Adopted: 11/13/13
Effective: 11/28/13

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

AMENDED ORDINANCE NO. 13-086

RELATING TO GROWTH MANAGEMENT; ADOPTING DEVELOPMENT REGULATIONS FOR MEDICAL MARIJUANA FACILITIES AND MARIJUANA PRODUCTION, PROCESSING AND RETAIL FACILITIES; AMENDING CHAPTER 30.22 OF THE SNOHOMISH COUNTY CODE (SCC), AMENDING SCC 30.23.110, AMENDING SCC 30.28.050, AND ADDING NEW SECTIONS TO CHAPTER 30.91M SCC, AND RENUMBERING SECTIONS OF CHAPTER 30.91M SCC

WHEREAS, Initiative Measure No. 502 ("I-502") was passed by the voters of the State of Washington in November 2012, providing a framework under which marijuana producers, processors, and retailers can become licensed by the Washington State Liquor Control Board ("LCB"); and

WHEREAS, the LCB will begin accepting marijuana license applications for marijuana production, processing, and retail facilities during a 30-day window beginning November 18, 2013; and

WHEREAS, the LCB anticipates issuing marijuana producer, processor, and retail licenses to qualified applicants in December 2013; and

WHEREAS, in 2011, the Washington State Legislature passed ESSSB 5073, which was codified in Chapter 69.51A RCW and provides that qualifying patients or their designated care providers may create and participate in collective gardens to produce, process, transport, and deliver cannabis for medical use; and

WHEREAS, this ordinance does not address the legality of the conduct associated with the production, processing, and retailing of marijuana or medical marijuana and should not be construed as approval or waiver of such uses as it relates to other applicable county, state, or federal laws; and

WHEREAS, the Growth Management Act, Chapter 36.70A RCW ("GMA"), requires Snohomish County ("County") to regulate land use and development within the County's jurisdiction; and

WHEREAS, the County Council finds a legitimate governmental interest exists in regulating the location of such facilities in unincorporated Snohomish County; and

WHEREAS, marijuana facilities, whether operating under Chapter 69.51A RCW or under I-502, are not currently addressed in the County Code ("SCC"); and

WHEREAS, the County Council wishes to provide clarity on where marijuana facilities may locate in unincorporated Snohomish County prior to applicants investing in the LCB licensing process; and

WHEREAS, the County Council wishes to reduce the risk of confusion and code enforcement issues by adopting zoning regulations that provide clarity on where marijuana businesses may locate in Snohomish County before businesses apply for licenses in locations where such businesses might not be permitted; and

WHEREAS, the County Council has determined that the proposed amendments to the development regulations promote a county purpose as established under RCW 36.70A.130 and Chapter 30.73 SCC; and

WHEREAS, the Snohomish County Planning Commission ("Planning Commission") held a briefing on September 10, 2013, concerning the code amendments contained in this ordinance; and

WHEREAS, the Planning Commission held a public hearing on September 24, 2013, to receive public testimony concerning the code amendments contained in this ordinance; and

WHEREAS, at the conclusion of the Planning Commission's public hearing, the Planning Commission voted to recommend approval of the code amendments contained in this ordinance, as set forth in its recommendation letter dated October 1, 2013; and

WHEREAS, on November 13, 2013, the County Council held a public hearing after proper notice, and considered public comments and the entire record related to the proposal contained in this ordinance; and

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

NOW, THEREFORE, BE IT ORDAINED:

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

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

B. This ordinance will amend Title 30 SCC.

C. This proposal is consistent with the following goals, objectives and policies contained in the County's GMA Comprehensive Plan:

1. Goal ED 1 "Promote the maintenance and enhancement of a healthy economy."

2. Goal ED 2 "Provide a planning and regulatory environment which facilitates growth of the local economy."

3. ED Policy 2.A.2 "Snohomish County should stress predictability but maintain enough flexibility in the Comprehensive Plan and development codes to allow for time response to unanticipated and desirable developments."

4. Objective LU 6.B "Encourage land use activities and development intensities that protect the character of rural areas, avoid interference with resource land uses, minimize impacts upon critical areas, and allow for future expansion of UGAs."

5. Policy LU 6.B.3 "Resource-based industries that help sustain rural communities, require only rural levels of service, support the conservation of natural resource lands, and complement rural character shall be promoted in rural areas."

6. Objective LU 6.E "Within rural residential areas, recognize existing businesses that are an integral part of the rural character and provide for small-scale, commercial developments that support the immediate rural population with necessary goods and services."

7. Policy LU 6.E.1 "Within the rural residential designations of the Future Land Use Map, limited commercial uses shall be permitted within a Rural Business zone that provide opportunities for retail sales and services to the surrounding rural population."

8. Policy LU 6.G.2 "Recognize the existing rural industrial designations and zones in the county that contribute to the economic diversity of the unincorporated areas of the county and provide employment opportunities to nearby rural populations."

9. Policy LU 6.H.1 "Recognize the existing commercial and residential settlement pattern in the area of southeast Snohomish County along State Route 9 between 184th and 172nd Streets SE and at 164th Street SE as limited areas of more intense rural development (LAMIRD) that provide retail goods and services to the immediate population and a larger surrounding service area and allow limited infill adjacent to existing commercial development."

10. Objective LU 7.C "Enhance and encourage the agricultural industry through the development and adoption of supporting programs and code amendments."

11. Policy LU 7.C.1 "The Agricultural Advisory Board shall provide advice on and recommendations for goals, policies, programs incentives and regulations related to agriculture and agricultural conservation."

D. Procedural requirements.

1. This ordinance is consistent with state law and chapter 30.73 SCC.

2. State Environmental Policy Act, Chapter 43.21C RCW ("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 non-significance on October 9, 2013.

3. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance was transmitted to the Washington State Department of Commerce for distribution to state agencies on September 6, 2013.

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

5. As required by RCW 36.70A.370, the Washington State Attorney General last 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. The process outlined in the State Attorney General's 2006 advisory memorandum was used by the County in objectively evaluating the regulatory changes proposed by this ordinance.

E. This ordinance is consistent with the record.

1. The lack of regulations addressing marijuana facilities may create nonconforming uses and potential code enforcement issues.

2. The LCB will begin accepting license applications for marijuana facilities beginning November 18, 2013, leaving limited time for the County to adopt land use regulations addressing such facilities.

3. Marijuana retail and collective garden dispensaries or access points are appropriate in the Neighborhood Business, Planned Community Business, Community Business, General Commercial, Business Park, Light Industrial, Heavy Industrial and Urban Center zones. Retail and liquor stores are permitted uses in these zones. Marijuana retail and collective garden dispensaries or access points are similar to retail uses and liquor stores and are compatible with these zoning designations.

4. Marijuana processing, marijuana production and collective gardens are appropriate in the Industrial Park, Business Park, Light Industrial, and Heavy Industrial zones. Manufacturing and industrial uses are permitted uses in these zones. Marijuana processing, marijuana production and collective gardens are similar to manufacturing and industrial uses and are compatible with these zoning designations.

5. Marijuana production and processing are appropriate in the Agricultural 10, Rural Industrial and Rural 5 zones. Agricultural production and processing are permitted uses in these zones. Marijuana production and processing are similar to agricultural production and processing and are compatible with these zoning designations.

6. Marijuana collective gardens and collective garden dispensaries or access points are appropriate in the Clearview Rural Commercial zone. Limited retail and production are allowed in this zone and are similar and compatible with marijuana collective gardens and collective garden dispensaries or access points.

7. Prior to the adoption of specific zoning regulations for marijuana collective gardens, collective garden dispensaries, and access points, some collective gardens, dispensaries, and access points opened in zones where they are not permitted under current zoning and where they will not be permitted under this ordinance. Since they were not legally established, they do not qualify as nonconforming uses and they do not have a right to continue operating. To provide for a smooth transition to the new regulations in this ordinance, and to allow time for those existing uses to relocate to zones where they are permitted, this ordinance would allow them to continue to operate in their current locations through December 31, 2015, provided they comply with all state laws and maintain a current certificate of occupancy.

8. The Clearview Rural Commercial zone is a limited area of more intensive rural development ("LAMIRD") under the GMA.

9. The lot size and setback requirements for marijuana facilities in the Agricultural 10, Rural Industrial and Rural 5 zones help to ensure compatibility and preserve the rural character in these zones.

