰	30	12,500 sf	75	80	50 ¹⁰	20	5	5	5	50	100	25	35%
WFB	30	7,200 sf ²⁸	60	65	50 ¹⁰	20	5	5	5	50	100	25	35%

Table 30.23.030(1) (continued)
BULK MATRIX

Category	Zone	Max. Bldg. Height (ft) ²⁷	Min. Lot Area ²⁸	Lot Dimension (ft) ²⁴			Public Right of Way ^{34, 42}	Public and Private Right of Way ^{9, 11, 34, 42}	Commercial and Industrial Zones ¹¹	Residential, Multiple Family, and Rural Zones ¹¹	Resource Lands		Water Bodies ¹²	Max. Lot Coverage ⁸ ((ft ²))
				Min. Lot Width	Min. Corner Lot Width	Min. Lot Width					Ag ²⁰	Forest ²¹		
Urban	FS	35	none	none	none	25 ²⁵	25 ²⁵	5/15 ¹⁸	25	none	100	100	none	none
	NB ¹	((30))40 ((44)) ((44))	None ((45)) ((45))	none	none	((25))10 35((44))35	25 ²⁵ 35((44))35	none	10 ((³⁰))	none	100	100	none	((35))65% ((44)) ((44))
	PCB ¹	40 ((⁴⁴))	none ¹⁸ ((48))	none	none	55 ²⁵ ((48))	25 ^{18, 26} ((48))	none	25 ((³⁰))	none	100	100	none	None ((⁴⁴))
	CB ¹	35	none	none	none	25 ²⁵	25 ²⁵	none	10	none	100	100	none	50%
	GC ¹	45	none	none	none	25 ²⁵	25 ^{26, 36}	none	10	none	100	100	none	50%
	IP	65	none	none	none	30 ^{17, 28}	25 ^{17, 28}	none ¹⁷	25 ¹⁷	none	100	100	none	50%
	BP ¹	50	none ¹⁸	none	none	30 ²³	25 ²⁶	none	25	none	100	100	none	35%
	LI	50	none	none	none	25 ²⁵	25 ²⁶	none	50	none	100	100	none	none
	HI	65	none	none	none	25 ²⁵	25 ²⁶	none	50	none	100	100	none	none
	UC													

SEE CHAPTER 30.34A.SCC.

Amended Ordinance No. 09-079
RELATING TO URBAN CENTER DESIGN STANDARDS, ESTABLISHING A NEW ZONE FOR URBAN CENTERS, ESTABLISHING BULK REGULATIONS FOR URBAN CENTERS, AMENDING BULK REGULATIONS FOR THE NEIGHBORHOOD BUSINESS ZONE, AMENDING AND REPEALING DEFINITIONS TO SUBTITLE 30.9 SCC, AMENDING SECTIONS OF AND ADDING SECTIONS TO TITLE 30 SCC.
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1 Section 10. Snohomish County Code Section 30.23.040, last amended by
2 Amended Ordinance No. 08-101 on January 21, 2009, is amended to read:

3
4 **30.23.040 Reference notes for bulk matrix.**

5
6 (1) MR bulk requirements shall apply for all residential development permitted in
7 urban commercial zones.

8 (2) When subdivisionally described, the minimum lot area shall be 1/128th of a
9 section.

10 (3) When subdivisionally described, the minimum lot area shall be 1/32nd of a
11 section.

12 (4) In the LDMR zone, the maximum density shall be calculated based on 4,000
13 square feet of land per dwelling unit.

14 (5) In the MR zone, the maximum density shall be calculated based on 2,000 square
15 feet of land per dwelling unit.

16 (6) Commercial forestry structures shall not exceed 65 feet in height.

17 (7) Non-residential structures shall not exceed 45 feet in height.

18 (8) Lot coverage includes all buildings on the given lot.

19 (9) Includes public rights-of-way 60 feet and wider; public rights-of-way under 60 feet
20 in a recorded plat with curbs and gutters; and private roads and easements. These
21 setbacks shall be measured from the edge of the right-of-way.

22 (10) Applies to public rights-of-way under 60 feet. These setbacks shall be measured
23 from the center of the right-of-way.

24 (11) These setbacks shall be measured from the property line.

25 (12) Greater setbacks than those listed may apply to areas subject to Shoreline
26 Management Master Program jurisdiction. Some uses have special setbacks. See
27 SCC 30.23.110 for specifics.

28 (13) The listed setbacks apply where the adjacent property is zoned F. In all other
29 cases, setbacks are the same as in the R-8,400 zone. In the F zone, the setbacks for
30 residential structures on 10 acres or less which were legally created prior to being
31 zoned to F shall be the same as in the R-8,400 zone.

32 (14) RESERVED for future use.

33 (15) MR and LDMR setbacks.

34 (a) Single family detached structures and duplexes shall have the minimum
35 setbacks required in the R-8,400 zone. Building separation between single family
36 detached structures or duplexes shall be a minimum of 10 feet. For single family
37 detached structures over two stories that have a third-story side yard ingress/egress
38 window, the building structure shall be increased to 15 feet; provided, however, that (i)
39 the building separation shall not be increased if the three-story units with side-yard
40 ingress/egress windows are equipped with approved NFPA 13D automatic sprinkler
41 systems, or (ii) where it is shown that due to topography of the particular site a building
42 separation of less than 15 feet (but not less than the minimum 10 feet) can provide the
43 necessary geometric prism for fire fighters to set a ladder reaching the third-story yard

- 1 ingress/egress window at no greater than a 75 degree angle.
- 2 (b) Other structures shall have minimum side and rear setbacks of five feet (10
3 feet where abutting residential, rural, or resource zones). Building separation between
4 primary structures in the MR and LDMR zones shall be a minimum of 15 feet. Building
5 separation between primary structures and secondary/accessory structures, including
6 but not limited to carports and garages, and separation between secondary structures
7 themselves, shall be determined by the applicable sections of the construction codes.
- 8 (c) Multi-story structures other than single family detached structures shall
9 increase all setbacks by three feet and building separations by five feet for each
10 additional story over two stories.
- 11 (d) In order to provide fire access to a side yard ingress/egress window on the
12 third floor of a single family detached structure, either (i) unit boundaries should be
13 drawn with a "zero lot line" on one side of the unit, (ii) fencing between units shall be
14 prohibited (at least in the area that is within five feet of the third story ingress/egress
15 window) so as not to impede ladder access to the third floor window, or (iii) fencing
16 between units shall be limited to either vegetative fencing or hard fences (e.g. wood or
17 metal) not exceeding three feet, six inches (3'6") in height.
- 18 (16) In the FS zone, the setback from non-residential property shall be five feet for
19 side setbacks and 15 feet for rear setbacks.
- 20 (17) In the IP zone there shall be an additional one foot setback for every one foot of
21 building height over 45 feet.
- 22 (18) In the PCB zone the setback from private roads and easements is 25 feet.
- 23 (19) See SCC 30.31A.020(1) and (2) which specifies the minimum area of a tract of
24 land necessary for PCB or BP zoning.
- 25 (20) See additional setback provisions for dwellings located along the boundaries of
26 designated farmland contained in SCC 30.32B.130.
- 27 (21) See additional setback provisions for structures located adjacent to forest lands,
28 and/or on lands designated local forest or commercial forest contained in SCC
29 30.32A.110.
- 30 (22) The minimum lot size for properties designated Rural Residential (RR) - 10
31 (Resource Transition) on the comprehensive plan shall be 10 acres. For properties
32 designated Rural Residential - 10 (Resource Transition) and located outside the Tulalip
33 Reservation the lot/unit yield for rural cluster subdivisions or housing demonstration
34 program projects using PRD provisions shall be based on a minimum lot size of
35 200,000 square feet.
- 36 (23) Minimum lot area requirements may be modified within UGAs in accordance with
37 SCC 30.23.020.
- 38 (24) In rural cluster subdivisions approved in accordance with the provisions of
39 chapter 30.41C SCC, the minimum lot area shall be as provided in SCC 30.23.220.
40 The maximum lot area shall be 20,000 square feet or less when located in rural/urban
41 transition areas.
- 42 (25) These setbacks shall be measured from the edge of the right-of-way as
43 determined by the director of the department of public works.

1 (26) Except where specifically prohibited by the hearing examiner, the director of the
2 department may waive or modify building setback requirements abutting private roads
3 and/or private access easements serving lots within commercial and industrial zones
4 only if such waiver or modification will not have a likely impact upon future right-of-way
5 needs and/or right-of-way improvements.

6 (27) See SCC 30.23.050 for height limit exceptions.

7 (28) See SCC 30.23.100 et seq. for additional setback requirements and exceptions.

8 (29) See SCC 30.23.200 et seq. for additional lot area requirements and exceptions.

9 (30) SCC 30.32A.120 (Siting of new structures: commercial forest land) requires an
10 application for a new structure on parcels designated commercial forest, but not within a
11 designated commercial forest-forest transition area, to provide a minimum 500-foot
12 setback, which shall be a resource protection area, from the property boundaries of
13 adjacent commercial forest lands except that if the size, shape, and/or physical site
14 constraints of an existing legal lot do not allow a setback of 500 feet, the new structure
15 shall maintain the maximum setback possible, as determined by the department.

16 (31) Setback requirements for mineral excavation and processing are in SCC
17 30.23.110(26). Performance standards and permit requirements are in chapter 30.31D
18 SCC.

19 (32) The site shall be a contiguous geographic area and have a size of not less than
20 10 acres, except in the case of subsurface shaft excavations, no minimum acreage is
21 required, pursuant to SCC 30.31D.020(1)(a).

22 (33) See SCC Table 30.28.050(3)(i) for setback requirements for structures
23 containing a home occupation.

24 (34) See SCC 30.23.120 for other setback exceptions.

25 (35) See chapter 30.31E SCC, for more complete information on the Townhouse
26 Zone height, setback, and lot coverage requirements.

27 (36) RESERVED for future use (MR and LDMR setbacks - DELETED by Ord. 05-094
28 effective September 29, 2005.

29 (37) Agriculture: All structures used for housing or feeding animals, not including
30 household pets, shall be located at least 30 feet from all property lines, as provided in
31 SCC 32.23.110(1).

32 (38) There shall be no subdivision of land designated commercial forest in the
33 comprehensive plan except to allow installation of communication and utility facilities if
34 all the following requirements are met:

35 (a) The facility cannot suitably be located on undesignated land;

36 (b) The installation cannot be accomplished without subdivision;

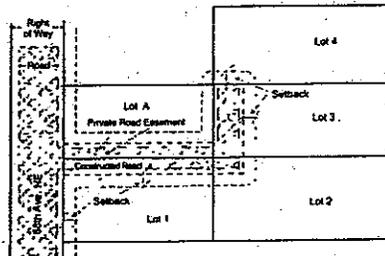
37 (c) The facility is to be located on the lowest feasible grade of forest land; and

38 (d) The facility removes as little land as possible from timber production.