10. Allowing marijuana processing only in conjunction with marijuana production in the Agricultural 10, Rural Industrial and Rural 5 zones supports the agricultural community and helps to preserve rural character.

11. Marijuana retail and collective garden dispensaries or access points are appropriate in the Rural Business zone. Retail and liquor stores are permitted uses in this zone. Marijuana retail and collective garden dispensaries or access points are similar to retail uses and liquor stores and are compatible with this zoning designation.

12. It is appropriate to restrict marijuana related facilities on properties that have the mineral resource overlay designation in order to conserve land for minerals resource extraction.

13. Adopting definitions for marijuana related facilities is necessary to provide clarity and consistency. The definition for "Marijuana" is consistent with RCW 69.50.101(s) as amended by SSB 5524 in 2013. The definition for "Marijuana processor" is consistent with RCW 69.50.101(t) (as amended by SSB 5524 in 2013). The definition for "Marijuana producer" is consistent with RCW 69.50.101(u) (as amended by SSB 5524 in 2013). The definition for "Marijuana retailer" is consistent with RCW 69.50.101(ff) (as amended by SSB 5524 in 2013). The definition for "Marijuana collective garden" is consistent with RCW 69.51A.085(2). The definition for "Marijuana collective garden dispensary or access point" is consistent with Chapter 69.51A RCW.

14. Restricting marijuana related facilities as a home occupation is necessary to prevent impacts to residential neighborhoods and to protect the public health safety and welfare and is consistent with proposed WAC 314-55-015(5) where the LCB has indicated that it will not approve any marijuana license for a location where law enforcement access, without notice or cause, is limited, such as at residences.

15. The County Council intends to adopt land use regulations related to medical cannabis, as authorized under Chapter 69.51A RCW, that are similar to and consistent with the County's regulations relating to the production, processing and retailing of marijuana authorized under I-502.

Section 2. The County Council makes the following conclusions:

A. The proposal is consistent with the goals, objectives and policies of the County's GMA Comprehensive Plan.

B. The proposal is consistent with Washington State law and the Snohomish County Code.

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

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

E. This ordinance is necessary to prevent marijuana facilities from locating in areas where they would be detrimental to the public health, safety and welfare.

Section 3. The County Council bases its findings and conclusions on the entire record of 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.

1
2 Section 4. Snohomish County Code Section 30.22.100, last amended by Amended
3 Ordinance No. 12-040 on July 11, 2012, is amended to read:

1 **30.22.100 Urban Zone Categories: Use Matrix**

TYPE OF USE	R9,600 [88]	R8,400 [8]	R7,200 [8]	T	LDMR	MR	NB	PCB	CB	GC	FS	IP [76]	BP	LI [55, 76]	HI [55]	MHP [114]	UC [117]
Accessory Apartment [62]	A	A	A	A	A	A	A		A	A							
Adult Entertainment Business/Use [67]												P		P	P		
Agriculture [41, 107]	P	P	P		P	P	P		P	P		P	P	P	P	P	
Airport, Stage 1 Utility [1]	C	C	C						P	P		P	P	P	P		
Airport-All Others												P	P	P	P		
Amusement Facility [41]								P	P	P		P		P	P		P
Antique Shop							P		P	P				P	P		P
Art Gallery [41]	C	C	C		C	C	P	P	P	P		P	P	P	P		P
Asphalt Batch Plant & Continuous Mix Asphalt Plant												P			P		
Auto Repair, Major										P		P	P	P	P		P [86]
Auto Repair, Minor							P	P	P [86]	P	P	P	P	P	P		P [86]
Auto Towing														P	P		
Auto Wrecking Yard														C [44]	P [44]		
Bakery							P [69]	P	P	P		P	P	P	P		P
Bed and Breakfast Guesthouse [58]	C	C	C	C	C	C										C	
Billboards [46]										P				P	P		
Boarding House	P [15]	P [15]	P [15]		P	P	P		P	P						P	P
Boat Launch, Commercial [31]									C	C				C	C		P [118]
Boat Launch, Non-commercial [31]	C	C	C		C	C			C	C				C	C		
Boat Sales										P				P	P		
Caretaker's Quarters												P	P	P	P		
Cemetery, Columbarium, Crematorium, Mausoleum [41]	C	C	C		C	C			P	P		P	P	P	P		P

TYPE OF USE	R9,600[88]	R8,400[8]	R7,200[8]	T	LDMR	MR	NB	PCB	CB	GC	FS	IP[76]	BP	LI[55, 76]	HI[55]	MHP[114]	UC[117]
Church [41]	C	C	C		P	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	P	P	P		P	P	P	P	P	P
Cold Storage										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	P
Community Facilities for Juveniles [103]	P	P	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	P	P
9 to 24 Resident Facility																	
Construction Contracting										P		P	P	P	P		
Country Club	C	C	C									P	P	P	P		P
Craft Shop [21]									P[86]	P		P	P	P	P		P[86]
Day Care Center [2]	C	C	C		C	C	P	P	P	P	P	P	P	P	P	A	P
Department Store								P	P[86]	P				P	P		P
Distillation of Alcohol												P	P	P	P		P[86]
Distillation of Wood, Coal, Bones or Manufacturing of Their By-products												P			P		
Dock & Boathouse, Private, Non-commercial [3, 41]	P	P	P	P	P	P	P		P	P		P	P	P	P		
Drug Store							P	P	P	P	P[2] [2]			P	P		P
Dwelling, Attached Single Family	P	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							
Dwelling, Mobile Home	P[6]	P[6]	P[6]	P[6]	P	P	P[6]		P[6]	P[6]						P	

TYPE OF USE	R9,600[88]	R8,400[8]	R7,200[8]	T	LDMR	MR	NB	PCB	CB	GC	FS	IP[76]	BP	LI[55, 76]	HI[55]	MHP[114]	UC[117]
Dwelling, Multifamily					P	P	P	P	P	P			P[51]				P
Dwelling, Single Family	P	P	P	P	P	P	P	P[4]	P	P			P[51]			P[4]	
Dwelling, Townhouse [5]			A	P	P	P	P	P	P	P							P
Electric Vehicle Infrastructure																	
Electric Vehicle Charging Station – Restricted, Level 1, and Level 2 [121]	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Electric Vehicle Charging Station – Public, Level 1 and Level 2							P	P	P	P	P	P	P	P	P		P
Electric Vehicle Charging Station, Level 3	C[120]	C[120]	C[120]	C[120]	C[120]	C[120]	P	P	P	P	P	P	P	P	P		P
Battery Exchange Stations	C[120]	C[120]	C[120]	C[120]	C[120]	C[120]	P	P	P	P	P	P	P	P	P		P
Explosives, Manufacturing												P			P		
Explosives, Storage												P			P		
Extraction of Animal or Fish Fat or Oil												P			P		
Fabrication Shop										P		P	P	P	P		
Fairgrounds										P		P	P	P	P		
Fallout Shelter, Individual	P	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		P
Family Day Care Home [8]	P	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 [94]									A	P				P	P		

TYPE OF USE	R9,600[88]	R8,400[8]	R7,200[8]	T	LDMR	MR	NB	PCB	CB	GC	FS	IP[76]	BP	LI[55, 76]	HI[55]	MHP[114]	UC[117]
Farm Stand																	
Up to 400 sq ft [9]	P	P	P						P	P				P	P		
401 to 5,000 sq ft [99]																	
Farmers Market [93]										P			P	P	P		P
Financial Institutions							P	P	P	P		P	P	P	P		P
Fish Farm												P	P	P	P		
Fix-it Shop								P	P[86]	P		P	P	P	P		P[86]
Forestry												P		P	P		
Forge, Foundry, Blast Furnace for Melting of Ore															P		
Foster Home	P	P	P	P	P	P	P		P	P						P	
Fuel & Coal Yard										P		P	P	P	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	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	P		
2,401 sq ft and greater [41, 59]	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Golf Course and Driving Range	C	C	C						P	P		P	P	P	P		
Government Structures & Facilities [27, 41]	C	C	C	C	C	C	C	P	P	P		P	P	P	P		P