39 (39) On parcels designated commercial forest, but not within a designated
40 commercial forest - forest transition area, establish and maintain a minimum 500-foot
41 setback, which shall be a resource protection area, from the property boundaries of
42 adjacent commercial forest lands except when the size, shape, and/or physical site
43 constraints of an existing legal lot do not allow a setback of 500 feet, the new structure

- 1 shall maintain the maximum setback possible as provided in SCC 30.32A.120.
 2 (40) Land designated local commercial farmland shall not be divided into lots of less
 3 than 10 acres unless a properly executed deed restriction which runs with the land and
 4 which provides that the land divided is to be used exclusively for agricultural purposes
 5 and specifically not for a dwelling(s), is recorded with the Snohomish County Auditor.
 6 (41) Minimum lot area in the rural use zone shall be the minimum allowed by the
 7 zone identified as the implementing zone by the comprehensive plan for the plan
 8 designation applied to the subject property. Where more than one implementing zone is
 9 identified for the same designation, the minimum lot size shall be that of the zone
 10 allowing the smallest lot size.
 11 (42) Figure 30.23.040(42) EASEMENT SETBACKS PER BULK MATRIX.

12
 13 **Figure 30.23.040(42)**
 14 **EASEMENT SETBACKS PER BULK MATRIX**
 15



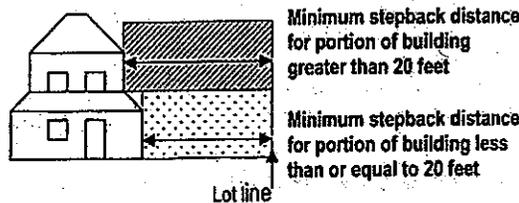
16
 17 Setbacks are measured from edge of easement or road right-of-way, not from edge of
 18 constructed road.
 19

- 20
 21 (43) Additional bulk requirements may apply. Refer to SCC 30.31F.100 and
 22 30.31F.140.
 23 (44) The 50percent maximum lot coverage limitation applies solely to the portion of
 24 the area within the CRC comprehensive plan designation and zone that is centered at
 25 180th Street SE and SR 9, generally extending between the intersection of 172nd
 26 Street/SR 9 to just south of 184th Street/SR 9, as indicated on the County's FLUM and
 27 zoning map.
 28 (45) The 30percent maximum lot coverage limitation applies solely to the portion area
 29 located within the CRC comprehensive plan designation and zone that is centered at
 30 State Route (SR) 9 and 164th Street SE, as indicated on the County's Future Land Use
 31 Map (FLUM) and zoning map.
 32 (46) Additional setbacks may apply to development within a rural cluster subdivision.
 33 Refer to Table 30.41C.210(1). Residential subdivision is restricted pursuant to
 34 30.32C.150. Uses are restricted where the R-5 zone coincides with the Mineral
 35 Resource Overlay (MRO) to prevent development which would preclude future access
 36 to the mineral resources.

- 1 (47) ~~((Projects submitted under the Urban Centers Demonstration Program (chapter~~
2 ~~30.34A SCC) require a maximum building height of 45 feet if using surface parking or~~
3 ~~90 feet if using structured parking.)) RESERVED for future use~~
- 4 (48) ~~((Projects submitted under the Urban Centers Demonstration Program (chapter~~
5 ~~30.34A SCC) require a minimum lot size of 5 acres unless within 120 feet of a park and~~
6 ~~ride facility where minimum lot area is 3 acres per SCC 30.31A.020 (2) and (3).))~~
7 RESERVED for future use
- 8 (49) ~~((Projects submitted under the Urban Centers Demonstration Program (chapter~~
9 ~~30.34A SCC) require a setback of 5 feet minimum and 10 feet maximum.)) RESERVED~~
- 10 for future use
- 11 (50) ~~((Projects submitted under the Urban Centers Demonstration Program (chapter~~
12 ~~30.34A SCC) require a setback from residential, multiple family and rural zones of 10~~
13 ~~feet minimum and 25 feet maximum.)) RESERVED for future use~~
- 14 (51) ~~((Projects submitted under the Urban Centers Demonstration Program (chapter~~
15 ~~30.34A SCC) require a maximum lot coverage of 90 percent of net acreage.))~~
16 RESERVED for future use
- 17 (52) See SCC 30.33B.020 for bulk regulations related to existing playing fields on
18 designated recreational land.
- 19 (53) This provision is not applicable to single-family and duplex dwellings and their
20 accessory structures. Subject to chapter 30.51A SCC, all development activities and
21 actions requiring project permits for buildings or structures located within a seismic
22 hazard area and listed in SCC 30.51A.020 require a fifty (50) foot setback from the
23 closest edge of an identified active fault trace.
- 24 (54) A split parcel may be subdivided along the UGA boundary line using one of three
25 methods. First, a split parcel may be subdivided along the UGA boundary line into two
26 lots, whereby one lot remains within the UGA and the other lot remains outside the
27 UGA, pursuant to SCC 30.41B.010(5). Second, a split parcel may be subdivided as part
28 of a short plat application, pursuant to SCC 30.41B.010(6). Finally, a split parcel may be
29 subdivided as part of a plat application, pursuant to SCC 30.41A.010(3)
- 30 (55) See SCC 30.42E.100(9)(c).
- 31 (56) Measured from centerline of right of way.
- 32 (57) See SCC 30.42E.100(5)(a)(iv).
- 33 (58) Minimum setback for dwellings constructed pursuant to chapter 30.41F SCC is
34 five feet from the pavement edge of a drive aisle, fire lane, or sidewalk, whichever is
35 closer.
- 36 (59) Relationship of setback to building height:
- 37 The minimum setback requirements are dependent on the heights of the building
38 as specified in this column. To meet the setback requirements, buildings over 20 feet in
39 height must either:
- 40 (a) Set the entire building back the minimum setback distance; or
- 41 (b) Stepped back those portions of the building exceeding 20 feet in height to the
42 minimum setback distance, as illustrated in Figure 30.23.040(59).
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Figure 30.23.040(59)
Example of relationship of building height to setback



(c) Those portions of a building or structure allowed to exceed the maximum building height pursuant to SCC 30.23.050(3) for low impact development shall have the minimum side and rear yard setbacks increased by one foot for each additional 2 feet of building height.

(60) Lots adjoining a right-of-way that is less than 50 feet in width, or is otherwise determined by the Director of Public Works to be of inadequate width for future roadway needs, as determined by the comprehensive plan arterial circulation map or an adopted design report, roadway design or right-of-way plan, shall have the following minimum setback from the front lot line:

(a) The minimum setback shall be increased by an amount determined by the director to be sufficient to ensure that future roadway needs can be met without the need for public acquisition and demolition of structures; or

(b) The front lot line setback shall be measured from the reservation line as determined in SCC 30.24.070(2).

Section 11. Snohomish County Code Section 30.28A.120, last amended by Amended Ordinance No. 07-029 on April 25, 2007, is amended to read:

30.28A.120 Priority of locations.

The order of priorities for locating new personal wireless telecommunications services facilities shall be in accordance with SCC 30.28A.120(1) through (7) below. The applicant shall demonstrate that all other locations with a higher priority on the list are not feasible. Priorities rank from highest to lowest as set forth below. The zones listed in SCC 30.28A.120(4) through (7) are prioritized in order of preference within each subsection.

- (1) On existing wireless communications support structures.
- (2) Place on appropriate rights-of-way and existing structures such as buildings, towers, water towers and smokestacks located on non-residentially zoned property or in utility corridors. Wireless communications support structures for personal wireless telecommunications service facilities locating under this subsection shall secondarily

- 1 consider the priorities established in SCC 30.28A.120(4) through (7).
 2 (3) Place on other public property if practical and allowed, i.e., Snohomish County
 3 property, etc.
 4 (4) Place in districts zoned:
 5 (a) Heavy Industrial (HI);
 6 (b) Light Industrial (LI);
 7 (c) General Commercial (GC); and
 8 (d) Community Business (CB).
 9 (5) Place in districts zoned:
 10 (a) Industrial Park (IP);
 11 (b) Business Park (BP);
 12 (c) Freeway Service (FS);
 13 (d) Rural Freeway Service (RFS);
 14 (e) Planned Community Business (PCB);
 15 (f) Neighborhood Business (NB);
 16 (g) Urban Center (UC);
 17 ~~((g))~~(h) Rural Industrial (RI);
 18 ~~((h))~~(i) Clearview Rural Commercial (CRC); and
 19 ~~((i))~~(j) Rural Business (RB).
 20 (6) Place in districts zoned:
 21 (a) Rural Use (RU);
 22 (b) Rural Diversification (RD);
 23 (c) Rural Resource Transition-10 Acre (RRT-10);
 24 (d) Forestry (F);
 25 (e) Mineral Conservation (MC);
 26 (f) Forestry and Recreation (F&R); and
 27 (g) Agricultural-10 (A-10).
 28 (7) Place in districts zoned:
 29 (a) Rural 5 Acres (R-5);
 30 (b) Rural Conservancy (RC);
 31 (c) Suburban Agriculture 1 (SA-1);
 32 (d) Residential 20,000 (R-20,000);
 33 (e) Residential 12,500 (R-12,500);
 34 (f) Waterfront Beach (WFB);
 35 (g) Multiple Residential (MR);
 36 (h) Mobile Home Park (MHP);
 37 (i) Low-density Multiple Residential (LDMR);
 38 (j) Townhouse (T);
 39 (k) Residential 9,600 (R-9,600);
 40 (l) Residential 8,400 (R-8,400); and
 41 (m) Residential 7,200 (R-7,200).
 42

1 Section 12. Snohomish County Code Section 30.31A.010, last amended by
2 Amended Ordinance No. 05-087 on December 21, 2005, is amended to read:

3
4 **30.31A.010 Purpose and applicability.**

5
6 This chapter regulates development in and establishes zoning criteria for the planned
7 community business (PCB), neighborhood business (NB), business park (BP), and
8 industrial park (IP) zones. ~~((The PCB zone includes a subzone of planning community
9 business—transit pedestrian village (PCB-TPV) with additional performance
10 requirements described in 30.34A.))~~ This chapter sets forth procedures and standards
11 to be followed in applying for, and building in these zones.
12

13 Section 13. Snohomish County Code Section 30.31A.020, last amended by
14 Amended Ordinance No. 05-087 on December 21, 2005, is amended to read:

15
16 **30.31A.020 Minimum zoning criteria.**

17
18 (1) A tract of land proposed for BP zoning shall contain sufficient area to create a
19 contiguous tract of BP zoned land at least four acres in size.

20 (2) A tract of land proposed for PCB zoning shall contain sufficient area to create a
21 contiguous tract of PCB zoned land at least five acres in size. ~~((Rezoning to PCB-TPV
22 is only allowed when a master plan has been approved by the department and is
23 adopted as part of the rezone. The county may rezone during adoption of a master or
24 concept plan. A property owner may also complete a master plan as outlined in the
25 GMACP and request a rezone through the docketing process.))~~

26 (3) A tract of land proposed for NB zoning shall contain sufficient area to create a
27 contiguous tract of NB zoned land at least three acres in size.

28 (4) A tract of land must be in single ownership or, for multiple parcels, under
29 unified control. This requirement shall apply during preliminary and final plan stages to
30 ensure continuity of plan development.