TYPE OF USE	R9,600[88]	R8,400[8]	R7,200[8]	T	LDMR	MR	NB	PCB	CB	GC	FS	IP[76]	BP	LI[55, 76]	HI[55]	MHP[114]	UC[117]
Greenhouse, Lath House, & Nurseries : [52] Retail							P	P	P	P				P	P		P[86]
Greenhouse, Lath House, & Nurseries:[52] Wholesale							P	P	P	P		P	P	P	P		
Grocery Store							P	P	P[86]	P	P[2]			P	P		P
Grooming Parlor							P	P	P	P			P[53]	P	P		P
Guesthouse [85]	P	P	P		P	P	P	P	P	P						P	
Gymnasium								P	P	P		P	P	P	P		P
Hardware Store							P	P	P	P				P	P		P
Hazardous Waste Storage & Treatment Facilities, Offsite[66]												C	C	C	C		
Hazardous Waste Storage & Treatment Facilities, Onsite [65]							P	P	P	P	P	P	P	P	P		
Health and Social Service Facility [90]																	
Level I	P	P	P	P	P	P	P	P	P	P			P			P	P
Level II [41]	C	C	C		C	C	C	P	P	P			P			C	P
Level III						C	C	P	P	P		P		P	P	C	P
Home Improvement Center							P	P	P[86]	P				P	P		P
Home Occupation [11]	P	P	P	P	P	P	P		P	P						P	P
Hotel/Motel					C	C		P	P	P	P			P [89]			P
Junkyard														C [44]	P[44]		
Kennel, [41] Commercial [12]	C	C	C						P	P		P	P	P	P		
Kennel, [41] Private-Breeding [13]	P	P	P		P	P	P		P	P		P	P	P	P		
Kennel, [41] Private-Non-Breeding [13]	P	P	P		P	P	P		P	P		P					
Laboratory										P		P	P	P	P		P[86]

TYPE OF USE	R9,600[88]	R8,400[8]	R7,200[8]	T	LDMR	MR	NB	PCB	CB	GC	FS	IP[76]	BP	LI[55, 76]	HI[55]	MHP[114]	UC[117]
Library[41]	C	C	C		C	C	C	P	P	P		P	P	P	P		P
Licensed Practitioner[29, 41]					C	C	P	P	P	P		P	P	P	P		P
Livestock Auction Facility												P		P	P		
Locksmith							P	P	P[86]	P		P	P	P	P		P
Lumberyard										P		P	P	P	P		
Manufacturing, Heavy[82]												P			P		
Manufacturing-All Other Forms Not Specifically Listed[83]												P	P	P	P		
Marijuana Collective Garden[125]												P	P	P	P		
Marijuana Collective Garden Dispensary, or Access Point							P	P	P	P			P	P	P		P
Marijuana Processing[125]												P	P	P	P		
Marijuana Production[125]												P	P	P	P		
Marijuana Retail							P	P	P	P			P	P	P		P
Massage Parlor									P	P		P	P	P	P		P
Medical Clinic[29]					C	C	P	P	P	P		P	P	P	P		P
Mini Self-Storage								P		P		P	P	P	P		
Mobile Home Park[38]					C	C			C	C						P	
Mobile Home & Travel Trailer Sales										P		C[36]		P	P		
Model Hobby Park[75]													A	A	A		
Model House/Sales Office	P	P	P	P	P	P	P	P	P	P							P
Mortuary					C	C			P	P		P	P	P	P		P
Motocross Racetrack										C[113]		C[113]	C[113]	C[113]	C[113]		
Motor Vehicle & Equipment Sales									P[23]	P				P	P		P[23]

TYPE OF USE	R9,600[88]	R8,400[8]	R7,200[8]	T	LDMR	MR	NB	PCB	CB	GC	FS	IP[76]	BP	LI[55, 76]	HI[55]	MHP[114]	UC[117]
Museum [41]	C	C	C		C	C	C	P	P	P		P	P	P	P		P
Office, General							P	P	P	P		P	P	P	P		P
Park, Public [14]	P	P	P		P	P	P	P	P	P		P	P	P	P		P
Park-and-Pool Lot	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P		P
Park-and-Ride Lot	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P		P
Personal Services Shop							P	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	P	P	P	P	C	P[119]
Pet Shop							P	P	P	P			P[53]	P	P		P
Petroleum Products & Gas Storage – Bulk [43]										P		P	P	P	P		
Petroleum Refining [43]												P					
Print Shop									P[86]	P		P	P	P	P		P[86]
Printing Plant								P		P		P	P	P	P		
Race Track [24, 41]										C		P	P	P	P		
Railroad Right-of-way	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P		P
Recreational Facility Not Otherwise Listed	C	C	C		C	C	P	P	P	P		P	P	P	P		P
Recreational Vehicle Park									C	C	P					C	
Rendering of Fat, Tallow, or Lard												P			P		
Restaurant							P	P	P	P	P	P[49]	P[49]	P	P		P
Retail Store							P	P	P[86]	P			P[53]	P	P		P
Retirement Apartments				P	P	P	P	P	P	P						P	P
Retirement Housing				P	P	P	P	P	P	P						P	P
Rolling or Blooming Mills												P			P		
Sanitary Landfill	C	C	C						C	C		C	C	C	C		

TYPE OF USE	R9,600 [88]	R8,400 [8]	R7,200 [8]	T	LDMR	MR	NB	PCB	CB	GC	FS	IP [76]	BP	LI [55, 76]	HI [55]	MHP [114]	UC [117]
Sawmill										P		P	P	P	P		
Schools																	
K-12 & Preschool [41, 68]	C	C	C		C	C			P	P		P	P	P	P		P
College [41, 68]	C	C	C		C	C			P	P		P	P	P	P		P
Other [41, 68]					C	C			P	P		P	P	P	P		P
Second Hand Store									P [86]	P				P	P		P
Service Station [41]							P	P	P [86]	P	P			P	P		P
Shake & Shingle Mill										P		P	P	P	P		
Shooting Range [92]												P	P	P	P		
Sludge Utilization [39]	C [56]	C [56]	C [56]		C [56]	C [56]			C [56]	C [56]		C [56]		C [56]	P C [50]		
Small Animal Husbandry [41]	C [37]	C [37]	C [37]				P		P	P		P	P	P	P		
Specialty Store							P	P	P [86]	P				P	P		P
Stables	P	P	P		P	P	P	P	P	P		P	P	P	P		
Stockyard or Slaughter House												P			P		
Storage, Retail Sales Livestock Feed									P	P				P	P		
Storage Structure, Accessory [60]																	
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
2,401 – 4,000 sq ft on More than 3 Acres [41, 59]	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	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	A	
4,001 sq ft and Greater [41,59]	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Storage Structure, Non-accessory [60]																	
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
2,401 sq ft and greater [41, 59]	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	

TYPE OF USE	R9,600[88]	R8,400[8]	R7,200[8]	T	LDMR	MR	NB	PCB	CB	GC	FS	IP[76]	BP	LI[55, 76]	HI[55]	MHP[114]	UC[117]
Studio [41]	C[77]	C[77]	C[77]		C[77]	C[77]	P	P	P[86]	P		P	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	P
Tannery												P			P		
Tar Distillation or Manufacturing												P			P		
Tavern [41]								P	P	P				P	P		P
Television/Radio Stations														P	P		
Temporary Dwelling During Construction	A	A	A	A	A	A	A	A	A	A	A						A
Temporary Dwelling For Relative [18]	A	A	A	A	A	A	A	A	A	A	A						
Temporary Residential Sales Coach [73]	A	A	A														A
Temporary Woodwaste Recycling [63]														A	A		
Temporary Woodwaste Storage [63]														A	A		
Tire Store							P	P	P[86]	P				P	P		P[86]
Tool Sales & Rental									P[86]	P				P	P		P[86]
Transit Center	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P		P
Ultralight Airpark [20]												P					
Utility Facilities, Electromagnetic Transmission & Receiving Facility [27]	C	C	C	C	C	C	C	P	P[86]	P	C	P	P	P	P		
Utility Facilities, Transmission Wires, Pipes & Supports [27]	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utility Facilities-All Other Structures [27, 41]	C	C	C	C	C	C	C	P	P[86]	P	C	P	P	P	P	C	P
Veterinary Clinic					C	C	P	P	P[86]	P		P	P	P	P		P
Warehousing										P		P	P	P	P		
Wholesale Establishment								P	P[86]	P		P	P	P	P		