31 (5) Zoning request must be accompanied by a preliminary development plan
32 prepared by a team of design professionals in compliance with the regulations and
33 requirements of this chapter. ~~((Rezones to PCB-TPV subzone must be accompanied by
34 a master plan or concept plan, approved by the department, in compliance with the
35 regulations and requirements of chapter 30.34A-SCC.))~~

36 (6) Preliminary and final plans must comply with bulk regulations contained in
37 SCC 30.23.030 ~~((or if project is submitted under chapter 30.34A, the plans must comply
38 with the bulk regulations in SCC 30.23.030)).~~

39 (7) All utility services and distribution lines shall be located underground, and in
40 the case of the BP zone ~~((and projects submitted under chapter 30.34A))~~ the property
41 shall be served by public water and sewer services and paved streets, paved private
42 roads, or paved common access areas.
43

1 Section 14. Snohomish County Code Section 30.31A.100, last amended by
2 Amended Ordinance No. 05-087 on December 21, 2005, is amended to read:

3
4 **30.31A.100 General performance standards.**

5
6 Each planned zone and uses located in the BP, PCB, NB and IP zones shall comply
7 with the following requirements unless more specific requirements are provided in code:

8 (1) Processes and Equipment. Processes and equipment employed and goods
9 processed or sold shall be limited to those which are not objectionable beyond the
10 boundaries of the lot upon which the use is located by reason of offensive odors, dust,
11 smoke, gas, or electronic interference;

12 (2) Development Phases. Where the proposal contains more than one phase, all
13 development shall occur in a sequence consistent with the phasing plan which shall be
14 presented as an element of the preliminary plan unless revisions are approved by the
15 department;

16 (3) Building Design. Buildings shall be designed to be compatible with their
17 surroundings, both within and adjacent to the zone;

18 (4) Restrictive Covenants. Restrictive covenants shall be provided which shall
19 ensure the long-term maintenance and upkeep of landscaping, storm drainage facilities,
20 other private property improvements, and open space areas and facilities. Further, the
21 covenants shall reference the official or binding site plan(s) and indicate their availability
22 at the department, and shall provide that Snohomish County is an additional beneficiary
23 with standing to enforce, and shall preclude the avoidance of performance obligations
24 through lease agreements;

25 (5) Off-street Parking. Permanent off-street parking shall be in accordance with
26 terms of chapter 30.26 SCC, except in the NB zone where the land is designated Urban
27 Village on the future land use map, parking shall be in accordance with SCC
28 30.34A.050;

29 (6) Signing. Signs for business identification or advertising of products shall conform
30 to the approved sign design scheme submitted with the final plan, and must comply with
31 chapters 30.54B and 30.27 SCC;

32 (7) Noise. Noise levels generated within the development shall not exceed those
33 established in chapter 10.01 SCC - noise control, or violate other law or regulation
34 relating to noise. Noise of machines and operations shall be muffled so as to not
35 become objectionable due to intermittence or beat frequency, or shrillness; and

36 (8) Landscaping. General landscaping and open space requirements shall be in
37 accordance with chapter 30.25 SCC.
38

1
2 Section 15. A new chapter is added to Subtitle 30.3 of the Snohomish County
3 Code to read:

4
5 **Chapter 30.34A**
6 **URBAN CENTER DEVELOPMENT**

- 7
8 **30.34A.010 Purpose and applicability.**
9 **30.34A.020 Permitted uses.**
10 **30.34A.030 Floor area ratio.**
11 **30.34A.040 Building height and setbacks.**
12 **30.34A.050 Parking ratios, parking locations and parking lot and structure**
13 **design.**
14 **30.34A.060 Landscaping.**
15 **30.34A.070 Open space.**
16 **30.34A.080 Circulation and access.**
17 **30.34A.085 Access to public transportation.**
18 **30.34A.090 Design standard-signs.**
19 **30.34A.100 Design standard-screening trash/service areas and rooftop**
20 **mechanical equipment.**
21 **30.34A.110 Design standard-lighting.**
22 **30.34A.120 Design standard-step back and roof edge.**
23 **30.34A.130 Design standard-massing and articulation.**
24 **30.34A.140 Design standard-ground level detail and transparency.**
25 **30.34A.150 Design standard-weather protection.**
26 **30.34A.160 Design standard-blank walls.**
27 **30.34A.165 Pre-Application Neighborhood Meeting.**
28 **30.34A.170 Submittal requirements.**
29 **30.34A.175 Design Review Board.**
30 **30.34A.180 Review process and decision criteria.**
31 **30.34A.190 Public spaces and amenities.**
32 **30.34A.200 Priority permit processing.**
33 **30.34A.210 City or town review.**
34 **Section 30.34A.220. Urban Centers as TDR Receiving Areas.**

35
36 **30.34A.010 Purpose and applicability.**

37
38 This chapter regulates development in the Urban Center (UC) zone. This chapter
39 sets forth procedures and standards to be followed in applying for any required permits
40 and for building in this zone. The standards outlined in this chapter are meant to
41 encourage higher density transit- and pedestrian-oriented development that provides a
42 mix of uses and encourages high quality design. The standards outlined in this chapter
43 shall not apply to the following:

- 1 (1) Interior alterations that do not alter the exterior appearance of a structure or
 2 modify an existing site condition;
 3 (2) Site and exterior alterations that do not exceed 75 percent of the assessed
 4 valuation (building or land) according to the most recent county assessor records;
 5 (3) Building additions that are less than 10 percent of the existing floor area of the
 6 existing building(s). Any cumulative floor area increase (after the adoption date of this
 7 chapter) that totals more than 10 percent shall not be exempt unless approved pursuant
 8 to SCC 30.34A.180;
 9 (4) Normal or routine building and site maintenance or repair that is exempt from
 10 permit requirements;
 11 (5) Any remodeling or expansion of existing single-family residences with no change
 12 in use or addition of dwelling units involved;
 13 (6) Reconstruction of a single-family residence if it is destroyed due to fire or natural
 14 disaster.

15
 16 **30.34A.020 Permitted Uses.**

17
 18 Permitted uses in the UC zone are governed by the matrix in SCC 30.22.100 and
 19 reference notes in SCC 30.22.130.

20
 21 **30.34A.030 Floor area ratio.**

22
 23 (1) Floor to area ratios (FAR) in the UC zone are established in accordance with SCC
 24 Table 30.34A.030(1). Additional FAR is allowed in accordance with the bonuses as set
 25 forth in SCC Table 30.34A.030(2) and SCC Table 30.34A.030(3);

26
 27 **Table 30.34A.030(1)**
Floor to Area Ratios

	Minimum	Maximum	Maximum allowable with bonus (Table 30.34A.030(2))	Maximum allowable with super-bonus (Table 30.34A.030(3))
Non-Residential	.5	1.0	1.5	2.5
Residential	.5	1.0	1.5	2.5
Mixed Use	1.0	2.0	3.0	5.0
Ground Floor Retail	.25	2.0	2.25	5.0

- 28
 29
 30 Notes:
 31 1. Allowable FAR for non-residential and residential uses may be added together within a development for a combined total.
 32 2. Hotels are considered residential for the purpose of this chart.
 33 3. "Mixed-use" means residential and non-residential uses located within the same building unless, for purposes of this section, the
 34 development proposal includes more than three buildings. To be eligible for the FAR for "mixed use" in development proposals that
 35 consist of three buildings or less the entire first floor of a proposed building must be devoted to retail use; or at least one-half of the
 36 first floor must be devoted to retail use and double the non-retail area of the first floor must be assigned to retail use on other floors
 37 within the building. In order to be eligible for the FAR for "mixed use" for development proposals that consist of more than three
 38 buildings, the proposed development may include buildings that are devoted to a single use as long as there is a mixture of uses in
 39 the development as a whole (e.g. two residential use buildings and two non-residential buildings).

Amended Ordinance No. 09-079
 RELATING TO URBAN CENTER DESIGN STANDARDS, ESTABLISHING A NEW ZONE FOR URBAN CENTERS,
 ESTABLISHING BULK REGULATIONS FOR URBAN CENTERS; AMENDING BULK REGULATIONS FOR THE
 NEIGHBORHOOD BUSINESS ZONE; AMENDING AND REPEALING DEFINITIONS TO SUBTITLE 30.9 SCC;
 AMENDING SECTIONS OF AND ADDING SECTIONS TO TITLE 30 SCC.

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4. It is the intention of the Council that an applicant may utilize the FAR super bonus for a feature listed in Table 30.34A.030(3) only after using one of the features listed in Table 30.34A.030(2).

**Table 30.34A.030(2)
Floor Area Ratio Bonuses**

Feature	Additional Floor Area for Each Feature
<ul style="list-style-type: none"> • Street Level Commercial • Green roof (not to be combined with district energy bonus) • Daycare • Rooftop Solar Panels (not to be combined with district energy bonus) • Community gardens for use by residents • Structured Parking that is set back from the street by 100 feet or more or is appropriately screened from the streetscape • Affordable housing pursuant to subsection 3 of this section. • One Transfer of Development Rights (TDR) credit. In the alternative, this bonus would be available upon payment in lieu of TDR credit. The bonus shall be determined pursuant to subsection 2 of this section. 	<ul style="list-style-type: none"> • 250 sf of floor area for each linear foot of retail frontage. • 5 sf of floor area for each sf of green roof • 5 sf of floor area for each sf of daycare • 10 sf of floor area for each sf of solar panel • 10 sf of floor area for each sf of community garden • .5 FAR for 80% or greater of required parking contained in a structure • Affordable housing area up to 15% of the entire project area shall not be included in the calculation of FAR and shall be used to calculate a bonus of 5 sf for each square foot of affordable housing • 2,000 square feet.

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**Table 30.34A.030(3)
Floor Area Ratio Super Bonuses**

Feature	Additional Floor Area for Each Feature
<ul style="list-style-type: none"> • One percent of total construction cost for public art • One Transfer of Development Rights (TDR) credit. In the alternative, this bonus would be available upon payment in lieu of TDR credit. The bonus shall be determined pursuant to subsection 2 of this section. • District Energy System 	<ul style="list-style-type: none"> • .2 FAR • 2,000 square feet • 1 FAR

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Notes:

1. Public art is a fountain, sculpture, painting, mural, or similar object that is sited within a planned development as a focal point and is intended for the enjoyment of the general public. It does not contain characteristics of an advertising sign or identify or draw attention to a business.
2. A district energy system is a central facility that produces energy for the district or urban center and supplies it to a group of buildings or facilities, typically in the form of hot water, steam or chilled water. Forms of renewable energy that could be used include biomass (such as wood waste), geothermal power, and waste heat from industrial facilities.

(2)
(a) Credits used for the TDR density bonus offered in urban centers must be certified through the Snohomish County Transfer of Development Rights program as authorized in Chapters 30.35A and 30.35B of the SCC.

(b) To receive the additional floor area bonus with the use of TDR credit, the applicant must submit proof of the TDR credit purchase or the appropriate payment in lieu of TDR credit with the application.

(c) If the applicant chooses to pay in lieu of using a TDR credit, the amount of the payment shall be \$21 per square foot of bonus floor area. This payment shall be reviewed at least once every two years and may be adjusted by ordinance.

(3)
(a) For purposes of this section, affordable housing is leased, rental or owner-occupied housing that has gross housing costs which do not exceed 30 percent of the gross income of individuals or families with household income not to exceed 80 percent of the county median income.

(b) Gross housing costs for owner-occupied housing include mortgages, amortization, taxes, insurance and condominium or association fees, if any. Gross housing costs for leased and rental units include rent and utilities.

(c) To be eligible for the affordable housing FAR bonus, the applicant shall record with the Snohomish County Auditor an agreement in a form approved by the county requiring affordable housing square footage that is provided under this section to remain affordable housing for the life of the project. This agreement shall be a covenant running with the land, binding on the assigns, heirs, and successors of the applicant.

30.34A.040 Building height and setbacks.