TYPE OF USE	R9,600 [88]	R8,400 [8]	R7,200 [8]	T	LDMR	MR	NB	PCB	CB	GC	FS	IP [76]	BP	LI [55, 76]	HI [55]	MHP [114]	UC [117]
Woodwaste Recycling [57]														C	C		
Woodwaste Storage [57]														C	C		
Yacht/Boat Club												P	P	P	P		P
All other uses not otherwise mentioned												P	P	P	P		

P - Permitted Use	A blank box indicates a use is not allowed in a specific zone.
A - Administrative Conditional Use	Note: Reference numbers within matrix indicate special conditions apply; see SCC30.22.130.
C - Conditional Use	Check other matrices in this chapter if your use is not listed above.
S – Special Use	

Section 5. Snohomish County Code Section 30.22.110, last amended by Amended Ordinance No. 13-064 on September 9, 2013, is amended to read:

30.22.110 Rural and Resource Use Matrix

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Accessory Apartment [62]	A	A	A	A				A	A	A	A
Agriculture [41]	P	P	P	P	P	P	P	P	P	P	P
Airport: Stage 1 Utility [1]	C	C	C[115]					C			
Antique Shop	C		C[45, 115]	P[79]	P						
Art Gallery [41]	C		C [115]	P[79]	P						
Asphalt Batch Plant & Continuous Mix Asphalt Plant											P
Auto Repair, Minor				P[78]	P	P					
Auto Towing	C		C								
Bakery				P[78]	P						
Bakery, Farm [97]	P	P	P	P			P		P	P	
Bed and Breakfast Guesthouse [58]	C		C [115]	P				C	C	A	
Bed and Breakfast Inn [58]	C		C [115]	P				C	C	C	
Boarding House	P[15]	P[15]	P[15, 115]					P[15]		P[15]	
Boat Launch, Commercial [31]		C							C		
Boat Launch, Non-commercial [31]	C		C	C				C	C		
Campground									C[32]		
Caretaker's Quarters	P		C				P				P
Cemetery, Columbarium, Crematorium, Mausoleum [41]	P		C [115]								
Church [41]	P		C [115]	C	P						
Cold Storage							P				

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Commercial Vehicle Home Basing			C[33]								
Commercial Vehicle Storage Facility				C			P				
Community Club	P		C [115]	P	P						
Community Facilities for Juveniles [103]											
1 to 8 residents			P [102, 115]	P	P						
9 to 24 residents			S [103, 115]	P	P						
Construction Contracting				P[80, 81]							
Country Club	C		C [115]	P							
Craft Shop [21]				P							
Dams, Power Plants, & Associated Uses									P		
Day Care Center [2]	P		C[115]	P	P	P					
Distillation of Alcohol	C[34]		C[34, 115]							C[34]	
Dock & Boathouse, Private, Non-commercial [3, 41]	P	P	P	P				P	P	P	
Drug Store				P[79]	P						
Dwelling, Duplex	P	P	P					P		P	
Dwelling, Mobile Home	P	P	P		P[6]			P	P	P	P
Dwelling, Single Family	P	P	P		P			P	P	P	P
Equestrian Center [41, 70, 72]	P	C	C[115]					C	P	C[70]	
Excavation & Processing of Minerals [28]	A C	A, C	A, C				A,C	A,P,C	A,C		A,C
Explosives, Storage	C	C	C				C	P	C		C
Fabrication Shop							P				
Fallout Shelter, Individual	P	P	P[115]	P	P	P	P	P	P	P	P
Fallout Shelter, Joint [7]	P		P	P	P	P	P	P	P	P	P
Family Day Care Home [8]	P		P[115]	P	P			P		P	

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Farm Product Processing											
Up to 5,000 sq ft	P	P	P[115]	P			P	P		P	
Over 5,000 sq ft [94]	A	A	A[115]	A			A	A		A	
Farm Support Business [94]	A	A	A[115]	A			P			A	
Farm Stand											
Up to 400 sq ft [9]	P	P	P[100, 115]	P	P	P	P	P	P	P	P
401 – 5,000 sq ft [99, 100]	P	P	P, A [100,	P	P	P	P	P	P	P	
Farm Workers Dwelling										P[10]	
Farmers Market [93]	P	P	P [101, A [101, 115]	P	P	P	P			P	
Farmland Enterprises [95]		A	A[115]							A	
Fish Farm	P	P	P[115]					P	P	P	
Fix-it Shop				P[78]	P		P				
Forestry	P	P	P				P	P	P	P	P
Forestry Industry Storage & Maintenance Facility	P[30]	P					P	P	P		
Foster Home	P	P	P	P				P		P	

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Garage, Detached Private Accessory[60]											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P		P
2,401 – 4,000 sq ft on More than 3 Acres [41, 59]	P	P	P	P	P	P	P	P	P		P
2,401- 4,000 sq ft on Less than 3 acres [41, 59]	A	A	A	A	A	A	A	A	A		A
4,001 sq ft and Greater [41, 59]	C	C	C	C	C	C	C	C	C		C
Garage, Detached Private Non-accessory [60]											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P
2,401 sq ft and greater [41, 59]	C	C	C	C	C	C	C	C	C	C	C
Golf Course and Driving Range	C		C[115]							C[74]	
Government Structures & Facilities [27, 41]	C	C	C[115]	C	P		C	C	C		C
Greenhouse, Lath House, Nurseries: [52] **Retail**	P	P	P[115]	P	P		P	P		P	
Greenhouse, Lath House, Nurseries: [52] **Wholesale**	P	P	P[115]	P	P		P	P		P	
Grocery Store				P[80]	P	P[80]					
Grooming Parlor					P						
Guesthouse[85]	P	P	P	P				P	P	P	
Hardware Store				P[80]	P						
Hazardous Waste Storage & Treatment Facilities Onsite [65]	P			P		P	P	P	P		
Health and Social Service Facility [90]											
Level I	P	P	P[115]	P	P			P	P	P	P
Level II [41 91]			C[115]	C							
Level III											
Home Improvement Center				P[80]	P						
Home Occupation [11, 84]	P[64]	P[64]	P[64]	P[64]	P			P[64]	P[64]	P[64]	P[64]

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Homestead Parcel [40]	C		C[115]							C	
Hotel/Motel				P		P					
Kennel, [41] Commercial [12]	P	P	P[115]					P		C	
Kennel, [41] Private-Breeding [13]	P	P	P					P		P	
Kennel, [41] Private-Non-Breeding [13]	P	P	P	P				P		P	
Kitchen, farm	P	P	P	P			P			P	
Library[41]	C		C[115]	P							
Licensed Practitioner [29, 41]				P[79]							
Livestock Auction Facility	C[48]		C[48, 115]		P		P			C[48]	
Locksmith				P	P						
Log Scaling Station	C	C	C[115]				P	P	P	P	
Lumberyard							P				
Manufacturing-All Other Forms Not Specifically Listed [83]				C			C				
Marijuana Collective Garden[124, 126]					P		P				
Marijuana Collective Garden Dispensary, or Access Point[126]				P	P						
Marijuana Processing[124]			P[115]				P			P	
Marijuana Production[124]			P[115]				P			P	
Marijuana Retail				P	P						
Metal Working Shop				P[78]			P				
Mini-equestrian Center [41, 72]	P	P	P[115]	P			P	P	P	P[71]	
Model Hobby Park [75]			A[115]							A	
Model House/Sales Office	P	P	P[115]					P	P		
Motocross Racetrack			C[113]						C[113]		

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Motor Vehicle & Equipment Sales					P[23]						
Museum [41]	C		C[115]	P						C[61]	
Office, General				P	P						
Off-road vehicle use area, private									C [109]		
Park, Public [14]	P	P	P	P	P		P	P	P	P	P
Park-and-Pool Lot				P	P	P	P				
Park-and-Ride Lot	C	C	C	P		P		C	C	C	
Personal Services Shop				P[79]	P						
Personal Wireless Communications Facilities [27, 41, 104, 105, 106]	C	C	C	C	C	C	C	C	C	C	C
Petroleum Products & Gas Storage – Bulk							P[43]				
Print shop				P							
Public Events/Assemblies on Farmland [96]										P	
Race Track [24, 41]			C[115]								
Railroad Right-of-way	C	C	C[115]		P		P	C	C	C	C
Recreational Facility Not Otherwise Listed [98]	C		C[115]		P		P[79]			C,	
Recreational Vehicle [19]	P	P	P					P	P	P	
Recreational Vehicle Park									C		
Resort									C		