(1) The maximum building height in the UC zone shall be 90 feet. A building height increase up to an additional 90 feet may be approved under SCC 30.34A.180 when the additional height is documented to be necessary or desirable when the project is located near a high capacity transit route or station and the applicant prepares an environmental impact statement pursuant to chapter 30.61 SCC that includes an analysis of the environmental impacts of the additional height on, at a minimum:

- (a) aesthetics;
- (b) light and glare;
- (c) noise;
- (d) air quality; and

1 (e) transportation.

2 (2)

3 (a) Buildings or portions of buildings that are located within 180 feet of adjacent R-
4 9600, R-8400, R-7200, T or LDMR zoning must be scaled down and limited in building
5 height to a height that represents half the distance the building or that portion of the
6 building is located from the adjacent R-9600, R-8400, R-7200, T or LDMR zoning line
7 (e.g.-a building or portion of a building that is 90 feet from R-9600, R-8400, R-7200, T or
8 LDMR zoning may not exceed 45 feet in height).

9 (b) Where the UC zoning line abuts a critical area protection area and buffer or utility,
10 railroad, public or private road right-of-way, building heights shall not be subject the
11 limitation in section (2)(a) if the critical area protection area and buffer or utility, railroad,
12 public or private road right-of-way provides an equal or greater distance between the
13 building(s) and the zoning line than would be provided in this subsection (2)(a). All
14 ground floor residential units facing a public street must maintain a minimum structural
15 ceiling height of 13 feet to provide the opportunity for future conversion to nonresidential
16 use.

17 (3) Excluding weather protection required in SCC 30.34A.150, buildings must be
18 setback pursuant to SCC Table 30.34A.040(4).

19
20
21 **Table 30.34A.040(4)**
22 **Setbacks**

23

Front	None
Side	None
Rear	None

24
25 **30.34A.050 Parking ratios, parking locations and parking lot and structure design**

26
27 (1) Development in the UC zone must comply with the parking ratios established in
28 SCC Table 30.34A.050(1).

29
30 **Table 30.34A.050(1)**
31 **Parking Ratios**

32

Use	Minimum	Maximum	Bicycle Parking
Restaurants	2 stalls/1000 nsf	8 stalls/1000 nsf	2 spaces minimum
Retail	2 stalls/1000 nsf	4 stalls/1000 nsf	2 spaces minimum
Office	2 stalls/1000 nsf	4 stalls/1000 nsf	2 spaces minimum
Residential (units >1000 sq ft each)	1.5 stalls per unit	2.5 stalls per unit	2 spaces minimum
Residential (units <1000 sq ft each)	1 stall per unit	1.5 stalls per unit	2 spaces minimum
Senior Housing	.5 stalls per unit	1 stall per unit	2 spaces minimum
All other uses	See SCC 30.34A.050(5)		2 spaces minimum

- 1 (1) Parking must be located under, behind or to the side of buildings.
2 (2) Parking lots must be landscaped pursuant to SCC 30.25.022.
3 (4) Parking garage entrances must be minimized, and where feasible, located to the
4 side or rear of buildings. Lighting fixtures within garages must be screened from view
5 from the street. Exterior architectural treatments must complement or integrate with the
6 architecture of the building through the provision of architectural details such as:
7 (a) window openings;
8 (b) plantings designed to grow on the façade;
9 (c) louvers;
10 (d) expanded metal panels;
11 (e) decorative metal grills;
12 (f) spandrel (opaque) glass; and
13 (g) any other architectural detail approved under SCC 30.34A.180 that reduces and
14 softens the presence of above ground parking structures.
15 (5) Uses not listed in Table 30.34A.050(1) must undergo a parking demand analysis
16 by an independent consultant with expertise in parking demand analysis to ensure no
17 more than the necessary amount of parking is provided. An increase of up to 20
18 percent above the estimated parking demand may be approved under SCC 30.34A.180
19 when historical data of a particular use indicate additional parking is necessary to
20 properly serve a use or uses at a site.
21 (6) A reduction from the parking space requirements as specified in SCC Table
22 30.34A.050(1) may be may be approved under SCC 30.34A.180 if a shared parking
23 study based on the either the Urban Land Institute Shared Parking Report, ITE Shared
24 Parking Guidelines, or other approved procedures is prepared by an independent
25 consultant with expertise in performing shared parking studies. The study must
26 demonstrate that the development will result in a more efficient use of parking provided
27 the combined peak parking demand is less than that required in SCC Table
28 30.34A.050(1). The number of spaces required for an approved shared parking plan
29 shall be based on the number of spaces estimated to be the combined use peak
30 parking demand.

31
32 **30.34A.060 Landscaping.**
33

34 In addition to the landscaping requirements contained in SCC 30.25.015, 30.25.017,
35 30.25.023, 30.25.043 and 30.25.045, requirements for developments in the UC zone
36 are as follows:

- 37 (1) Where a development abuts an R-9600, R-8400, R-7200, T or LDMR zone, a
38 Type A landscaping buffer pursuant to SCC 30.25.017 averaging 25 feet, but not less
39 than 15 feet must be provided. Where appropriate, existing vegetation and significant
40 trees must be retained within the landscaping buffer.
41 (2) Areas of a site not occupied by buildings, parking lots, other improvements or
42 textured paving must be intensively planted with trees, shrubs, hedges, ground covers,

1 and/or grasses, unless such area consists of attractive existing vegetation and
2 significant trees to be retained. Perennials and annuals are encouraged.

3 (3) Landscaping must be integrated with other functional and ornamental site design
4 elements, where appropriate, such as recreational facilities, ground paving materials,
5 paths and walkways, fountains or other water features, trellises, pergolas, gazebos,
6 fences, walls, street furniture, art, and sculpture.

7 (4) The landscape design must reinforce and support the open space design,
8 pedestrian circulation and building architecture.

9 (5) Street trees must be planted along public and private roads and drive aisles
10 according to the road cross section and general landscaping standards of the EDDS.
11 Street trees are not required around turnarounds at the end of roads less than 150 feet
12 in length. Maintenance of street trees must be provided pursuant to SCC 30.25.015(9).

13 (6) No landscape buffer is required along or from a developed railroad right-of-way.

14
15 **30.34A.070 Open space.**

16
17 (1) All developments in the UC zone must have a coherent integrated open space
18 network that links together the various open spaces within the project.

19 (2) All developments must provide open space at a rate of 150 square feet per
20 residential unit and 2 percent of the floor area of non-residential development (excluding
21 parking), at least 50 percent of which must be accessible to the public as an active
22 recreation area. At least 25 percent of the required active recreation area must be
23 located on a single tract. Those portions of required sidewalks that abut an active
24 recreation area may be counted toward the 50 percent active recreation open space
25 requirement.

26 (3) On-site recreational open space for residential and non-residential developments
27 must be designed and improved to allow one or more active uses. Active uses include:

- 28 (a) Playgrounds developed with children's play equipment;
29 (b) Outdoor sports courts (such as volleyball, basketball or tennis courts), swimming
30 pools, and similar facilities;
31 (c) Picnic areas with permanent tables, benches or gazebos;
32 (d) Community gardens for use by residents;
33 (e) Improved trails or paths not otherwise required to provide pedestrian
34 connections;
35 (f) Plaza;
36 (g) Courtyard;
37 (h) Forecourt; or
38 (i) Rooftop garden; and
39 (j) Other active recreational uses approved by the director.

1
2 **30.34A.080 Circulation and access.**
3

4 (1) The vehicular and pedestrian circulation system must be designed to be
5 consistent with this chapter, chapter 30.24 SCC, the EDDS and the provisions
6 described in the following design reports available at the department:

7 (a) Southwest Snohomish County Urban Centers Phase 1 Report, February 2001,
8 Appendix E, Street Design, pp. 9-13; and

9 (b) Specific road designs for public roads in urban centers that have been approved
10 by the Department of Public Works, including but not limited to Ash Way Design for the
11 Transit/Pedestrian Village, August 2003.

12 (2) Pedestrian connections must be provided to existing or previously approved
13 walkways on adjacent urban center projects to provide for inter-project pedestrian
14 circulation. The design of such connections must match or be consistent with the
15 design of existing or previously approved walkways on adjacent urban center projects.

16 (3) Sidewalks must be designed to include a minimum clear zone of 7 feet for
17 pedestrian travel and a planting/amenity zone of an additional 5 feet between the curb
18 and the clear zone.

19 (4) A minimum 5-foot wide pedestrian connection, which complies with standards
20 established by the Americans with Disabilities Act (ADA), must be provided through
21 parking lots to building entrances, sidewalks and transit stops.

22 (5) Curb cuts for driveway entrances:

23 (a) may not be located closer than 100 feet apart; and

24 (b) may not exceed 35 feet in width for combined entry and exits.

25 (6) Internal public and private roads, drive aisles, woonerfs and auto courts must
26 comply with the EDDS. The county engineer may approve a design that varies from the
27 EDDS.

28 (7) Additional circulation requirements may be required as approved under SCC
29 30.34A.180, if needed, to ensure pedestrian safety or based on pedestrian connectivity
30 pursuant to chapter 30.24 SCC, title 13 SCC and the EDDS.

31 (8) As a condition of site development approval, a property owner may be required to
32 provide for joint access to and/or from adjacent parcels. This must be accomplished
33 through easements or joint use agreements on forms approved by the county. Curb
34 cuts from a public right-of-way allowed at the time of development may be temporary
35 and subject to closure when more suitable access is developed on adjacent sites.
36 Specifically, when a site plan is approved the owner may, at the county engineer's
37 discretion, be allowed to develop either permanent or temporary curb cuts for site
38 access. When adjacent sites are developed, the property owner may be required to
39 close temporary curb cuts and provide access through one of the adjacent sites.
40 Alternatively, one or more of the adjacent sites may be required to provide its access
41 through a permanent curb cut granted to the first site. This shared access scheme is
42 intended to provide greater traffic safety.

1 (9) Applicants must provide transportation demand management measures for
2 developments pursuant to chapter 30.66B SCC with the potential for removing a
3 minimum of 15 percent of the development's peak hour trips from the road system.

4 (10) If there is a conflict between the provisions of this chapter and other chapters
5 within title 30 SCC, the county engineer shall determine the appropriate regulation.
6

7 **30.34A.085 Access to public transportation.**

8
9 Business or residential buildings within an urban center either:

10 (1) Shall be constructed within one-half mile of existing or planned stops or stations
11 for high capacity transit routes such as light rail or commuter rail lines or regional
12 express bus routes or transit corridors that contain multiple bus routes;

13 (2) Shall provide for new stops or stations for such high capacity transit routes or
14 transit corridors within one-half mile of any business or residence and coordinate with
15 transit providers to assure use of the new stops or stations; or

16 (3) Shall provide a mechanism such as van pools or other similar means of
17 transporting people on a regular schedule in high occupancy vehicles to operational
18 stops or stations for high occupancy transit.
19

20 **30.34A.090 Design standard-signs.**

21
22 In addition to the sign requirements contained in chapter 30.27 SCC, requirements for
23 development in the UC zone are as follows:

24 (1) Signs must fit with the overall architectural character, proportions, and details of
25 the development;

26 (2) The base of any freestanding, pole, ground or monument sign must be planted
27 with shrubs or seasonal flowers;

28 (3) Electronic reader boards and signs which include flashing, chasing, moving or
29 animation are prohibited.

30 (4) Freestanding or pole signs located along non-arterials may be permitted if they
31 are approved under SCC 30.34A.180 and if they meet the following criteria:

32 (a) No more than 15 feet in height;

33 (b) Designed with two poles placed at the outermost sides of the sign face;

34 (c) No more than 45 square feet in sign area per face; and

35 (d) Constructed of materials matching one or more buildings located on the site.

36 (5) Freestanding or pole signs located along freeways or principal arterials may be
37 permitted if they are approved by the director and if they meet the following criteria:

38 (a) No more than 35 feet in height;

39 (b) Designed with two poles placed at the outermost sides of the sign face; and

40 (c) No more than 150 square feet in sign area per face.

41 (6) Signs for business identification or advertising of products must conform to the
42 following:
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(a) Each business establishment may have no more than one business identification sign per building face and in no event more than two identification signs per establishment;

(b) No business identification sign may have a surface area greater than 90 square feet per face;

(c) Business identification signs must be attached to the principal building unless otherwise approved by the county in the sign design scheme. The uppermost portion of the sign may not extend more than five feet higher than the principal building at its highest point, subject further to the overall height regulations of this zone.

(d) Signs which are an integral part of a window may occupy no more than 25 percent of the total window area.

(e) Projecting signs or graphics, and their supportive members, may not project more than four feet outward from a building and may not be lower than eight feet above ground level.

30.34A.100 Design standard-screening trash/service areas and rooftop mechanical equipment.

(1) Garbage collection and service areas must be placed away from public right-of-way and screened from view on all sides with solid evergreen plant material or architectural treatments similar to those used in the design of the adjacent building.

(2) Rooftop mechanical equipment must be screened by an extended parapet wall or other roof forms that are integrated with the architecture of the building.

30.34A.110 Design standard-lighting

(1) All lighting fixtures must be equipped with a "cut-off," which is either an external housing or internal optics that directs light downward.

(2) Flashing lights are prohibited, except for low wattage holiday and special occasion accent lights.

(3) Lighting directed upwards above the horizontal plane (up-lighting) is prohibited.

30.34A.120 Design standard-step back and roof edge

(1) Any parts of the building façade over 60 feet high facing a public right-of-way and those portions of buildings facing R-9600, R-8400, R-7200, T or LDMR zoning must be stepped back at least 10 feet from the first floor façade.

(2) Façades of floors that are stepped back must be distinguished by a change in elements such as window design, railings, trellises, details, materials and/or color so that the result is a rich and organized combination of features that face the street. Balconies may extend into the step back areas.

(3) Buildings with pitched roofs must have a minimum slope of 4:12.

1 (4) An alternative step back may be approved under SCC 30.34A.180 provided the
2 effect is that the upper floor(s) appears to recede from view.
3

4 **30.34A.130 Design standard-massing and articulation**

5
6 (1) Buildings over 30 feet in height must distinguish a "base" at ground level using
7 articulation and materials such as stone, masonry, or decorative concrete.

8 (2) The "top" of the building must emphasize a distinct profile or outline with elements
9 such as projecting parapet, cornice, upper-level setback or pitched roof line.

10 (3) For buildings over 60 feet in height, the "middle" of the building may be
11 distinguished from the top and base by a change in materials or color, windows,
12 balconies, step backs and signage.

13 (4) An alternate design for massing and articulation may be approved under SCC
14 30.34A.180 provided the design reduces the apparent bulk of multi-story buildings and
15 maintains pedestrian scale.

16
17 **30.34A.140 Design standard-ground level detail and transparency**

18
19 (1) Façades of commercial and mixed-use buildings that face the streets must be
20 designed to be pedestrian-friendly through the inclusion of at least three of the following
21 elements:

22 (a) kickplates for storefront windows;

23 (b) projecting window sills;

24 (c) pedestrian scale signs;

25 (d) canopies or awnings;

26 (e) plinth;

27 (f) containers for seasonal plantings;

28 (g) ornamental tilework;

29 (h) pilasters;

30 (i) cornice;

31 (j) medallions; or

32 (k) an element not listed above that is approved by the director, if it reinforces the
33 character of the streetscape and encourages active and engaging design of the
34 pedestrian edge of the streetscape.

35 (2) Street-facing, ground-floor façades of commercial and mixed-use buildings must
36 incorporate glass in storefront-like windows in sufficient type and quantity to produce the
37 following quality and dimensions: clear, transparent glass must be incorporated in at
38 least 40 percent of the ground level façade length and the bottom of such glass must be
39 located no higher than 2 feet above grade and top of such glass must be located up to
40 at least 10 feet above grade.
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30.34A.150 Design standard-weather protection.

- (1) Overhead weather protection elements such as canopies must be installed on street-facing façades along county arterials and streets intended for pedestrian activity and connectivity within the urban center. Canopies or awnings must be a minimum of 5 feet in width.
- (2) Canopies or awnings must be at least 10 feet, but not more than 13 feet, above the sidewalk.

30.34A.160 Design standard-blank walls.

- Blank walls longer than 20 feet must incorporate two or more of the following:
- (1) vegetation, such as trees, shrubs, ground cover and/or vines adjacent to the wall surface;
 - (2) artwork, such as bas-relief sculpture, murals, or trellis structures;
 - (3) seating area with special paving, lighting fixtures and seasonal plantings; and/or
 - (4) architectural detailing, reveals, contrasting materials or other techniques that provide visual interest.

30.34A.165 Pre-Application Neighborhood Meeting.

- (1) The applicant shall conduct a neighborhood meeting to discuss the proposed urban center development. The meeting must be held at least 30 days before submitting an urban center development application.
- (2) The purpose of the neighborhood meeting is to:
 - (a) Ensure that an applicant pursues early and effective public participation in conjunction with the application, giving the applicant an opportunity to understand and mitigate any real or perceived impacts that the proposed development might have to residents in the neighborhood or neighboring cities;
 - (b) Ensure that neighborhood residents and business owners have an opportunity at an early stage to learn about how the proposed development might affect them and to work with the applicant to resolve concerns prior to submittal.
 - (c) Ensure that any nearby cities have an opportunity at an early stage to learn about how the proposed development might affect them and to work with the applicant to resolve concerns prior to submittal.
- (3) The applicant is responsible for notifying, facilitating and summarizing the neighborhood meeting pursuant to the following requirements:
 - (a) Public notice for the neighborhood meeting must include:
 - (i) Date, start time, and location of the meeting;
 - (ii) Proposed development name;
 - (iii) Map showing the location of the proposed development and the location of the neighborhood meeting;
 - (iv) Description of proposed development; and

1 (v) Name, address and phone number of the applicant or representative of the
2 applicant to contact for additional information.

3 (b) Public notice must be mailed to the department at least 10 days prior to the
4 neighborhood meeting and must, at a minimum, be mailed to:

5 (i) Each taxpayer of record and each known site address within 500 feet of any
6 portion of the boundary of the subject property and contiguous property owned by the
7 applicant; and

8 (ii) Any city or town whose municipal boundaries are within one mile of the subject
9 property and contiguous property owned by the applicant.

10 (c) The department, upon request, shall provide the applicant with necessary names
11 and addresses or mailing labels. The applicant shall reimburse the department for any
12 costs associated with this request consistent with department procedures.

13 (d) The neighborhood meeting shall be held at a location accessible to the public
14 and within a reasonable distance from the boundary of the proposed development.

15 (e) At a minimum the applicant shall provide at the neighborhood meeting:

16 (i) Conceptual graphic presentation depicting the layout and design of the
17 proposed development;

18 (ii) Size of the proposed development;

19 (iii) Proposed mix of land uses including the number of dwelling units and the
20 amount of non-residential square footage;

21 (iv) Proposed building heights and FAR;

22 (v) Number of parking spaces; and

23 (vi) Location and amount of open space.

24 (f) The applicant shall prepare a written summary of meeting to be included with the
25 urban center development application, including:

26 (i) A copy of the notice of the neighborhood meeting along with a list of persons to
27 whom it was mailed;

28 (ii) A signed affidavit listing the persons who attended the meeting and their
29 addresses; and

30 (iii) A signed affidavit listing the summary of concerns, issues, and problems
31 expressed during the meeting.

32 (4) County staff is not required to attend the meeting.

33 (5) If no one attends the meeting within 30 minutes of the start time indicated on the
34 notice provided per this section, the applicant shall have satisfied the requirements of
35 this section.
36

37 **30.34A.170 Submittal requirements.**

38 (1) An urban center development plan must contain, at a minimum, the following:

39 (a) A graphic presentation depicting:

40 (i) Conceptual graphic presentation depicting the layout and design of the
41 proposed development;

42 (ii) Size of the proposed development;

- 1 (iii) Proposed mix of land uses including the number of dwelling units and the
2 amount of non-residential square footage;
- 3 (iv) Proposed building heights and FAR;
- 4 (v) Number of parking spaces; and
- 5 (vi) Location and amount of open space;
- 6 (vii) The location of existing structures to be retained, proposed structures,
7 parking, internal circulation required pursuant to chapter 30.24 SCC, landscape areas
8 required pursuant to chapter 30.25 SCC, recreation open space, pedestrian facilities,
9 and other applicable design components required by this chapter, including any design
10 standards selected by the applicant for compliance with the provisions of chapter
11 30.34A SCC;
- 12 (b) A detailed description of the design intent, architectural character and spatial
13 qualities and relationships of and between the major structures and physical amenities
14 and attributes within the Urban Center;
- 15 (c) A preliminary LEED checklist or other similar means of demonstrating
16 sustainable design goals;
- 17 (d) A narrative description, together with either architectural drawings or photographs
18 that will adequately demonstrate compliance with any required architectural design
19 standard of chapter 30.34A SCC, where applicable;
- 20 (e) The location of building envelopes of all structures, and points of egress;
- 21 (f) Existing and proposed topography at contour intervals of five or less feet;
- 22 (g) The names and addresses of the developer, land surveyor, engineer, architect,
23 planner, and other professionals involved;
- 24 (h) Calculations showing acreage of the site and recreational open space, number of
25 dwelling units proposed, zoning, FAR, number of parking spaces and site density;
- 26 (i) Scale and north arrow;
- 27 (j) Vicinity sketch (drawn to approximately 1" = 2,000' scale) showing sufficient area
28 and detail to clearly locate the development in relation to arterial streets, natural
29 features, landmarks, and municipal boundaries;
- 30 (k) Natural drainage courses and probable alterations which will be necessary to
31 handle the expected drainage from the proposal, and the general method proposed to
32 comply with chapter 30.63A SCC;
- 33 (l) A description of intended type of uses including timing of development, if phased,
34 and management control;
- 35 (m) A document satisfactorily assuring unified control through the final urban center
36 development plan approval;
- 37 (n) A provision for removing existing structures or incorporating them into the overall
38 development scheme; and
- 39 (o) A signed affidavit that includes a written summary of the pre-application
40 neighborhood meeting pursuant to SCC 30.34A.165(3)(f).
- 41 (2) The applicant for a proposed development in a UC zone must certify that, in
42 addition to the direct involvement of an architect licensed in the state of Washington,