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Restaurant				P[80]	P	P					
Retail Store				P[80]	P						
Rural Industries [41]	P[25]										
Sanitary Landfill	C	C	C[115]					C			C
Sawmill	C[26]	C[26]	C[26, 115]				P	P	P		
Schools											
K-12 & Preschool[41, 68]	C		C[115]	P							
College [41, 68]	C		C[115]								
Other [41, 68]				C			C				
Second Hand Store				P[78]	P						
Service Station [41]				P	P	P					
Shake & Shingle Mill	C[26]	C[26]	C[26, 115]				P	P			
Shooting Range [92]	C	C	C					C			
Sludge Utilization [39]	C	C, P[50]	C[115]					C		C	C[56]
Small Animal Husbandry [41]	P		P		P			P	P	P	P
Specialty Store				P[78]	P						
Stables	P	P	P	P			P	P	P	P	
Stockyard or Slaughter House							C[48]				
Storage, Retail Sales Livestock Feed			P[54, 115]	P			P			P	
Storage Structure, Accessory [60]											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P
2,401 – 4,000 sq ft on More than 3 Acres [41, 59]	P	P	P	P	P	P	P	P	P	P	P
2,401 – 4,000 sq ft on Less than 3 acres [41, 59]	A	A	A	A	A	A	A	A	A	A	A
4,001 sq ft and Greater [41,59]	C	C	C	C	C	C	C	C	C	C	C

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Storage Structure, Non-accessory [60]											
Up to 2,400 sq ft	P	P	P	P	P	P	P	P	P	P	P
2,401 sq ft and greater [41, 59]	C	C	C	C	C	C	C	C	C	C	C
Studio [41]	C[77]		C[77, 115]								
Swimming/Wading Pool [17, 41]	P	P	P					P	P	P	P
Tavern [41]				P	P						
Temporary Dwelling During Construction	A	A	A	A	A	A	A	A	A	A	A
Temporary Dwelling For Relative [18]	A	A	A					A	A	A	A
Temporary Logging Crew Quarters								P	P		
Temporary Residential Sales Coach [73]	A		A[115]								
Temporary Woodwaste Recycling [63]	A						A	A			
Temporary Woodwaste Storage [63]	A							A			
Tire Store					P						
Tool Sales & Rental				P	P						
Transit Center	C	C	C[115]	P		P		C	C	C	
Ultralight Airpark [20]	C	C	C[115]					C			
Utility Facilities, Electromagnetic Transmission & Receiving Facilities [27]	C	C	C	C	P	C	P	C	C	C	C
Utility Facilities, Transmission Wires or Pipes & Supports [27]	P	P	P	P	P	P	P	P	P	P	P
Utility Facilities-All Other Structures [27, 41]	C	C	C	C	P	C	P	C	C	C	C
Veterinary Clinic	P		C[115]	P	P					C	
Wedding Facility [87]		P	P[115]							P	
Woodwaste Recycling [57]	C	C	C				C	C			

Type of Use	Rural Zones							Resource Zones			
	RD	RRT-10	R-5	RB	CRC	RFS	RI	F	F&R	A-10	MC
Woodwaste Storage [57]	C	C	C				C	C			
Yacht/Boat Club				P			P				

P - Permitted Use	A blank box indicates a use is not allowed in a specific zone.
A - Administrative Conditional Use	Note: Reference numbers within matrix indicate special conditions apply; see SCC30.22.130.
C - Conditional Use	Check other matrices in this chapter if your use is not listed above.
S – Special Use	

Section 6. Snohomish County Code Section 30.22.130, last amended by Amended Ordinance No. 13-064 on September 9, 2013, is amended to read:

30.22.130 Reference notes for use matrix.

(1) Airport, Stage 1 Utility:

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

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

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

(2) Day Care Center:

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

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

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

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

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

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

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

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

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

(4) Dwelling, Single family: In PCB zones, shall be allowed only if included within the same structure as a commercial establishment. In the MHP zone, single family detached dwellings are limited to one per existing single legal lot of record.

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

(6) Dwelling, Mobile Home:

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

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

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

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

(ii) a perimeter masonry foundation;

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

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

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

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

(8) Family Day Care Home:

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

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

(9) Farm Stand:

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

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

(10) Farm Worker Dwelling:

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

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

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

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

(11) Home Occupation: See SCC 30.28.050.

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

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

(14) Parks, Publicly-owned and Operated:

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

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

(c) No amusement devices for hire are permitted.

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

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

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

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

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

(18) Temporary Dwelling for a relative:

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

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

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

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

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

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

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

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

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

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

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

(19) Recreational Vehicle:

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

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

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

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

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

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

(20) Ultralight Airpark:

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

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

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

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

(ii) occur between sunset and sunrise;

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

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

(21) Craft Shop:

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

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

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

(22) Grocery and Drug Stores: In the FS zone, there shall be a 5,000-square foot floor area limitation.

(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.

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

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

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

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

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

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

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

(32) Campground:

(a) The maximum overall density shall be seven camp or tent sites per acre; and

(b) The minimum site size shall be 10 acres.

(33) Commercial Vehicle Home Basing:

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

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

(c) The vehicles shall be in operable conditions.

(34) Distillation of Alcohol:

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

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

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

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

(36) Mobile Home and Travel Trailer Sales:

(a) Property shall directly front upon a principal or minor arterial in order to reduce encroachment into the interior of IP designated areas;

(b) The hearing examiner shall consider the visual and aesthetic characteristics of the use proposal and determine whether nearby business and industrial uses, existing or proposed, would be potentially harmed thereby. A finding of potential incompatibility shall be grounds for denial;

(c) The conditional use permit shall include a condition requiring mandatory review by the hearing examiner at intervals not to exceed five years for the express purpose of evaluating the continued compatibility of the use with other IP uses. The review required herein is in addition to any review which may be held pursuant to SCC 30.42B.100, SCC 30.42C.100 and SCC 30.43A.100;

(d) Such use shall not be deemed to be outside storage for the purpose of SCC 30.25.024; and

(e) Such use shall be temporary until business or industrial development is timely on the site or on nearby IP designated property.

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

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

(39) Sludge Utilization: See SCC 30.28.085.

(40) Homestead Parcel: See SCC 30.28.055.

(41) Special Setback Requirements for this use are contained in SCC 30.23.110.

(42) Minimum Lot Size for duplexes shall be one and one-half times the minimum lot size for single family dwellings. In the RU zone, this provision only applies when the minimum lot size for single family dwellings is 12,500 square feet or less.

(43) Petroleum Products and Gas, Bulk Storage:

(a) All above ground storage tanks shall be located 150 feet from all property lines; and

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

(44) Auto Wrecking Yards and Junkyards: A sight-obscuring fence a minimum of seven feet high shall be established and maintained in the LI zone. For requirements for this use, SCC 30.25.020 and 30.25.050 applies.

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

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

(47) Nursery, Wholesale: In R-20,000 zone, a wholesale nursery is permitted on three acres or more; a conditional use permit is required on less than three acres.

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

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

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

(51) Single Family and Multifamily Dwellings are a prohibited use, except for the following:

(a) Existing dwellings that are nonconforming as a result of a county-initiated rezone to BP may make improvements or additions provided such improvements are consistent with the bulk regulations contained in chapter 30.23 SCC; provided further that such improvements do not increase the ground area covered by the structural portion of the nonconforming use by more than 100 percent of that existing at the existing date of the nonconformance; and

(b) New single family and multifamily dwellings in the BP zone authorized pursuant to the provisions of SCC 30.31A.140.

(52) Greenhouses, Lath Houses, and Nurseries:

(a) Incidental sale of soil, bark, fertilizers, plant nutrients, rocks, and similar plant husbandry materials is permitted;

(b) The incidental sale of garden tools and associated gardening accessories shall be permitted; however, the sale of motorized landscaping equipment such as lawn mowers, weed eaters, edgers, and rototillers shall be prohibited;

(c) There shall be no on-site signs advertising uses other than the principal use; and

(d) Incidental sales of garden tools and associated gardening accessories shall be less than 25 percent of the sales of products produced in the greenhouse, lath house, or nursery.

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

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

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

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

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

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

(59) Detached accessory or non-accessory private garages and storage structures are subject to the following requirements:

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

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

(c) The following compatibility standards shall apply:

(i) proposals for development in existing neighborhoods with a well-defined character should be compatible with or complement the highest quality features, architectural character and siting pattern of neighboring buildings. Where there is no discernable pattern, the buildings shall complement the neighborhood. Development of detached private garages and storage structures shall not interrupt the streetscape or dwarf the scale of existing buildings of existing

neighborhoods. Applicants may refer to the Residential Development Handbook for Snohomish County Communities to review techniques recommended to achieve neighborhood compatibility;

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

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

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

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

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

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

(60) The cumulative square footage of all detached accessory and non-accessory private garages and storage structures shall not exceed 6,000 square feet on any lot less than 5 acres, except this provision shall not apply in the LDMR, MR, T, NB, GC, PCB, CB, FS, BP, IP, LI, HI, RB, RFS, CRC and RI zones.

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

(62) Accessory Apartments: See SCC 30.28.010.

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

(64) RESERVED for future use.

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

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

(67) Adult Entertainment Uses: See SCC 30.28.015.

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

(69) 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 land disturbing activity, drainage, utilities infrastructure, and native growth protection areas are not adversely affected.

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

(75) Model Hobby Park: SCC 30.28.060.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(84) RESERVED for future use.

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

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

(87) Wedding Facility:

(a) Such use is permitted only:

(i) on vacant and undeveloped land;

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

(iii) partially outside of permanent structures and partially inside of one or more permanent structures which were legally existing on January 1, 2001; or

(iv) entirely inside of one or more permanent structures which were legally existing on January 1, 2001;

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

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

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

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

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

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

(e) In the A-10 zone, the following additional requirements apply:

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

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

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

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

(v) the use and all activities and structures related to the use shall not convert more than one acre of agricultural land to nonagricultural uses; and

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

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

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

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

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

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

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

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

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

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

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

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

(93) Farmers Market: See SCC 30.28.036.

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

(95) Farmland Enterprise: See SCC 30.28.037.

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

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

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

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

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

(99) Farm Stand: See SCC 30.28.039.

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

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

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

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

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

(105) Personal wireless telecommunications service facilities are subject to a building permit pursuant to SCC 30.28A.020 and the development standards set forth in chapter 30.28A SCC and landscaping standards in SCC 30.25.025.

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

(107) Agricultural composting requirements:

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

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

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

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

(iv) A maximum of 500 cubic yards of unsuitable incidental materials accumulated in the agricultural waste such as rock, asphalt, or concrete over 3 inches in size may be stored at the farm composting facility until its proper removal. All incidental materials must be removed from the site yearly; and

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

(b) In all other zones except A-10 where agriculture is a permitted use, incidental agricultural composting of agricultural waste generated on a farm site is permitted. The agricultural composting facility shall be constructed and operated in compliance with all applicable federal, state and local laws, statutes, rules and regulations. The Nutrient Management

Plan portion of the farm's Snohomish Conservation District Farm Plan or any other established nutrient management plan must be on file with the department when any permit application is submitted to the department for the development of an agricultural composting facility.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(123) Such uses are permitted only in structures which are legally existing on May 29, 2010. Such uses shall also comply with subsection (122) of this section.

(124) The minimum lot size for marijuana related facilities is 100,000 square feet. Marijuana production is allowed indoors and outdoors. Marijuana processing is only allowed when there is a marijuana production facility on site. Marijuana facilities are subject to special setbacks pursuant to SCC 30.23.110(28).

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

(126) Notwithstanding all other provisions of chapter 30.22 SCC, marijuana collective gardens, collective garden dispensaries, or access points in operation as of November 1, 2013, shall be permitted uses in their current locations through December 31, 2015, provided that the use complies with all state laws related to medical marijuana and maintains a current certificate of occupancy. Such uses must close or relocate to a zone where they are a permitted use on or before January 1, 2016. New marijuana collective gardens, collective garden dispensaries, or access points after November 1, 2013 shall only be permitted in the zones specified in Chapter SCC 30.22 SCC.

Section 7. Snohomish County Code Section 30.23.110, last amended by Amended Ordinance No. 12-049 on October 3, 2012, is amended to read:

30.23.110 Special setbacks for certain uses.

This section supplements the normal setbacks required by the underlying zone for the specified use.

(1) Agriculture. All structures used for housing or feeding animals, not including household pets, shall be located at least 30 feet from all property lines.

(2) Amusement Facilities. Theaters must be at least 300 feet from the property line of any preschool or K-12 school. Other amusement facilities must be at least 500 feet from the property line of any park, playground, preschool, or K-12 school. Distances shall be measured horizontally by following a straight line from the nearest point in the building in which the amusement facility will be located, to the nearest property line of a parcel which contains a park, playground, preschool, or K-12 school.

(3) Art Gallery. All buildings must be at least 20 feet from any other lot in a residential zone.

(4) Cemetery, Mausoleum, and Crematoriums. All buildings must be at least 50 feet from external boundaries of the property.

(5) Church. All buildings must be at least 25 feet from any other lot in a residential zone.

(6) Dock and Boathouse. Covered structures must be at least three feet from any side lot line or extension thereof. No setback from adjacent properties is required for any uncovered structure, and no setback from the water is required for any structure permitted hereunder, except that setbacks for docks and boathouses located in shoreline jurisdiction are regulated under SCC 30.67.515.

(7) Educational Institutions.

(a) All buildings shall be set back at least 35 feet from all external property lines; and

(b) All buildings shall be set back from all road network elements, except a driveway. The setback shall be the greater of either 75 feet from the centerline of a road network element, or 45 feet from the edge of a road network element.

(8) Equestrian Center and Mini-Equestrian Center. Open or covered arenas must be at least 50 feet from any external property line. New structures located on or adjacent to lands subject to chapter 30.32A SCC shall comply with all applicable setbacks.

(9) Governmental Structure or Facility. All structures must be at least 20 feet from any other lot in a residential zone.

(10) Health and Social Service Facility, Level II. All buildings must be at least 30 feet from all external property boundaries.

(11) Kennel, Commercial; Kennel, Private-Breeding; or Kennel, Private-Non-Breeding. All animal runs, and all buildings and structures devoted primarily to housing animals, must be at least 30 feet from all external property lines.

(12) Library. All buildings must be at least 20 feet from any other lot in a residential zone.

(13) Museum. All buildings must be at least 20 feet from any other lot in a residential zone.

(14) Office, Licensed Practitioners. All buildings must be at least 20 feet from any other lot in a residential zone.

(15) Race Track. The track must be at least 50 feet from all external property lines.

(16) Rural Industry. All buildings and structures, storage areas, or other activities (except sales stands) occurring outside of a residential structure must be at least 20 feet from any property line.

(17) School, Preschool and K-12.

(a) All buildings shall be set back at least 35 feet from all external property lines; and

(b) All buildings shall be set back from all road network elements, except a driveway. The setback shall be the greater of either 75 feet from the centerline of a road network element, or 45 feet from the edge of the road network element.

(18) Service Station Pump Island or Canopy. The following setbacks shall be applied from all road network elements, except for a driveway:

(a) The setback for a pump island, where the width of the road network element is less than 60 feet, shall be 45 feet from the centerline of the road network element.

(b) The setback for a pump island, where the road network element is 60 feet or wider, shall be one-half the width of the road network element plus 15 feet.

(c) The setback for a canopy, where the the road network element is less than 60 feet, shall be 35 feet from the centerline of the road network element.

(d) The setback for a canopy, where the road network element is 60 feet or wider, shall be one-half the width of the road network element plus five feet.

(19) Small Animal Husbandry. All structures used for housing or feeding animals must be at least 30 feet from all property lines.