- 1 one of the following has been involved with the preparation of the urban center
2 development plan:
- 3 (a) A landscape architect licensed in the state of Washington;
 - 4 (b) A registered civil engineer licensed in the state of Washington; or
 - 5 (c) A registered land surveyor licensed in the state of Washington.
- 6 (3) A circulation, landscape and open space plan must be submitted which includes
7 the following requirements:
- 8 (a) A narrative containing:
 - 9 (i) A list of the types of plants to be incorporated in a final landscape plan;
 - 10 (ii) Assessment of whether temporary or permanent irrigation is required;
 - 11 (iii) How potential off-site pedestrian connections relate to the development and all
12 abutting properties; and
 - 13 (iv) How potential off-site public and private road right-of-way connections relate to
14 the development and all abutting properties;
 - 15 (v) How potential critical areas and/or designated open space tracts on abutting
16 properties will be integrated into the development.
 - 17 (b) A site plan containing:
 - 18 (i) Location of parking lot landscaping;
 - 19 (ii) Location of proposed and existing landscaping areas;
 - 20 (iii) Information indicating the size of required landscape buffers and whether
21 such buffers use Type A or B landscaping;
 - 22 (iv) Critical areas and their buffers including any extending into abutting
23 properties;
 - 24 (v) Active recreation space including plazas and public realm elements;
 - 25 (vi) All internal roads and drive aisles;
 - 26 (vii) All internal pedestrian walkways, sidewalks and trails;
 - 27 (viii) Designation of all potential off-site pedestrian connections; and
 - 28 (ix) Designation of all potential off-site public and private road right-of-way
29 connections.
 - 30 (4) Illustrations representing the design intent and architectural character for the urban
31 center, including:
 - 32 (a) Overall massing;
 - 33 (b) General architectural character of buildings indicating color and material
34 range;
 - 35 (c) General character of open spaces, including exterior site lighting.
 - 36 (5) A shared parking allocation plan showing all the shared parking must be
37 submitted when shared parking is proposed.
 - 38 (6) A complete application for urban center approval meeting requirements of this
39 section is deemed to have vested to the zoning code, development standards and
40 regulations as of the date of submittal.
 - 41 (7) A plan for the phasing, if any, of the on-site recreation required in SCC 30.34A.070
42 and pedestrian circulation required in SCC 30.34A.080. Such recreation and pedestrian
43 circulation facilities shall be installed with the completion of the first building or first

1 phase of the development if the overall development is to be phased unless the
2 applicant demonstrates that site characteristics or constraints make compliance
3 impractical in which case such improvements shall be installed in compliance with any
4 timing requirements set forth in the terms and conditions of the urban center approval.
5

6 **30.34A.175 Design Review Board**

7 (1) A design review board shall be convened for the purpose of reviewing urban
8 center developments. The design review board shall be comprised of five persons
9 nominated by the Snohomish County Executive and appointed by the Snohomish
10 County Council. Members of the design review board:

- 11 (a) shall reside in Snohomish County;
- 12 (b) shall possess experience in neighborhood land use issues and demonstrate by
13 their experience sensitivity in understanding the effect of design decisions on
14 neighborhoods and the development process; and
- 15 (c) should possess familiarity with land use processes and standards as applied in
16 Snohomish County.

17 (2) No member of the design review board shall have a financial or other private
18 interest, direct or indirect, personally or through a member of his or her immediate
19 family, in a project under review by the design review board on which that member sits.
20

21 **30.34A.180 Review process and decision criteria.**

22 (1) Development Agreement Process: Approval under this subsection shall be as
23 follows:

24 (a) Upon submittal of a complete application meeting the requirements of SCC
25 30.34A.170, the applicant shall immediately initiate negotiations of one agreement with
26 the city or town in whose urban growth area or MUGA the proposed development will be
27 located and any city or town whose municipal boundaries border the proposed urban
28 center development site.

29 (i) The parties shall have forty-five (45) days to reach an agreement on elements
30 of the urban center development such as design, location, density or other aspects of
31 the proposed development. The agreement must be consistent with Snohomish County
32 development regulations.

33 (ii) If the parties cannot reach agreement within forty-five (45) days, the parties
34 may mutually agree in writing to extend the deadline.

35 (iii) If the parties cannot reach agreement and do not agree to an extension, the
36 applicant shall notify the department in writing and the application shall be reviewed as
37 a Type 2 process under subsection (2) of this section.

38 (iv) Any party may withdraw from negotiations at any time and any party may
39 decide that an agreement is not possible, the applicant shall notify the department in
40 writing of the withdrawal and the application shall be reviewed as a Type 2 process
41 under subsection (2) of this section.

1 (v) If the parties reach agreement, the agreement shall be memorialized in
2 writing and submitted to the department. The department shall review the agreement
3 for consistency with the Snohomish County Code.

4 (b) Following review of the agreement reached under subsection (1)(a) of this
5 section, the department shall negotiate a development agreement with the applicant
6 and process the application under chapter 30.75 SCC. If the department and the
7 applicant cannot reach agreement on a development agreement, the applicant may
8 choose to have the application reviewed under subsection (2) of this section.

9 (2) Type 2 Permit Decision Process: If any party withdraws from the negotiation of an
10 agreement under subsection (1)(a) above, the forty-five (45) day period expires without
11 the parties agreeing to an extension, or if the department and applicant cannot reach
12 agreement for a development agreement, the application shall be reviewed as follows:

13 (a) The design review board established by SCC 30.34A.175 shall hold one open
14 public meeting with urban center project applicants, county staff, neighbors to the
15 project, members of the public, and any city or town whose municipal boundaries are
16 within one mile of the proposed urban center development or whose urban growth area
17 includes the subject site or whose public utilities or services would be used by the
18 proposed urban center development to review and discuss proposed site plans and
19 project design.

20 (b) Following the public meeting held pursuant to subsection (2)(a) of this section,
21 the design review board shall provide written recommendations to the department and
22 the applicant on potential modifications regarding the project, such as: scale, density,
23 design, building mass and proposed uses of the project. The recommendations shall
24 become part of the project application and they should:

25 (i) Synthesize community input on design concerns and provide early design
26 guidance to the development team and community; and

27 (ii) Ensure fair and consistent application of the design standards of this chapter
28 and any neighborhood-specific design guidelines.

29 (c) The urban center development application shall then be processed as a Type 2
30 application as described in chapter 30.72 SCC and the hearing examiner may approve
31 or approve with conditions the proposed development when all the following are met:

32 (i) The development complies with the requirements in this chapter, chapters 30.24
33 and 30.25 SCC, and requirements of other applicable county code provisions;

34 (ii) The proposal is consistent with the comprehensive plan;

35 (iii) The proposal will not be materially detrimental to uses or property in the
36 immediate vicinity; and

37 (iv) The development demonstrates high quality design by incorporating elements
38 such as:

39 (A) Superior pedestrian- and transit-oriented architecture;

40 (B) Building massing or orientation that responds to site conditions;

41 (C) Use of structural articulation to reduce bulk and scale impacts of the
42 development;

43 (D) Use of complementary materials; and

- 1 (E) Use of lighting, landscaping, street furniture, public art, and open space to
2 achieve an integrated design;
- 3 (v) The development features high density residential and/or non-residential uses;
- 4 (vi) Buildings and site features are arranged, designed, and oriented to facilitate
5 pedestrian access, to limit conflict between pedestrians and vehicles, and to provide
6 transit linkages; and
- 7 (vii) Any urban center development abutting a shoreline of the State as defined in
8 RCW 90.58.030(2)(c) and SCC 30.91S.250 shall provide for public access to the water
9 and shoreline consistent with the goals, policies and regulations of the Snohomish
10 County Shoreline Management Master Program.
- 11 (d) Whenever an urban center development application is reviewed as a Type 2
12 permit decision process under subsection (2) of this section, the county shall involve the
13 cities or towns in the review of urban center development permit applications proposed
14 within their urban growth area or MUJA or whose municipal boundaries border the
15 proposed urban center development site using the following procedures:
- 16 (i) The county shall notify any such city or town and provide contact information for
17 the applicant;
- 18 (ii) Following notice the relevant city(ies) or town(s) shall contact the county on their
19 need for level of involvement and issues of particular concern;
- 20 (iii) The county shall invite a staff representative from any city or town who contacts
21 the county pursuant to subsection (2)(d)(ii) of this section to attend pre-application,
22 submittal and re-submittal meetings;
- 23 (iv) The city's or town's recommendation shall:
- 24 (A) Contain the name, mailing address, and daytime telephone number of the
25 city's or town's representative;
- 26 (B) Identify proposed changes to the application, specific requirements, actions,
27 and/or conditions that are recommended in response to impacts identified by the city or
28 town;
- 29 (C) State the specific grounds upon which the recommendation is made; and
- 30 (D) Where applicable, identify and provide documentation of the newly-discovered
31 information material to the decision.
- 32 (v) The county shall respond to a city's or town's comments and recommendations
33 in its final decision reached pursuant to this section.
- 34 (e) An applicant may sign a concomitant agreement in a form approved by the
35 county. The concomitant agreement shall reference the required conditions of approval,
36 including the site plan, design elements and all other conditions of project approval.
37 The concomitant agreement shall be recorded, run with the land, and shall be binding
38 on the owners, heirs, assigns, or successors of the property.
- 39 (f) The hearing examiner may deny an urban center development application without
40 prejudice pursuant to SCC 30.72.060. If denied without prejudice, the application may
41 be reactivated under the original project number and without additional filing fees or loss
42 of project vesting if a revised application is submitted within six months of the date of
43 the hearing examiner's decision. In all other cases a new application shall be required.

Amended Ordinance No. 09-079

RELATING TO URBAN CENTER DESIGN STANDARDS, ESTABLISHING A NEW ZONE FOR URBAN CENTERS,
ESTABLISHING BULK REGULATIONS FOR URBAN CENTERS; AMENDING BULK REGULATIONS FOR THE
NEIGHBORHOOD BUSINESS ZONE; AMENDING AND REPEALING DEFINITIONS TO SUBTITLE 30.9 SCC;
AMENDING SECTIONS OF AND ADDING SECTIONS TO TITLE 30 SCC.

Page 71

1 (3) All urban center development applications shall be subject to the following
2 requirements:

3 (a) In addition to the notice required by chapter 30.70 SCC and subsection (2)(d)(i) of
4 this section, the department shall distribute copies of the urban center development
5 application to each of the following agencies and shall allow 21 days from the date of
6 published notice for the agencies to submit comments on the proposal:

- 7 (i) Snohomish Health District;
- 8 (ii) Department of public works;
- 9 (iii) Washington State Department of Transportation; and
- 10 (iv) Any other federal, state, or local agencies as may be relevant.

11 (b) Any revision which substantially alters the approved site plan is no longer vested
12 and re-submittal of a complete application is required pursuant to SCC 30.34A.170.
13 Revisions not requiring re-submittal are vested to the regulations in place as of the date
14 the original application was submitted. Revisions after approval of the development
15 which cause an increase in traffic generated by the proposed development shall be
16 reviewed pursuant to SCC 30.66B.075.

17 (c) Urban center project approval expires after six years from the date of approval
18 unless a complete application for construction of a project or for installation of the main
19 roads and utilities has been submitted to the department.

20
21 **30.34A.190 Public spaces and amenities.**

22
23 On-site recreation required in SCC 30.34A.070 and pedestrian circulation required in
24 SCC 30.34A.080 must be installed with completion of the first building or first phase of
25 the development if the overall development is to be phased.

26
27 **30.34A.200 Priority permit processing.**

28
29 Applications that include public or nonprofit housing will receive priority for expedited
30 site plan review as authorized in chapter 30.76 SCC.

31
32 **30.34A.210 City or town review**

33
34 (1) Within 60 days of the adoption of this ordinance, the county shall contact any city
35 or town whose municipal boundaries are within one mile of the proposed urban center
36 development or whose urban growth area includes the subject site or whose public
37 utilities or services would be used by the proposed urban center development for the
38 purpose of determining if the city or town wishes to consult with the county regarding
39 the preparation of generalized design principles and development review procedures for
40 the urban center.

41 (2) If the city or town responds affirmatively in writing within 60 days of receiving such
42 notice, the county and city or town shall consult and may negotiate the terms and
43 provisions of an interlocal agreement to define the terms related to the preparation of

1 general design guidance for development of the urban center, development review
2 procedures and other issues of mutual interest. The owner(s) of any property located
3 within the urban center shall be invited to attend and participate in all such meetings
4 and negotiations. The interlocal agreement, if any, is intended to provide general
5 design guidance for development of the urban center, as appropriate.

6 (3) The county and city or town are encouraged to enter into an interlocal agreement
7 to formalize a cooperative process.
8

9 **Section 30.34A.220. Urban Centers as TDR Receiving Areas.**

10 Areas zoned UC are designated as Transfer of Development Receiving Areas,
11 consistent with GPP Policy LU 14.A.6 and chapter 30.35A SCC. Credits used for the
12 TDR density bonus offered in urban centers must be certified through the Snohomish
13 County Transfer of Development Rights program as authorized in chapters 30.35A and
14 30.35B SCC.
15

16
17 Section 16. Snohomish County Code Section 30.66B.625, last amended by
18 Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:
19

20 **30.66B.625 Transportation demand management (TDM)- voluntary payment.**

21
22 (1) A development may satisfy a requirement under SCC 30.34A.080, SCC
23 30.66B.160 or SCC 30.66B.630 to provide Transportation Demand Management (TDM)
24 by making a voluntary payment equal to the development's TDM obligation as
25 ~~((calculated under))~~ required pursuant to SCC 30.66B.615.

26 (2) Funds received by the ~~((county))~~ department for TDM measures will be placed in
27 special accounts with the transportation mitigation fund to be used exclusively for
28 identified TDM measures. The county may construct or purchase these measures or,
29 upon establishment of appropriate interlocal agreements, may transfer the monies to
30 transit agencies for construction or purchase of specific TDM measures. The collection
31 and administration of any funds shall be consistent with SCC 30.66B.350.

32 (3) Any payment under this section must be made at the time specified in SCC
33 30.66B.340.
34

35
36 Section 17. Snohomish County Code Section 30.70.110, last amended by
37 Amended Ordinance No. 09-044 on August 12, 2009, is amended to read:
38

39 **30.70.110 Processing timelines.**

40 (1) Notice of final decision on a project permit application shall issue within 120 days
41 from when the permit application is determined to be complete, unless otherwise
42 provided by this section or state law.

Amended Ordinance No. 09-079

RELATING TO URBAN CENTER DESIGN STANDARDS, ESTABLISHING A NEW ZONE FOR URBAN CENTERS,
ESTABLISHING BULK REGULATIONS FOR URBAN CENTERS; AMENDING BULK REGULATIONS FOR THE
NEIGHBORHOOD BUSINESS ZONE; AMENDING AND REPEALING DEFINITIONS TO SUBTITLE 30.9 SCC;
AMENDING SECTIONS OF AND ADDING SECTIONS TO TITLE 30 SCC.

Page 73

- 1 (2) In determining the number of days that have elapsed after an application is
2 complete, the following periods shall be excluded:
- 3 (a) Any period during which the county asks the applicant to correct plans,
4 perform required studies, or provide additional required information. The period shall be
5 calculated from the date the county mails notification to the applicant of the need for
6 additional information until the date the county determines whether the additional
7 information satisfies the request for information, or 14 days after the applicant supplies
8 the information to the county, whichever is earlier. If the information submitted by the
9 applicant under this subsection is insufficient, the county shall mail notice to the
10 applicant of the deficiencies and the provisions of this subsection shall apply as if a new
11 request for information had been made;
- 12 (b) Any period during which an environmental impact statement is being
13 prepared;
- 14 (c) A period, not to exceed 30 calendar days, during which a code interpretation
15 is processing in conjunction with an underlying permit application pursuant to chapter
16 30.83 SCC.
- 17 (d) The period specified for administrative appeals of project permits;
- 18 (e) Any period during which processing of an application is suspended pursuant
19 to SCC 30.70.045(1)(b); and
- 20 (f) Any period during which an agreement is negotiated or design review is
21 conducted for an urban center pursuant to SCC 30.34A.180(1) or (2); and
- 22 ~~((f))~~ (g) Any period of time mutually agreed upon by the applicant and the
23 county.
- 24 (3) The time periods established by this section shall not apply to a project permit
25 application:
- 26 (a) That requires an amendment to the comprehensive plan or a development
27 regulation in order to obtain approval;
- 28 (b) That is substantially revised by the applicant, in which case a new 120-day
29 time period shall start from the date at which the revised project application is
30 determined to be complete;
- 31 (c) That requires approval of a development agreement by the county council;
- 32 (d) When the applicant consents to an extension; or
- 33 (e) During any period necessary for reconsideration of a hearing examiner's
34 decision.
- 35 (4) Subject to all other requirements of this section, notice of final decision on an
36 application for a boundary line adjustment shall be issued within 45 days after the
37 application is determined complete.
- 38 (5) The county shall notify the applicant in writing if a notice of final decision on the
39 project has not been made within the time limits specified in this section. The notice
40 shall include a statement of reasons why the time limits have not been met and an
41 estimated date of issuance of a notice of final decision.
- 42 (6) Failure of the county to make a final decision within the timelines specified by this
43 chapter shall not create liability for damages.

Amended Ordinance No. 09-079

RELATING TO URBAN CENTER DESIGN STANDARDS, ESTABLISHING A NEW ZONE FOR URBAN CENTERS,
ESTABLISHING BULK REGULATIONS FOR URBAN CENTERS; AMENDING BULK REGULATIONS FOR THE
NEIGHBORHOOD BUSINESS ZONE; AMENDING AND REPEALING DEFINITIONS TO SUBTITLE 30.9 SCC;
AMENDING SECTIONS OF AND ADDING SECTIONS TO TITLE 30 SCC.

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1
2 Section 18. Snohomish County Code Section 30.71.020, last amended by
3 Amended Ordinance No. 08-101 on January 21, 2009, is amended to read:
4

5 **30.71.020 Type 1 permits and decisions.**

6 The following are processed as Type 1 administrative decisions:

- 7 (1) Administrative conditional use permit;
- 8 (2) Binding site plan approval;
- 9 (3) Boundary line adjustment, except as provided in 30.41E.020 SCC;
- 10 (4) Building and grading permits subject to SEPA review pursuant to chapter 30.61
11 SCC, or subject to conditions imposed pursuant to chapter 30.32D;
- 12 (5) Free standing signs in the FS and RFS zones;
- 13 (6) Code interpretations;
- 14 (7) Flood hazard permit, except as provided in SCC 30.43C.020;
- 15 (8) Flood hazard variance;
- 16 (9) Freeway service zone official site plan (existing FS zone);
- 17 (10) Shoreline substantial development permit, shoreline conditional use, and
18 shoreline variance, except when processed as a Type 2 decision pursuant to SCC
19 30.44.240;
- 20 (11) Short subdivision approval with no dedication of a new public road right-of-way;
- 21 (12) ~~((Urban centers project decision pursuant to chapter 30.34A SCC;~~
- 22 ~~((13))) Variance;~~
- 23 ~~((((4)))13) Single family detached units applications pursuant to chapter 30.41F~~
- 24 SCC; and
- 25 ~~((((15)))14) Administrative site plan pursuant to SCC 30.23A.100.~~

26
27 Section 19. Snohomish County Code Section 30.72.020, added by Amended
28 Ordinance No. 02-064 on December 9, 2002, is amended to read:
29

30 **30.72.020 Type 2 permits and decisions.**

31
32 The following are processed as Type 2 permits and decisions:

- 33 (1) Conditional use permit and major revisions;
- 34 (2) Rezones (site-specific);
- 35 (3) Official site plan or preliminary plan approval when combined with a rezone
36 request in FS, IP, BP, PCB, T, RB, RFS, and RI zones;
- 37 (4) Flood hazard area variance, if combined with a Type 2 application;
- 38 (5) Preliminary subdivision approval and major revisions;
- 39 (6) Planned residential developments;
- 40 (7) Short subdivision with dedication of a new public road;
- 41 (8) Shoreline substantial development, conditional use, or variance permit if forwarded
42 pursuant to SCC 30.44.240;
- 43 (9) Shoreline substantial development permit rescission; ~~((and))~~

1 (10) Boundary line adjustments as provided in SCC 30.41E.020 ((SCC)); and
2 (11) Urban center developments as provided in SCC 30.34A.180(2).
3

4 Section 20. Snohomish County Code Section 30.86.620, last amended by
5 Amended Ordinance No. 03-017 on April 2, 2003, is amended to read:
6

7 **30.86.620 City or Town's Fees.**
8

9 Pursuant to the terms of an executed interlocal agreement, the ~~((County))~~ department
10 may request and collect fees on behalf of the city or town, which are voluntarily paid by
11 an applicant for the city's or town's cost of review of an urban center ~~((demonstration~~
12 ~~project))~~ development, submitted under ~~((the County's Urban Center Demonstration~~
13 ~~Program (C))~~ chapter 30.34A SCC(()), located in a city's or town's associated urban
14 growth area. The ~~((County))~~ department will forward these fees to the city or town
15 within 60 days.
16

17 Section 21. A new section is added to Chapter 30.86 of the Snohomish County
18 Code to read:
19

20 **30.86.800 Urban center development fees.**
21

22 A fee consistent with the Rezoning Fees for commercial zones (SCC 30.86.200) and
23 any other applicable fees required by code (i.e., drainage, landscaping review, traffic
24 concurrency, and subdivision or binding site plan, etc.) must be paid upon submittal.
25

26 Section 22. Snohomish County Code Section 30.91A.230 ("applicant") is
27 repealed:

28 Section 23. Snohomish County Code Section 30.91C.180 ("committee") is
29 repealed:

30 Section 24. Snohomish County Code Section 30.91D.190 ("developable area")
31 is repealed:

32 Section 25. A new section is added to Chapter 30.91F of the Snohomish County
33 Code to read:
34

35 **30.91F.445 "Floor Area Ratio"** means the total building square footage (building area),
36 measured to the inside face of exterior walls, excluding areas below finished grade,
37 space dedicated to parking, mechanical spaces, elevator and stair shafts, lobbies and
38 commons spaces including atriums and space used for any bonus features, divided by
39 the site size square footage (site area).
40

41 $\text{Floor Area Ratio} = (\text{Building area})/(\text{Site area})$

1
2 Section 26. A new section is added to Chapter 30.91M of the Snohomish County
3 Code to read:

4
5 **30.91M.135 "Mixed Use"** means residential and non-residential uses located within the
6 same building.

7
8 *This definition applies only to SCC 30.34A.030.*
9

10 Section 27. Snohomish County Code Section 30.91N.032 ("net acreage") is
11 repealed:

12
13 Section 28. Snohomish County Code Section 30.91P.405 ("public use") is
14 repealed:

15
16 Section 29. Snohomish County Code Section 30.91S.080, last amended by
17 Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:

18
19 **30.91S.080 "Secondhand store"** means a ~~((retail))~~ profit or nonprofit establishment
20 dealing in the storage, selling ((and)) or buying of used merchandise which is not
21 antique, not including the sale of used automobiles.
22

23 Section 30. Snohomish County Code Section 30.91T.064 ("transit pedestrian
24 village") is repealed:

25
26 Section 31. Snohomish County Code Section 30.91U.085, last amended by
27 Amended Ordinance No. 05-087 on December 21, 2005, is amended to read:

28
29 **30.91U.085 "Urban center"** means an area with a mix of high-density residential, office
30 and retail ~~((development))~~ uses with public and community facilities and pedestrian
31 connections located ~~((along designated))~~ within one-half mile of existing or planned
32 stops or stations for high capacity transit routes such as light rail or commuter rail lines,
33 regional express bus routes, or transit corridors that contain multiple bus routes~~((or~~
34 transit corridors)) or which otherwise provide access to such transportation as set forth in
35 SCC 30.34A.085.
36

37 Section 32. Snohomish County Code Section 30.91U.095, last amended by
38 Amended Ordinance No. 05-087 on December 21, 2005, is amended to read:

39
40 **30.91U.095 "Urban Village"** means a neighborhood scale mixed-use area with a
41 ((variety))mix of ~~((small-scale-commercial))~~retail and office uses, public and community
42 ((buildings))facilities, and high-density residential development~~((units, and public open~~
43 space)). ~~((Pedestrian-orientation includes pedestrian circulation, pedestrian scale and~~

1 pedestrian convenience with connections between neighborhoods, communities and
2 other centers. Urban Villages serve several neighborhoods or communities within a
3 radius of about two miles.))
4

5 Section 33. A new section is added to Chapter 30.91W of the Snohomish
6 County Code to read:
7

8 **30.91W.007 "Wall, Blank"** means an exterior building wall with no openings covered
9 predominantly with single material and uniform texture on a single plane.
10

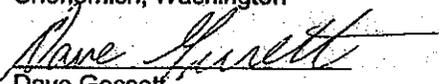
11 Section 34. Severability and Savings. If any section, sentence, clause or phrase
12 of this ordinance is held invalid or unconstitutional by the Growth Management Hearings
13 Board (Board), or a court of competent jurisdiction, such invalidity or unconstitutionality
14 shall not affect the validity or constitutionality of any other section, sentence, clause or
15 phrase of this ordinance. Provided, however, that if any section, sentence, clause or
16 phrase of this ordinance is held to be invalid or unconstitutional by the Board or a court
17 of competent jurisdiction, then the section, sentence, clause or phrase in effect prior to
18 the effective date of this ordinance shall be in full force and effect for that individual
19 section, sentence, clause or phrase as if this ordinance had never been adopted.
20

21 Section 35. Applicability. The provisions of this ordinance shall apply to all
22 applicable development applications submitted on or after the effective date of this
23 ordinance. The provisions of this ordinance shall not apply to any development
24 application determined to be complete prior to the effective date of this ordinance,
25 EXCEPT that an applicant for a development application that is complete prior to the
26 effective date of this ordinance may request in writing that all the provisions of this
27 ordinance be applied to his/her pending development application. If an applicant so
28 chooses to waive vesting to prior development regulations to take advantage of the
29 provisions of this ordinance, the pending development application must also comply
30 with any other development regulations that become effective before the effective date
31 of this ordinance.
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PASSED this 12th day of May, 2010.

SNOHOMISH COUNCIL
Snohomish, Washington


Dave Gossett
Council Chair

ATTEST:

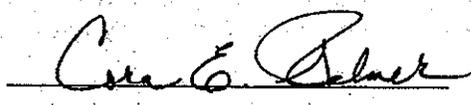

Sheila McCallister
Asst. Clerk of the Council

- APPROVED
- EMERGENCY
- VETOED

DATE: 5/19/10

Executive

ATTEST:



AARON REARDON
County Executive

Approved as to form only:

Deputy Prosecuting Attorney

D-14

Adopted: May 12, 2010
Effective: May 29, 2010

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

AMENDED ORDINANCE NO. 09-080

RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING
ZONING MAP AMENDMENTS TO IMPLEMENT A NEW ZONING CLASSIFICATION
FOR THE URBAN CENTER COMPREHENSIVE PLAN DESIGNATION

WHEREAS, on December 21, 2005, the county council adopted a series of ordinances to complete the 10-year update to the Snohomish County Growth Management Act Comprehensive Plan required by RCW 36.70A.130(3), including Amended Ordinance No. 05-069 that amended the General Policy Plan (GPP) Future Land Use Map (FLUM); and

WHEREAS, on December 21, 2005, the county council also adopted Amended Ordinance No. 05-090 adopting areawide rezones to implement the FLUM designations, including those for Urban Centers; and

WHEREAS, the county council has now adopted new GPP policies and development regulations adopting the new Urban Center zone, which replaces the Urban Center Demonstration Program (UCDP); and

WHEREAS, the proposed areawide rezones provide the underlying zoning classification that will be implemented with new development regulations, which pertain to the development of the new Urban Center zone and which are also currently under consideration by the county council; and

WHEREAS, the proposed areawide rezones in the Southwest Urban Growth Area (UGA) implement and are consistent with the GMACP and FLUM; and

WHEREAS, the proposed areawide rezones are necessary to achieve consistency between the comprehensive plan and development regulations; and

WHEREAS, on April 28, 2009, after proper notice including individual direct mail notice to affected property owners, the Snohomish County Planning Commission (planning commission) held a public hearing to receive public testimony concerning the proposed areawide rezones; and

WHEREAS, on April 28, 2009 the planning commission deliberated on the proposed areawide rezones as recommended by the Department of Planning and Development Services at an advertised public meeting; and

WHEREAS, at the conclusion of its deliberations the planning commission voted to recommend adoption of the proposed areawide rezones as enumerated in its recommendation letter of May 8, 2009; and

WHEREAS, on August 12, 2009, the county council adopted Ordinance 09-038, amending the Snohomish County GMA Comprehensive Plan – General Policy Plan Future Land Use Map to re-designate 61 acres at Point Wells (Paramount of Washington) from Urban Industrial to Urban Center with a concurrent rezone from Heavy Industrial to Planned Community Business; and

WHEREAS, on January 27, 2010 the county council adopted Emergency Ordinance No. 10-004 setting an effective date of May 2, 2010 for Ordinance No. 09-038; and

WHEREAS, on October 14, 2009, the county council adopted Ordinance No. 09-096, regulating the use of mobile home parks and zoning all mobile home parks located within urban residential designations to the new Mobile Home Park zone, and excluding the Westburg and Village Green mobile home parks that are located within the urban center designation from the rezone to the Mobile Home Park zone; and

WHEREAS, the inclusion of the Westburg and Village Green mobile home parks in the areawide rezone to Urban Center is consistent with the policy and zoning of property designated Urban Center; and

WHEREAS, the county council determined that the rezone of the Point Wells (Paramount of Washington), Westburg and Village Green properties are appropriate; and

WHEREAS, on September 30, and December 9, 2009 and April 21 and May 5, 2010, the county council held public hearings after proper notice, heard public testimony related to the proposed areawide rezones, and considered the entire record, including the planning commission's recommendations on the proposed areawide rezones; and

WHEREAS, after the public hearings, the county council deliberated on the proposed areawide rezones.

NOW, THEREFORE, BE IT ORDAINED:

Section 1. The county council makes the following findings:

- A. The county council adopts and incorporates the foregoing recitals as findings as if set forth fully herein.
- B. The county council adopts the following additional general findings of fact related to the areawide rezones:
 1. The areawide rezone amendments were developed from findings of fact and conclusions in Amended Ordinance No. 09-079 amending development regulations in title 30 SCC.
 2. There has been early and continuous public participation in the review of the proposed amendments.
 3. The general public, various interested agencies and parties were notified of public hearings by means of legal notices, including publication in the newspaper and posting of the affected properties, notice on the county website, and direct mail notices to affected property owners.

4. The planning commission held public hearings on zoning map amendments on April 28, 2009, held deliberations, and forwarded a recommendation to the county council.
 5. After proper notice, the county council held public hearings on September 30, and December 9, 2009 and April 21 and May 5, 2010, to consider the entire record and hear public testimony on Ordinance 09-080 adopting zoning map amendments to implement the FLUM.
- C. This is a non-project action under the State Environmental Policy Act (SEPA) and therefore, PDS completed an environmental checklist and issued a Determination of Nonsignificance (DNS) on April 16, 2009, Addendum #1 to the DNS on July 14, 2009, Addendum #2 to the DNS on September 15, 2009, Addendum #3 to the DNS on November 13, 2009, and Addendum #4 to the DNS on April 8, 2010.

Section 2. The county council makes the following conclusions, based on its findings of facts and on the entire record of testimony and exhibits, including all written and oral testimony before the planning commission and county council.

- A. The areawide rezones, as mapped in Exhibit A and described in Exhibit B, are consistent with and implement the 2005 GMACP and FLUM.
- B. SEPA requirements with respect to this non-project action have been satisfied through the completion of an environmental checklist and the issuance of a Determination of Nonsignificance (DNS) on April 16, 2009, Addendum #1 to the DNS on July 14, 2009, Addendum #2 to the DNS on September 15, 2009, Addendum #3 to the DNS on November 13, 2009, and Addendum #4 to the DNS on April 8, 2010.
- C. This action rezones a total of 1,455.58 acres of unincorporated properties within the Southwest UGA. These areas are shown in Exhibits A, which is attached hereto and incorporated herein by this reference as if fully set forth.
- D. The county council concludes that the areawide rezones comply with the GPP and the title 30 SCC, the Unified Development Code (UDC).
- E. The areawide rezones bear a substantial relationship to the public health, safety and welfare.
- F. There has been early and continuous public participation in the review of the proposed areawide rezones, as required by the GMA and consistent with chapters 30.73 and 30.74 SCC.
- G. The proposal has been broadly disseminated and opportunities have been provided for written comments and public hearing after effective notice.

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

Section 4 Based on the foregoing findings and conclusions, the county council adopts the areawide rezones as mapped in the following document which is attached hereto and incorporated by reference as if fully set forth herein:

Maps showing the rezones incorporated herein as Exhibit A (seven maps).

Section 5. Severability and Savings. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by the Growth Management Hearings Board (Board), or a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided, however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by the Board or court of competent jurisdiction, then the section, sentence, clause or phrase in effect prior to the effective date of this ordinance shall be in full force and effect for that individual section, sentence, clause or phrase as if this ordinance had never been adopted.

PASSED this 12th day of May, 2010.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Dave Gossett
Council Chair

ATTEST:

Sheila McCallister
Asst. Clerk of the Council

APPROVED
 EMERGENCY
 VETOED

DATE: May 19, 2010

Aaron Reardon
Snohomish County Executive

ATTEST:

Cora Palmer

Approved as to form only:

Deputy Prosecuting Attorney

AMENDED ORDINANCE No. 09-080
ADOPTING ZONING MAP AMENDMENTS TO IMPLEMENT
A NEW ZONING CLASSIFICATION FOR THE URBAN CENTER
COMPREHENSIVE PLAN DESIGNATION

Exhibit A
Amended Ordinance No. 09 - 080
Areawide Rezone Maps

Exhibit B
Amended Ordinance No. 09 - 080
Areawide Rezones

Southwest UGA		
Existing Zone	Rezone	Acreage
PCB	UC	1,312.58
CB	UC	1
PCB-TPV	UC	138
LDMR	UC	4
Total Acreage		1,455.58