(20) Detached accessory or non-accessory storage structures and private garages with building footprints over 2,400 square feet must be at least 15 feet from any external property line; provided, that parcels abutting open space tracts shall have a five-foot setback from the open space. Storage structures and private garages over 4,000 square feet in size must be set back

at least 20 feet from any external property line; provided, that parcels abutting open space tracts shall have a five-foot setback from the open space.

(21) Stormwater Facilities.

(a) Buildings shall be set back an unobstructed 15 feet from the top of the bank of an open constructed channel or an open detention or retention pond to allow access by maintenance equipment.

(b) Buildings shall be set back ten feet from the nearest edge of a closed drainage facility.

(c) If the construction of drainage facilities will require a structural setback on adjacent properties pursuant to subsection (21)(a) or (b) of this section, the owner of the drainage facility shall obtain a drainage easement or agreement from the affected adjacent property owner(s) prior to construction approval.

(22) Studio. All buildings must be at least 20 feet from any other lot in a residential, multiple-family, or rural zone. The hearing examiner may require an additional setback distance when necessary to maintain compatibility of the proposed building with residential uses on adjoining properties.

(23) Swimming or Wading Pool. The pool must be at least five feet from any property line.

(24) Tavern. The use must be at least 500 feet from the external property lines of all public school grounds and public parks or playgrounds.

(25) Utility Structures. All structures must be at least 20 feet from any other lot in a residential zone.

(26) Personal Wireless Telecommunications Service Facilities. The setbacks of a wireless communications support structure used for a personal wireless telecommunications service facility shall be measured from the base of the structure to the property line of the parcel on which it is located. Where guy wire supports are used, setbacks shall be measured from the base of the guy wire anchored to the ground, rather than the base of the structure except as provided for in subsection (25)(a) of this section.

(a) In zones categorized as Rural or Resource under SCC 30.21.020, any public road right-of-way may be included in the setback calculation. In all other zones categorized under SCC 30.21.020, public road right-of-way shall not be included in the setback calculation.

(b) Wireless communications support structures shall be set back from a property line with a minimum of 50 feet except as provided for in subsections (25)(c) through (e) of this section. For the purposes of this subsection, a wireless communications support structure's lease area boundaries shall not be considered property lines.

(c) Setbacks may be modified by the approval authority to no less than 20 feet from a property line only if there is significant existing vegetation, topography, or some other land feature that will provide a higher level of screening of the facility. In accordance with SCC 30.25.025(2), a Native Vegetation Retention Area (NVRA) shall be established and maintained when this provision is used.

(d) Wireless communications support structures located on utility support structures shall have no specific setback requirement.

(e) Wireless communications support structures located on parcels adjacent to forest lands or lands designated local forest shall be set back in accordance with SCC 30.32A.110.

(f) To minimize the potential for birds to collide into antenna support structures, personal wireless telecommunications services facilities shall not be located within the recommended construction buffer zone for birds listed as priority species by the Washington Department of Fish and Wildlife as described in its Management Recommendations for Washington's Priority Species Volume IV: Birds (May 2004), or listed as endangered or threatened species under the federal Endangered Species Act (64 CFR 14307), and as amended, unless the applicant demonstrates that the proposed location will not have a significant impact on such birds.

(g) In no case shall a wireless communications support structure be constructed so that its base is closer to an existing dwelling than a distance equal to the height of the wireless communications support structure, unless the owner of such dwelling consents in writing that a closer distance is permitted.

(27) Excavation and Processing of Minerals.

(a) Minimum setbacks, as measured from the nearest edge of active mining or processing, shall be established as follows:

(i) Distance from property line: 50 feet;

(ii) Distance from any public road or right-of-way: 50 feet;

(iii) Distance from residences: 100 feet; provided, that the residence is located on a site(s) designated and zoned for residential use;

(iv) Distance from parks, schools, hospitals and/or libraries in existence at the time of permit application: one-fourth mile (1,320 ft);

(v) Distance from UGA boundary: one-fourth mile (1,320 ft).

(b) No mining, processing or permanent buildings shall be located within the setback.

(c) Structures or buildings associated with mineral operations shall be located at least 100 feet from a developed residential property line.

<u>(28) Marijuana production and marijuana processing . The minimum setback for outdoor marijuana production or marijuana processing facilities shall be at least 50 feet from any property line. The minimum setback for indoor marijuana production or marijuana processing facilities shall be at least 30 feet from any property line.</u>

Section 8. Snohomish County Code Section 30.28.050, last amended by Amended Ordinance No. 08-101 on January 1, 2009, is amended to read:

30.28.050 Home occupation.

To verify that a home occupation use is allowed in a particular zone see SCC 30.22.100, 30.22.110, and 30.22.120.

(1) General.

(a) Not more than one person outside the family shall be employed.

(b) The occupation shall be secondary to the use of the dwelling for dwelling purposes.

(c) There shall be no external display of merchandise. No sales or fees for the use of merchandise except that produced by the inhabitants shall be made in the dwelling or on the premises.

(d) The maximum nameplate horsepower rating of any single piece of mechanical equipment used in the home occupation shall be five horsepower, and no equipment shall be three-phase motors. The electrical service for the home occupation shall not exceed 200 amps.

(e) Not more than one-fourth of the total square footage of the dwelling may be used in the occupation.

(f) Signs in connection with the occupation shall be unlighted, shall not exceed two square feet, and shall be attached flat to the building.

(g) The home occupation shall in no way affect the appearance of the building as a residence.

(h) The home occupation shall be fully enclosed within the residence with no outside storage of equipment or materials.

(2) Winemaking in detached accessory structures shall be permitted as a home occupation in the R 9,600 zone, provided that the winery complies with the following:

(a) The home occupant operates under and maintains annual renewals of a valid domestic winery license originally issued by the Washington Department of Licensing, Business and Professionals Division pursuant to the rules and regulations of the state Liquor Control Board before November 1, 2003;

(b) The existing detached accessory structure is located on a lot at least 0.5 acres in size;

(c) The accessory structure does not exceed 2,500 square feet in gross floor area;

(d) The accessory structure meets a minimum setback of five feet from the property line;

(e) The accessory structure meets a building separation of at least 10 feet;

(f) The winery complies with SCC 30.28.050(1)(f). The remaining provisions of SCC 30.28.050(1) do not apply.

(g) Temporary outside storage of materials and equipment used in the production and transport of wine is outside of the setback area; and

(h) A certificate of occupancy is obtained from the department. The certificate of occupancy shall be subject to an annual inspection and renewal pursuant to SCC 30.53A.060.

(3) Use of accessory buildings. Home occupations may be conducted in an accessory building and/or an attached garage in accordance with the following:

(a) The provisions of SCC 30.28.050(1)(a), (c), (d), and (f) shall be met:

(b) A minimum lot size of one acre is required;

(c) SCC Table 30.28.050(3)(c) identifies the maximum allowable, combined accessory building and attached garage area and the minimum required building setback for the garage and/or the accessory building from adjacent residentially zoned properties according to the home occupation lot or parcel size; except that in the rural business zone the requirements of the table shall not apply, and a maximum allowable combined accessory building and attached garage area of 1,000 square feet shall be permitted, and the minimum building setback from adjacent residentially-zoned property shall be 30 feet.

Table 30.28.050(3)(c)
HOME OCCUPATION
MAXIMUM FLOOR AREA/MINIMUM BUILDING SETBACK

	One acre	Two acre	Three acre	Four acre	Five or more acres
Area (sq. ft.)	500	600	700	800	900
Setback (ft.)	30	40	50	60	70

(d) The home occupation shall in no way affect the appearance of the accessory building and/or the attached garage as accessory to the residential dwelling;

(e) The home occupation shall be fully enclosed within the accessory building and/or the attached garage including no outside storage of equipment or materials;

(f) The home occupation shall not create a level of noise vibration, smoke, dust, odors, heat, light, or glare beyond that which is acceptable in a residential area;

(g) The following activities, including any similar activities, are prohibited as home occupations: minor or major automobile, truck or heavy equipment fueling, maintenance or repair; auto-body work or painting; parking or storage of heavy equipment; and any Group H occupancies as defined in the building code except for woodworking and spray finishing in conjunction with woodworking activities;

(h) The home occupation hours of operation shall be limited to: 8:00 a.m. to 8:00 p.m., Monday through Friday; and 9:00 a.m. to 5:00 p.m., Saturday and Sunday; and

(i) A certificate of occupancy shall be obtained from the department prior to commencing the home occupation to ensure building and fire code compliance. The certificate of occupancy shall be subject to an annual inspection and renewal pursuant to SCC 30.53A.060.

(4) Resource-based and rural home occupations. Home occupations that are related to mineral, agriculture or forestry resources, or related to rural residential land uses may use the provisions of this subsection instead of the provisions of SCC 30.28.050(3). When the provisions of this subsection are used, the provisions of SCC 30.28.050(3) shall not be used and all provisions of this subsection shall be met. Home occupations shall be subject to the following:

(a) A resource related home occupation shall be a resource-based business that is dependent upon mineral, agriculture, or forestry resources for its existence;

(b) A home occupation related to a rural residential land use shall be a rural residential-based business that either provides a service or creates a product primarily used in a rural area;

(c) The provisions of SCC 30.28.050(1)(f) shall be met;

(d) The home occupation shall in no way affect the appearance of the accessory building and/or attached garage as accessory to the residential dwelling;

(e) The home occupation hours shall be limited to: 7:00 AM to 8:00 PM, Monday through Friday; and 9:00 AM to 5:00 PM, Saturday and Sunday;

(f) A certificate of occupancy shall be obtained from the department prior to commencing the home occupation to ensure building and fire code compliance. The certificate of occupancy shall be subject to an annual inspection and renewal pursuant to SCC 30.53A.060;

(g) Except for the outside storage area permitted in SCC 30.28.050(4)(j) , the home occupation shall be fully enclosed within an accessory building and/or an attached garage;

(h) A minimum lot size of one acre is required;

(i) SCC Table 30.28.050(4)(i) identifies the maximum allowable combined accessory building and attached garage area and maximum allowable outside storage area that may be used for the home occupation, and minimum side and rear yard setback required for the garage and/or accessory building from adjacent residentially-zoned properties;

Table 30.28.050(4)(i)

HOME OCCUPATION MINIMUM SETBACKS & MAXIMUM ALLOWED AREA

	One acre	Two Acres	Three Acres	Fout Acres	Five Acres	Ten or More Acres
Building Area (sq. ft.	1,000	2,000	3,000	4,000	5,000	7,000
Storage Area (sq. ft.	2,500	2,500	3,000	4,000	5,000	7,000
Setback (ft.)	40	50	60	75	85	100

(j) Outside storage shall be enclosed with a solid fence or landscaped with a sight-obscuring vegetative screen effective in screening the area from adjacent properties and public roads;

(k) The combined accessory building and attached garage area used for the home occupations shall not exceed 7,000 square feet. Any accessory building 4,000 square feet or larger used for a home occupation pursuant to this subsection shall be screened from adjacent rural residential properties by Type A landscaping consistent with SCC Table 30.25.020(1) provisions along the length of the building when any portion of the building is within 100 feet of a property boundary or public right-of-way;

(l) The parking area for any commercial vehicles used in the conduct of the home occupation and all but three vehicles of persons employed in the home occupation shall be located either indoors or within the outside storage area specified in SCC 30.28.050(4)(j);

(m) The home occupation shall comply with applicable county code pertaining to maximum noise levels, drainage and dust control, and shall shield outdoor lighting and glare from adjacent residential properties;

(n) The home occupation shall not employ more than three persons outside the family who perform work on the site; and

(o) The following activities, including any similar activities, are prohibited as rural home occupations: processing of minerals, sawmills, retail or wholesale sale of motor vehicles, major and minor automobile repair (except repair of vehicles and equipment used in a rural residential based or resource-based home occupation business), motor vehicle body work or painting, and any Group H occupancies as defined in the building code, except for woodworking and spray finishing in conjunction with woodworking activities.

<u>(5) The following activities, including any similar activities, are prohibited as home occupations in all zones: marijuana production, marijuana processing, marijuana retail, marijuana collective gardens, marijuana collective garden dispensaries, and marijuana access points.</u>

Section 9. Snohomish County Code Section 30.91M.028B, added by Amended Ordinance No. 12-025 on June 6, 2012, is amended to read:

((~~30.91M.028B~~)) 30.91M.045 Marina.

"Marina" means a water-dependent use that consists of a system of piers, buoys or floats to provide moorage for ten or more boats.

This definition applies only to "Shoreline" regulations in chapters 30.44 and 30.67 SCC.

Section 10. Snohomish County Code Section 30.91M.029, added by Amended Ordinance No. 06-061 on August 1, 2007, is amended to read:

((~~30.91M.029~~)) 30.91M.050 Marine waters.

"Marine waters" means non-wetland salt water bodies of the state regulated under chapter 90.58 RCW where average surface water salinity is equal to or greater than 0.5 parts per thousand (ppt).

Section 11. Snohomish County Code Section 30.91M.030, added by Amended Ordinance No. 02-064, on December 9, 2002, is amended to read:

((~~30.91M.030~~)) 30.91M.055 Master development plan.

"Master development plan" means a plan used to define land uses on county-owned property that has been adopted by the county council after a public review process. A master development plan must define exterior property ownership boundaries and areas for existing and proposed development by land use categories. Examples of a master development plan include the "Paine Field Master Development Plan" and "A Master Plan Update-Evergreen State Fair."

Section 12. A new section is added to Chapter 30.91M of the Snohomish County Code to read:

30.91M.032 Marijuana, marihuana or cannabis.

"Marijuana," "marihuana" or "cannabis" means all parts of the plant cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

Section 13. A new section is added to Chapter 30.91M of the Snohomish County Code to read:

30.91M.034 Marijuana collective garden or medical cannabis garden.

"Marijuana collective garden" or "medical cannabis garden" means any place, area or garden where qualifying patients share responsibility for the purpose of producing, processing, transporting, and delivering cannabis for medical use such as, for example, a location for a collective garden; equipment, supplies and labor necessary to plant, grow, and harvest cannabis; cannabis plants, seeds and cuttings; and equipment, supplies, and labor necessary for proper construction, plumbing, wiring and ventilation of a garden of cannabis plants as authorized under chapter 69.51A RCW.

Section 14. A new section is added to Chapter 30.91M of the Snohomish County Code to read:

30.91M.036 Marijuana collective garden dispensary or access point.

"Marijuana collective garden dispensary" or "access point" means any place where cannabis is delivered, sold, or distributed or offered for delivery, sale, or distribution. Dispensary or access point does not include a private residence where a designated provider delivers medical cannabis to his or her qualifying patient or a private residence where a member of a collective garden delivers medical cannabis to another member of the same collective garden. Dispensary or access point does not include a collective garden, but does include any office, meeting place, club, or other place, which is not located within the same structure as the collective garden itself, where medical cannabis is delivered regardless of whether the delivery is made to another member of the collective garden. Dispensary or access point does not include a place where cannabis is delivered, sold, or distributed if such activity is conducted pursuant to a license or permit issued by the state.

Section 15. A new section is added to Chapter 30.91M of the Snohomish County Code to read:

30.91M.038 Marijuana processing.

"Marijuana processing" means a facility licensed by the state liquor control board to process marijuana into useable marijuana and marijuana-infused products, package and label useable marijuana and marijuana-infused products for sale in retail outlets, and sell useable marijuana and marijuana-infused products at wholesale to marijuana retailers.

Section 16. A new section is added to Chapter 30.91M of the Snohomish County Code to read:

30.91M.040 Marijuana production.

"Marijuana production" means a facility licensed by the state liquor control board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

Section 17. A new section is added to Chapter 30.91M of the Snohomish County Code to read:

30.91M.042 Marijuana retail.

"Marijuana retail" means a facility licensed by the state liquor control board to sell useable marijuana and marijuana-infused products in a retail outlet.

Section 18. Severability and Savings. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid by the Growth Management Hearings Board (Board), or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided, however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by the Board or unconstitutional by a 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 13th day of November, 2013.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Dave Somers, Council Vice-Chair

ATTEST:

Asst. Clerk of the Council

(X) APPROVED
( ) EMERGENCY
( ) VETOED

DATE: 11/18/13

County Executive

ATTEST: