

LOG NUMBERS
 BGT. 10/18/13 CEO 20057246 10/18/13

EXECUTIVE/COUNCIL APPROVAL FORM

MANAGEMENT ROUTING:		TO:	COUNCIL CHAIRPERSON:
EXECUTIVE	<u>John Lovick</u>		SNOHOMISH COUNTY COUNCIL
EXEC. DIR.	<u>Peter Camp</u>		
DIRECTOR/ELECTED	<u>Clay White</u> <i>CW</i>		EXECUTIVE RECOMMENDATION:
DEPARTMENT	<u>Planning & Dev Services</u>	<input type="checkbox"/>	Approve <input type="checkbox"/> No Recommendation
DIV. MGR.	<u>Barb Mock</u> <i>bjm</i>	<input checked="" type="checkbox"/>	Further Processing
DIVISION	<u>Planning</u>		Requested By _____
ORIGINATOR	<u>Troy Holbrook</u> <i>TH</i>		
DATE <u>10/8/13</u>	EXT. <u>6257</u>		<u>PETER B. CAMP</u> <i>10/9/13</i>
			Executive Office Signature <u>Peter B. Camp</u> Executive Director
			CEO Staff Review <u>Camp</u> <i>10/9/13</i>
			Received at Council Office <u>PT 2:40 pm</u> <i>10/9/13</i>

DOCUMENT TYPE:

<input type="checkbox"/> BUDGET ACTION:	<input type="checkbox"/> GRANT APPLICATION
<input type="checkbox"/> Emergency Appropriation	<input checked="" type="checkbox"/> ORDINANCE
<input type="checkbox"/> Supplemental Appropriation	<input checked="" type="checkbox"/> Code Amendment Chapter 30.22 SCC, SCC 30.28.050 and Chapter 30.91M SCC
<input type="checkbox"/> Budget Transfer	<input type="checkbox"/> PLAN
<input type="checkbox"/> CONTRACT:	<input type="checkbox"/> OTHER
<input type="checkbox"/> New	
<input type="checkbox"/> Amendment	

DOCUMENT / AGENDA TITLE:
 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 30.28.050, ADDING NEW SECTIONS TO CHAPTER 30.91M SCC, AND RENUMBERING SECTIONS OF CHAPTER 30.91M SCC

APPROVAL AUTHORITY:

EXECUTIVE _____	COUNCIL <input checked="" type="checkbox"/>
CITE BASIS <u>Chapters 1.02, 2.48 & 30.73 SCC</u>	

HANDLING: NORMAL _____ EXPEDITE _____ URGENT DEADLINE DATE 11-18-13

PURPOSE:
 To adopt amendments to Title 30 of the Snohomish County Code establishing definitions and regulations for marijuana-related facilities.

BACKGROUND:

- In 2011, the Washington State Legislature passed ESSSB 5073 allowing qualifying patients to produce, process, and distribute marijuana for medicinal purposes.
- In 2012, voters approved Initiative No. 502, allowing the production, processing, and retail sale of recreational marijuana. State regulations for the growing, processing, and distribution of medical marijuana are not well-defined at this time. Rules related to the production, processing, and retail sale of recreational marijuana, however, are extensive.
- In August 2013, the County Council directed the Department of Planning and Development Services and the Planning Commission to draft consistent regulations for all marijuana-related facilities, including recreational and medical marijuana facilities. Council would like regulations in place in advance of the LCB application window that opens on November 18, 2013.
- PDS briefed the Planning Commission and the Agricultural Advisory Board on the proposed ordinance on September 10, 2013. The Agricultural Advisory Board made a recommendation which the Planning Commission took into consideration. The Planning Commission took action on September 24, 2013, voting 9 – 0, to recommend approval of an ordinance that has been transmitted under a separate ECAF.

- This ECAF transmits an alternative ordinance in order to provide the full range of options that have been discussed and to help facilitate Councils deliberations.
- PDS has attached a memo outlining the difference between this ordinance and the ordinance recommended by the Planning Commission, transmitted under a separate ECAF.
- The attached ordinance adds definitions for five (5) different types of marijuana facilities, allows these facilities in certain urban, rural and resource zones, establishes conditions for each zone and prohibits these facilities as home occupations or within the Tulalip Indian Reservation.

FISCAL IMPLICATIONS:

EXPEND: FUND, AGY, ORG, ACTY, OBJ, AU	CURRENT YR	2ND YR	1ST 6 YRS
TOTAL	N/A	N/A	N/A

REVENUE: FUND, AGY, ORG, REV, SOURCE	CURRENT YR	2ND YR	1ST 6 YRS
TOTAL	N/A	N/A	N/A

DEPARTMENT FISCAL IMPACT NOTES: *Regn Thorina*

No fiscal impacts anticipated.

No budget action needed

BUDGET REVIEW: Analyst *[Signature]* Administrator *[Signature]* Recommend Approval *[Signature]*

CONTRACT INFORMATION:

ORIGINAL _____ CONTRACT # _____ AMOUNT _____
 AMENDMENT _____ CONTRACT # _____ AMOUNT \$ _____

CONTRACT PERIOD:

ORIGINAL Start _____ End _____
 AMENDMENT Start _____ End _____

CONTRACT / PROJECT TITLE:

CONTRACTOR NAME & ADDRESS (City/State only):

APPROVED:

RISK MANAGEMENT Yes _____ No *NA*

COMMENTS _____

PROSECUTING ATTY - AS TO FORM: Yes *X* No _____

OTHER DEPARTMENTAL REVIEW / COMMENTS:

ELECTRONIC ATTACHMENTS:

- Council 2005, 246 -*
- G:\ECAF\Dept05_PDS\Alt ECAF_Marijuana Regs\ECAF.doc
- G:\ECAF\Dept05_PDS\Alt ECAF_Marijuana Regs\Ordinance.docx
- G:\ECAF\Dept05_PDS\Alt ECAF_Marijuana Regs\Memo.Pdf
- G:\ECAF\Dept05_PDS\Alt ECAF_Marijuana Regs\Summary Ad\Notice.docx
- G:\ECAF\Dept05_PDS\Alt ECAF_Marijuana Regs\Capital Facility Cost Analysis.docx
- G:\ECAF\Dept05_PDS\Alt ECAF_Marijuana Regs\Housing Job Matrix.doc

NON-ELECTRONIC ATTACHMENTS:

- Ordinance
- Staff Report
- Summary Ad
- Index (A CD will be delivered to Council staff separately)

1 Adopted:
2 Effective:

3
4 SNOHOMISH COUNTY COUNCIL
5 Snohomish County, Washington

6
7 ORDINANCE NO. 13- 085
8

9 RELATING TO GROWTH MANAGEMENT; ADOPTING DEVELOPMENT
10 REGULATIONS FOR MEDICAL MARIJUANA FACILITIES AND
11 MARIJUANA PRODUCTION, PROCESSING AND RETAIL FACILITIES;
12 AMENDING CHAPTER 30.22 OF THE SNOHOMISH COUNTY CODE (SCC),
13 AMENDING SCC 30.28.050, ADDING NEW SECTIONS TO CHAPTER 30.91M SCC,
14 AND RENUMBERING SECTIONS OF CHAPTER 30.91M SCC
15

16 WHEREAS, Initiative Measure No. 502 (“I-502”) was passed by the voters of the State
17 of Washington in November 2012, providing a framework under which marijuana producers,
18 processors, and retailers can become licensed by the Washington State Liquor Control Board
19 (“LCB”); and
20

21 WHEREAS, the LCB will begin accepting marijuana license applications for marijuana
22 production, processing, and retail facilities during a 30-day window beginning November 18,
23 2013; and
24

25 WHEREAS, the LCB anticipates issuing marijuana producer, processor, and retail
26 licenses to qualified applicants in December 2013; and
27

28 WHEREAS, in 2011, the Washington State Legislature passed ESSSB 5073, which was
29 codified in Chapter 69.51A RCW and provides that qualifying patients or their designated care
30 providers may create and participate in collective gardens to produce, process, transport, and
31 deliver cannabis for medical use; and
32

33 WHEREAS, this ordinance does not address the legality of the conduct associated with
34 the production, processing, and retailing of marijuana or medical marijuana and should not be
35 construed as approval or waiver of such uses as it relates to other applicable county, state, or
36 federal laws; and
37

38 WHEREAS, the Growth Management Act, Chapter 36.70A RCW (“GMA”), requires
39 Snohomish County (“County”) to regulate land use and development within the County’s
40 jurisdiction; and
41

42 WHEREAS, the County Council finds a legitimate governmental interest exists in
43 regulating the location of such facilities in unincorporated Snohomish County; and
44

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1 WHEREAS, marijuana facilities, whether operating under Chapter 69.51A RCW or
2 under I-502, are not currently addressed in the County Code (“SCC”); and
3

4 WHEREAS, the County Council wishes to provide clarity on where marijuana facilities
5 may locate in unincorporated Snohomish County prior to applicants investing in the LCB
6 licensing process; and
7

8 WHEREAS, the County Council wishes to reduce the risk of confusion and code
9 enforcement issues by adopting zoning regulations that provide clarity on where marijuana
10 businesses may locate in Snohomish County before businesses apply for licenses in locations
11 where such businesses might not be permitted; and
12

13 WHEREAS, the County Council has determined that the proposed amendments to the
14 development regulations promote a county purpose as established under RCW 36.70A.130 and
15 Chapter 30.73 SCC; and
16

17 WHEREAS, the Snohomish County Planning Commission (“Planning Commission”)
18 held a briefing on September 10, 2013, concerning the code amendments contained in this
19 ordinance; and
20

21 WHEREAS, the Planning Commission held a public hearing on September 24, 2013, to
22 receive public testimony concerning the code amendments contained in this ordinance; and
23

24 WHEREAS, at the conclusion of the Planning Commission’s public hearing, the
25 Planning Commission voted to recommend approval of the code amendments as set forth in its
26 recommendation letter dated October 1, 2013; and
27

28 WHEREAS, on November 13, 2013, the County Council held a public hearing after
29 proper notice, and considered public comments and the entire record related to the proposal
30 contained in this ordinance; and
31

32 WHEREAS, following the public hearing, the County Council deliberated on the code
33 amendments contained in this ordinance;
34

35 NOW, THEREFORE, BE IT ORDAINED:
36

37 Section 1. The County Council adopts the following findings in support of this
38 ordinance:
39

- 40 A. The foregoing recitals are adopted as findings as if set forth in full herein.
- 41
- 42 B. This ordinance will amend Title 30 SCC.
- 43
- 44 C. This proposal is consistent with the following goals, objectives and policies contained in
45 the County’s GMA Comprehensive Plan:

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- 1
- 2 1. Goal ED 1 “Promote the maintenance and enhancement of a healthy economy.”
- 3
- 4 2. Goal ED 2 “Provide a planning and regulatory environment which facilitates growth
- 5 of the local economy.”
- 6
- 7 3. ED Policy 2.A.2 “Snohomish County should stress predictability but maintain enough
- 8 flexibility in the Comprehensive Plan and development codes to allow for time
- 9 response to unanticipated and desirable developments.”
- 10
- 11 4. Objective LU 6.B “Encourage land use activities and development intensities that
- 12 protect the character of rural areas, avoid interference with resource land uses,
- 13 minimize impacts upon critical areas, and allow for future expansion of UGAs.”
- 14
- 15 5. Policy LU 6.B.3 “Resource-based industries that help sustain rural communities,
- 16 require only rural levels of service, support the conservation of natural resource lands,
- 17 and complement rural character shall be promoted in rural areas.”
- 18
- 19 6. Objective LU 6.E “Within rural residential areas, recognize existing businesses that
- 20 are an integral part of the rural character and provide for small-scale, commercial
- 21 developments that support the immediate rural population with necessary goods and
- 22 services.”
- 23
- 24 7. Policy LU 6.E.1 “Within the rural residential designations of the Future Land Use
- 25 Map, limited commercial uses shall be permitted within a Rural Business zone that
- 26 provide opportunities for retail sales and services to the surrounding rural
- 27 population.”
- 28
- 29 8. Policy LU 6.G.2 “Recognize the existing rural industrial designations and zones in the
- 30 county that contribute to the economic diversity of the unincorporated areas of the
- 31 county and provide employment opportunities to nearby rural populations.”
- 32
- 33 9. Objective LU 7.C “Enhance and encourage the agricultural industry through the
- 34 development and adoption of supporting programs and code amendments.”
- 35
- 36 10. 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.”

37 D. Procedural requirements.

- 38
- 39 1. This ordinance is consistent with state law and chapter 30.73 SCC.
- 40
- 41 2. State Environmental Policy Act, Chapter 43.21C RCW (“SEPA”), requirements with
- 42 respect to this non-project action have been satisfied through the completion of an
- 43 environmental checklist and the issuance of a determination of non-significance on
- 44 October 9,, 2013.

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

5
6 4. The public participation process used in the adoption of this ordinance has complied
7 with all applicable requirements of the GMA and the SCC.

8
9 5. As required by RCW 36.70A.370, the Washington State Attorney General last issued
10 an advisory memorandum in December of 2006 entitled “Advisory Memorandum:
11 Avoiding Unconstitutional Takings of Private Property” to help local governments avoid
12 the unconstitutional taking of private property. The process outlined in the State
13 Attorney General’s 2006 advisory memorandum was used by the County in objectively
14 evaluating the regulatory changes proposed by this ordinance.

15
16 E. This ordinance is consistent with the record.

17
18 1. The lack of regulations addressing marijuana facilities may create nonconforming
19 uses and potential code enforcement issues.

20
21 2. The LCB will begin accepting license applications for marijuana facilities beginning
22 November 18, 2013, leaving limited time for the County to adopt land use regulations
23 addressing such facilities.

24
25 3. Marijuana retail and collective garden dispensaries or access points are appropriate in
26 the Neighborhood Business, Planned Community Business, Community Business,
27 General Commercial, Business Park, Light Industrial, Heavy Industrial and Urban
28 Center zones. Retail and liquor stores are permitted uses in these zones. Marijuana
29 retail and collective garden dispensaries or access points are similar to retail uses
30 and liquor stores and are compatible with these zoning designations.

31
32 4. Marijuana processing, marijuana production and collective gardens are appropriate in
33 the Industrial Park, Business Park, Light Industrial, and Heavy Industrial zones.
34 Manufacturing and industrial uses are permitted uses in these zones. Marijuana
35 processing, marijuana production and collective gardens are similar to manufacturing
36 and industrial uses and are compatible with these zoning designations.

37
38 5. Marijuana production and processing are appropriate in the Agricultural 10 and Rural
39 Industrial zones. Agricultural production and processing are permitted uses in these
40 zones. Marijuana production and processing are similar to agricultural production and
41 processing and are compatible with these zoning designations.

42
43 6. Marijuana collective gardens are appropriate in the Rural Industrial zone.
44 Agricultural production and processing are permitted uses in this zone. Marijuana

1 production and processing are similar to agricultural production and processing and is
2 compatible with this zoning designation.

- 3
- 4 7. The minimum lot size, requirement for marijuana facilities in the Agricultural 10 and
5 Rural Industrial zones help to ensure compatibility and preserve the rural character in
6 these zones.
- 7
- 8 8. Allowing marijuana processing only in conjunction with marijuana production in the
9 Agricultural 10 and Rural Industrial zones supports the agricultural community and
10 help to preserve rural character.
- 11
- 12 9. Marijuana retail and collective garden dispensaries or access points are appropriate in
13 the Rural Business zone. Retail and liquor stores are permitted uses in this zone.
14 Marijuana retail and collective garden dispensaries or access points are similar to
15 retail uses and liquor stores and are compatible with this zoning designation.
- 16
- 17 10. In June of 2013, the Tulalip Tribes, the County officially adopted a Memorandum of
18 Understanding (“MOU”) aimed at improving land use coordination and cooperative
19 problem-solving.
- 20
- 21 a. The main objectives of the coordinated land use planning process are to
22 reduce conflicts between the governments in land use policies, zoning and
23 processes and achieve Comprehensive Plan alignment.
- 24
- 25 b. In honor of the County’s government to government relationship with the
26 Tribes and considering the progress being made toward comprehensive plan
27 alignment, the County does not wish to create any new land use conflicts.
- 28
- 29 c. The Tulalip Tribes has publicly stated that marijuana is illegal on the Tulalip
30 Indian Reservation, without exception.
- 31
- 32 d. Therefore, the County prohibits marijuana-related facilities on all land subject
33 to County land use regulations lying within the exterior boundaries of the
34 Tulalip Indian Reservation.
- 35
- 36 11. Adopting definitions for marijuana related facilities is necessary to provide clarity
37 and consistency. The definition for “Marijuana” is consistent with RCW
38 69.50.101(s) as amended by SSB 5524 in 2013. The definition for “Marijuana
39 processor” is consistent with RCW 69.50.101(t) (as amended by SSB 5524 in 2013).
40 The definition for “Marijuana producer” is consistent with RCW 69.50.101(u) (as
41 amended by SSB 5524 in 2013). The definition for “Marijuana retailer” is consistent
42 with RCW 69.50.101(ff) (as amended by SSB 5524 in 2013). The definition for
43 “Marijuana collective garden” is consistent with RCW 69.51A.085(2). The definition
44 for “Marijuana collective garden dispensary or access point” is consistent with
45 Chapter 69.51A RCW.

1
2 12. Restricting marijuana related facilities as a home occupation is necessary to prevent
3 impacts to residential neighborhoods and to protect the public health safety and
4 welfare and is consistent with proposed WAC 314-55-015(5) where the LCB has
5 indicated that it will not approve any marijuana license for a location where law
6 enforcement access, without notice or cause, is limited, such as at residences.
7

8 13. The County Council intends to adopt land use regulations related to medical cannabis,
9 as authorized under Chapter 69.51A RCW, that are similar to and consistent with the
10 County's regulations relating to the production, processing and retailing of marijuana
11 authorized under I-502.
12

13 Section 2. The County Council makes the following conclusions:

14
15 A. The proposal is consistent with the goals, objectives and policies of the County's GMA
16 Comprehensive Plan.
17

18 B. The proposal is consistent with Washington State law and the Snohomish County Code.
19

20 C. The County has complied with all SEPA requirements in respect to this non-project
21 action.
22

23 D. The regulations proposed by this ordinance do not result in an unconstitutional taking of
24 private property for a public purpose.
25

26 E. This ordinance is necessary to prevent marijuana facilities from locating in areas where
27 they would be detrimental to the public health, safety and welfare.
28

29 Section 3. The County Council bases its findings and conclusions on the entire record of
30 the County Council, including all testimony and exhibits. Any finding which should be deemed
31 a conclusion, and any conclusion which should be deemed a finding, is hereby adopted as such.
32

33 Section 4. Snohomish County Code Section 30.22.100, last amended by Amended
34 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

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TYPE OF USE	R9,600 ₈₈	R8,400 ⁸ ₈	R7,200 ⁸ 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																	
1 to 8 Resident Facility	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P
9 to 24 Resident Facility	S	S	S	S	S	P	P	P	P	P		P	P	P	P	P	P
Construction Contracting										P		P	P	P	P		
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	

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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		

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TYPE OF USE	R9,600 ⁸⁸	R8,400 ⁸	R7,200 ⁸	T	LDMR	MR	NB	PCB	CB	GC	FS	IP ⁷⁶	BP	LJ ^{55,76}	HI ⁵⁵	MHP ¹¹⁴	UC ¹¹⁷
Farm Stand Up to 400 sq ft ⁹ 401 to 5,000 sq ft ⁹⁹	P	P	P						P	P				P	P		
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	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	A	
4,001 sq ft and Greater ^{41, 59}	C	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	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	
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

ORDINANCE NO. 13-_____
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 30.28.050, ADDING NEW SECTIONS TO CHAPTER 30.91M SCC, AND RENUMBERING SECTIONS OF CHAPTER 30.91M SCC

TYPE OF USE	R9,600 ₈₆	R8,400 ⁸ ₈	R7,200 ⁸ 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 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

ORDINANCE NO. 13-_____
RELATING TO GROWTH MANAGEMENT; ADOPTING DEVELOPMENT REGULATIONS
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AND RETAIL FACILITIES; AMENDING CHAPTER 30.22 OF THE SNOHOMISH COUNTY
CODE (SCC), AMENDING SCC 30.28.050, ADDING NEW
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TYPE OF USE	R9,600 ₈₈	R8,400 ⁸ ₈	R7,200 ⁸ 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																	
<u>Marijuana Collective Garden</u> ¹²³												P	P	P	P		
<u>Marijuana Collective Garden Dispensary, or Access Point</u>							P	P	P	P			P	P	P		P
<u>Marijuana Processing</u> ¹²³												P	P	P	P		
<u>Marijuana Production</u> ¹²³												P	P	P	P		
<u>Marijuana Retail</u>							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 ¹¹ ₃		C ¹¹ ₃	C ¹¹³	C ¹¹³	C ¹¹³		
Motor Vehicle & Equipment Sales									P ²³	P				P	P		P ²³

ORDINANCE NO. 13-_____
RELATING TO GROWTH MANAGEMENT; ADOPTING DEVELOPMENT REGULATIONS
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AND RETAIL FACILITIES; AMENDING CHAPTER 30.22 OF THE SNOHOMISH COUNTY
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TYPE OF USE	R9,600 ₈₈	R8,400 ⁸ ₈	R7,200 ⁸ ₈	T	LDMR	MR	NB	PCB	CB	GC	FS	IP ⁷⁶	BP	LJ ^{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		

ORDINANCE NO. 13-_____
RELATING TO GROWTH MANAGEMENT; ADOPTING DEVELOPMENT REGULATIONS
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AND RETAIL FACILITIES; AMENDING CHAPTER 30.22 OF THE SNOHOMISH COUNTY
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TYPE OF USE	R9,600 ₈₈	R8,400 ⁸ ₈	R7,200 ⁸ ₈	T	LDMR	MR	NB	PCB	CB	GC	FS	IP ⁷⁶	BP	LJ ^{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	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	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	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	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	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	C

ORDINANCE NO. 13-_____
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
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TYPE OF USE	R9,600 ₈₈	R8,400 ^B ₈	R7,200 ^B ₈	T	LDMR	MR	NB	PCB	CB	GC	FS	IP ⁷⁶	BP	LJ ^{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		

ORDINANCE NO. 13-_____
RELATING TO GROWTH MANAGEMENT; ADOPTING DEVELOPMENT REGULATIONS
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TYPE OF USE	R9,600 ₈₈	R8,400 ⁸ ₈	R7,200 ⁸ 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	<p>A blank box indicates a use is not allowed in a specific zone.</p> <p>Note: Reference numbers within matrix indicate special conditions apply; see SCC30.22.130.</p> <p>Check other matrices in this chapter if your use is not listed above.</p>																
A - Administrative Conditional Use																	
C - Conditional Use																	
S - Special Use																	

1
2
3
4
5

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:

ORDINANCE NO. 13-_____
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
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SECTIONS TO CHAPTER 30.91M SCC, AND RENUMBERING SECTIONS OF CHAPTER 30.91M SCC

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				

ORDINANCE NO. 13-_____
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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	

ORDINANCE NO. 13-_____
RELATING TO GROWTH MANAGEMENT; ADOPTING DEVELOPMENT REGULATIONS
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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 Business⁹⁴	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 Market⁹³	P	P	P ¹⁰¹	P	P	P	P			P	
			A ^{101, 115}								
Farmland Enterprises⁹⁵		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	

ORDINANCE NO. 13-_____ 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 30.28.050, ADDING NEW SECTIONS TO CHAPTER 30.91M SCC, AND RENUMBERING SECTIONS OF CHAPTER 30.91M SCC

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

ORDINANCE NO. 13-_____
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 30.28.050, ADDING NEW
SECTIONS TO CHAPTER 30.91M SCC, AND RENUMBERING SECTIONS OF CHAPTER 30.91M SCC

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				
<u>Marijuana Collective Garden</u> ¹²²							P				
<u>Marijuana Collective Garden Dispensary, or Access Point</u>				P							
<u>Marijuana Processing</u> ¹²²							P			P	
<u>Marijuana Production</u> ¹²²							P			P	
<u>Marijuana Retail</u>				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	

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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 <small>27, 41, 104, 105, 106</small>	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		

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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

ORDINANCE NO. 13-_____ 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 30.28.050, ADDING NEW SECTIONS TO CHAPTER 30.91M SCC, AND RENUMBERING SECTIONS OF CHAPTER 30.91M SCC

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			

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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 - Administrative Conditional Use
C - Conditional Use
S - Special Use

A blank box indicates a use is not allowed in a specific zone.

Note: Reference numbers within matrix indicate special conditions apply; see SCC30.22.130.

Check other matrices in this chapter if your use is not listed above.

ORDINANCE NO. 13-_____

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1
2
3 Section 6. Snohomish County Code Section 30.22.130, last amended by Amended
4 Ordinance No. 13-064 on September 9, 2013, is amended to read:
5

6 **30.22.130 Reference notes for use matrix.**

7 (1) Airport, Stage 1 Utility:

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

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

10 (c) When the airport is included in an airpark, the disclosure requirements of SCC
11 30.28.005 shall apply.

12 (2) Day Care Center:

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

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

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

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

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

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

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

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

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

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

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

38 (6) Dwelling, Mobile Home:

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

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

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

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

45 (ii) a perimeter masonry foundation;

- 1 (d) Shall have the wheels and tongue removed; and
2 (e) In the RU zone the above only applies if the permitted lot size is less than 20,000
3 square feet.
- 4 (7) Fallout Shelter, Joint, by two or more property owners:
5 Side and rear yard requirements may be waived by the department along the boundaries lying
6 between the properties involved with the proposal, and zone; provided that its function as a
7 shelter is not impaired.
- 8 (8) Family Day Care Home:
9 (a) No play yards or equipment shall be located in any required setback from a street; and
10 (b) Outdoor play areas shall be fenced or otherwise controlled.
- 11 (9) Farm Stand:
12 (a) There shall be only one stand on each lot; and
13 (b) At least 50% by farm product unit of the products sold shall be grown, raised or
14 harvested in Snohomish County, and 75% by farm product unit of the products sold shall be
15 grown, raised or harvested in the State of Washington.
- 16 (10) Farm Worker Dwelling:
17 (a) At least one person residing in each farm worker dwelling unit shall be employed full
18 time in the farm operation;
19 (b) An agricultural farm worker dwelling unit affidavit must be signed and recorded with
20 the county attesting to the need for such dwellings to continue the farm operation;
21 (c) The number of farm worker dwellings shall be limited to one per each 40 acres under
22 single contiguous ownership to a maximum of six total dwellings, with 40 acres being required
23 to construct the first accessory dwelling unit. Construction of the maximum number of dwelling
24 units permitted shall be interpreted as exhausting all residential potential of the land until such
25 time as the property is legally subdivided; and
26 (d) All farm worker dwellings must be clustered on the farm within a 10-acre farmstead
27 which includes the main dwelling. The farmstead's boundaries shall be designated with a legal
28 description by the property owner with the intent of allowing maximum flexibility while
29 minimizing interference with productive farm operation. Farm worker dwellings may be located
30 other than as provided for in this subsection only if environmental or physical constraints
31 preclude meeting these conditions.
- 32 (11) Home Occupation: See SCC 30.28.050.
- 33 (12) Kennel, Commercial: There shall be a five-acre minimum lot area; except in the R-
34 5 and RD zones, where 200,000 square feet shall be the minimum lot area.
- 35 (13) Kennel, Private-breeding, and Kennel, Private Non-breeding: Where the animals
36 comprising the kennel are housed within the dwelling, the yard or some portion thereof shall be
37 fenced and maintained in good repair or to contain or to confine the animals upon the property
38 and restrict the entrance of other animals.
- 39 (14) Parks, Publicly-owned and Operated:
40 (a) No bleachers are permitted if the site is less than five acres in size;
41 (b) All lighting shall be shielded to protect adjacent properties; and
42 (c) No amusement devices for hire are permitted.
- 43 (15) Boarding House: There shall be accommodations for no more than two persons.
- 44 (16) RESERVED for future use (Social Service Center - DELETED by Amended Ord. 04-
45 010 effective March 15, 2004)

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

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

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

7 (18) Temporary Dwelling for a relative:

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

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

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

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

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

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

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

21 (h) Adequate screening, landscaping, or other measures shall be provided pursuant to SCC
22 30.25.028 to protect surrounding property values and ensure compatibility with the immediate
23 neighborhood;

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

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

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

31 (19) Recreational Vehicle:

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

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

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

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

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

41 (iii) Subject to SCC 30.22.130(19)(a) and (b) above and SCC 30.22.120(7)(b),
42 temporary overnight use in a mobile home park, which has been in existence continuously since
43 1970 or before, that provides septic or sewer service, water and other utilities, and that has an
44 RV flood evacuation plan that has been approved and is on file with the Department of
45

1 Emergency Management and Department of Planning and Development Services.

2 (20) Ultralight Airpark:

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

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

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

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

15 (ii) occur between sunset and sunrise;

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

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

20 (21) Craft Shop:

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

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

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

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

28 (23) Motor Vehicle and Equipment Sales: In the CB and CRC zone, all display, storage,
29 and sales activities shall be conducted indoors.

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

32 (25) Rural Industry:

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

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

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

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

42 (26) Sawmill, Shake and Shingle Mill:

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

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

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

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

7 (27) Governmental and Utility Structures and Facilities:

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

9 (28) Excavation and Processing of Minerals:

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

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

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

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

20 (30) Forest Industry Storage & Maintenance Facility (except harvesting) adjacent to
21 property lines in the RU zone shall provide 15-foot wide Type A landscaping as defined in SCC
22 30.25.017.

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

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

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

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

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

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

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

37 (32) Campground:

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

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

40 (33) Commercial Vehicle Home Basing:

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

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

44 (c) The vehicles shall be in operable conditions.

45 (34) Distillation of Alcohol:

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

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

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

6 (35) RESERVED for future use (Group Care Facility - DELETED by Amended Ord. 04-
7 010 effective March 15, 2004)

8 (36) Mobile Home and Travel Trailer Sales:

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

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

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

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

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

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

24 (38) Mobile Home Park: Such development must fulfill the requirements of chapter
25 30.42E SCC.

26 (39) Sludge Utilization: See SCC 30.28.085.

27 (40) Homestead Parcel: See SCC 30.28.055.

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

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

32 (43) Petroleum Products and Gas, Bulk Storage:

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

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

36 (44) Auto Wrecking Yards and Junkyards: A sight-obscuring fence a minimum of seven
37 feet high shall be established and maintained in the LI zone. For requirements for this use, SCC
38 30.25.020 and 30.25.050 applies.

39 (45) Antique Shops when established as a home occupation as regulated by SCC
40 30.28.050(1); provided further that all merchandise sold or offered for sale shall be
41 predominantly "antique" and antique-related objects.

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

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

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

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

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

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

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

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

14 (52) Greenhouses, Lath Houses, and Nurseries:

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

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

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

21 (d) Incidental sales of garden tools and associated gardening accessories shall be less than
22 25 percent of the sales of products produced in the greenhouse, lath house, or nursery.

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

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

27 (55) Noise of Machines and Operations in the LI and HI zones shall comply with chapter
28 10.01 SCC and machines and operations shall be muffled so as not to become objectionable due
29 to intermittence, beat frequency, or shrillness.

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

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

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

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

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

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

39 (c) The following compatibility standards shall apply:

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

1 County Communities to review techniques recommended to achieve neighborhood
2 compatibility;

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

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

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

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

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

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

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

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

35 (62) Accessory Apartments: See SCC 30.28.010.

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

38 (64) RESERVED for future use.

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

44 (66) An application for a conditional use permit to allow an off-site hazardous waste
45 treatment and storage facility shall demonstrate compliance with the state siting criteria for

1 dangerous waste management facilities pursuant to RCW 70.105.210 and WAC 173-303-282 as
2 now written or hereafter amended.

3 (67) Adult Entertainment Uses: See SCC 30.28.015.

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

5 (69) Bakery: In the NB zone, the gross floor area of the use shall not exceed 1,000 square
6 feet and the bakery business shall be primarily retail in nature.

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

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

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

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

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

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

20 (d) On sites located in RC and R-5 zones, Type A landscaping as defined in SCC
21 30.25.017 is required to screen any outside storage, including animal waste storage, and parking
22 areas from adjacent properties;

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

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

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

29 (73) Temporary Residential Sales Coach (TRSC):

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

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

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

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

38 (i) plat construction plans have been approved;

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

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

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

44 (74) Golf Course and Driving Range: In the A-10 zone, artificial lighting of the golf course
45 or driving range shall not be allowed. Land disturbing activity shall be limited in order to

1 preserve prime farmland. At least 75 percent of prime farmland on site shall remain undisturbed.

2 (75) Model Hobby Park: SCC 30.28.060.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

45 (84) RESERVED for future use.

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

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

3 (87) Wedding Facility:

4 (a) Such use is permitted only:

5 (i) on vacant and undeveloped land;

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

7 (iii) partially outside of permanent structures and partially inside of one or
8 more permanent structures which were legally existing on January 1,
9 2001; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

41 (88) Public/Institutional Use Designation (P/IU): When applied to land that is (a) included in
42 an Urban Growth Area and (b) designated P/IU on the Snohomish County Future Land Use Map
43 concurrent with or prior to its inclusion in a UGA, the R-7,200, R-8,400 and R-9,600 zones shall
44 allow only the following permitted or conditional uses: churches, and school instructional

1 facilities. All other uses are prohibited within areas that meet criteria (a) and (b), unless the P/IU
2 designation is changed.

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

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

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

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

9 (90) Health and social service facilities regulated under this title do not include secure
10 community transition facilities (SCTFs) proposed pursuant to chapter 71.09 RCW. See SCC
11 30.91H.095.

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

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

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

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

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

30 (93) Farmers Market: See SCC 30.28.036.

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

32 (95) Farmland Enterprise: See SCC 30.28.037.

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

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

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

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

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

38 (99) Farm Stand: See SCC 30.28.039.

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

44 (101) Farmers Market: Allowed as a Permitted Use (P) when sited on land designated
45 riverway commercial farmland, upland commercial farmland or local commercial farmland in

1 the comprehensive plan. Allowed as an Administrative Conditional Use (A) when sited on land
2 not designated riverway commercial farmland, upland commercial farmland or local commercial
3 farmland in the comprehensive plan.

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

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

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

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

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

15 (107) Agricultural composting requirements:

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

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

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

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

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

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

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

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

44 (109) Privately operated off-road vehicle (ORV) use areas shall be allowed by conditional
45 use permit on Forestry and Recreation (F&R) zoned property designated Forest on the

1 comprehensive plan future land use map. These areas shall be identified by an F&R ORV suffix
2 on the zoning map. Privately operated ORV use areas are regulated pursuant to SCC 30.28.080,
3 SCC 30.28.085 and other applicable county codes.

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

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

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

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

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

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

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

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

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

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

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

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

34 (122) The minimum lot size for marijuana related facilities is 10 acres. Marijuana production
35 is allowed indoors and outdoors. Marijuana processing is only allowed when there is a
36 marijuana production facility on site. Marijuana-related facilities are prohibited within the
37 exterior boundaries of the Tulalip Indian Reservation.

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

40
41

1 Section 7. Snohomish County Code Section 30.28.050, last amended by Amended
2 Ordinance No. 08-101 on January 1, 2009, is amended to read:

3 **30.28.050 Home occupation.**

4 To verify that a home occupation use is allowed in a particular zone see SCC 30.22.100,
5 30.22.110, and 30.22.120.

6 (1) General.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

32 (f) The winery complies with SCC 30.28.050(1)(f). The remaining provisions of SCC
33 30.28.050(1) do not apply.

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

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

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

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

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

42 (c) SCC Table 30.28.050(3)(c) identifies the maximum allowable, combined accessory
43 building and attached garage area and the minimum required building setback for the garage

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

6 **Table 30.28.050(3)(c)**
 7 **HOME OCCUPATION**
 8 **MAXIMUM FLOOR AREA/MINIMUM BUILDING SETBACK**
 9

	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

12
 13 (d) The home occupation shall in no way affect the appearance of the accessory building
 14 and/or the attached garage as accessory to the residential dwelling;

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

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

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

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

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

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

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

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

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

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

41 (e) The home occupation hours shall be limited to: 7:00 AM to 8:00 PM, Monday through
 42 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	Four 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

1 based or resource-based home occupation business), motor vehicle body work or painting, and
2 any Group H occupancies as defined in the building code, except for woodworking and spray
3 finishing in conjunction with woodworking activities.

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

7 Section 8. Snohomish County Code Section 30.91M.028B, added by Amended
8 Ordinance No. 12-025 on June 6, 2012, is amended to read:
9

10 **((30.91M.028B)) 30.91M.045 Marina.**

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

13 *This definition applies only to "Shoreline" regulations in chapters 30.44 and 30.67 SCC.*
14

15 Section 9. Snohomish County Code Section 30.91M.029, added by Amended Ordinance
16 No. 06-061 on August 1, 2007, is amended to read:

17 **((30.91M.029)) 30.91M.050 Marine waters.**

18 "Marine waters" means non-wetland salt water bodies of the state regulated under chapter
19 90.58 RCW where average surface water salinity is equal to or greater than 0.5 parts per
20 thousand (ppt).
21

22 Section 10. Snohomish County Code Section 30.91M.030, added by Amended
23 Ordinance No. 02-064, on December 9, 2002, is amended to read:

24 **((30.91M.030)) 30.91M.055 Master development plan.**

25 "Master development plan" means a plan used to define land uses on county-owned property
26 that has been adopted by the county council after a public review process. A master development
27 plan must define exterior property ownership boundaries and areas for existing and proposed
28 development by land use categories. Examples of a master development plan include the "Paine
29 Field Master Development Plan" and "A Master Plan Update-Evergreen State Fair."
30

31 Section 11. A new section is added to Chapter 30.91M of the Snohomish County Code to
32 read:
33

34 **30.91M.032 Marijuana, marihuana or cannabis.**
35

36 "Marijuana," "marihuana" or "cannabis" means all parts of the plant cannabis, whether growing
37 or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds
38 thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt,
39 derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the
40 mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the
41 plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature

1 stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant
2 which is incapable of germination.

3
4 Section 12. A new section is added to Chapter 30.91M of the Snohomish County Code to
5 read:

6
7 **30.91M.034 Marijuana collective garden or medical cannabis garden.**

8
9 “Marijuana collective garden” or “medical cannabis garden” means any place, area or garden
10 where qualifying patients share responsibility for the purpose of producing, processing,
11 transporting, and delivering cannabis for medical use such as, for example, a location for a
12 collective garden; equipment, supplies and labor necessary to plant, grow, and harvest cannabis;
13 cannabis plants, seeds and cuttings; and equipment, supplies, and labor necessary for proper
14 construction, plumbing, wiring and ventilation of a garden of cannabis plants as authorized under
15 chapter 69.51A RCW.

16
17 Section 13. A new section is added to Chapter 30.91M of the Snohomish County Code to
18 read:

19
20 **30.91M.036 Marijuana collective garden dispensary or access point.**

21
22 “Marijuana collective garden dispensary” or “access point” means any place where cannabis is
23 delivered, sold, or distributed or offered for delivery, sale, or distribution. Dispensary or access
24 point does not include a private residence where a designated provider delivers medical cannabis
25 to his or her qualifying patient or a private residence where a member of a collective garden
26 delivers medical cannabis to another member of the same collective garden. Dispensary or access
27 point does not include a collective garden, but does include any office, meeting place, club, or
28 other place, which is not located within the same structure as the collective garden itself, where
29 medical cannabis is delivered regardless of whether the delivery is made to another member of
30 the collective garden. Dispensary or access point does not include a place where cannabis is
31 delivered, sold, or distributed if such activity is conducted pursuant to a license or permit issued
32 by the state.

33
34 Section 14. A new section is added to Chapter 30.91M of the Snohomish County Code to
35 read:

36
37 **30.91M.038 Marijuana processing.**

38
39 "Marijuana processing" means a facility licensed by the state liquor control board to process
40 marijuana into useable marijuana and marijuana-infused products, package and label useable
41 marijuana and marijuana-infused products for sale in retail outlets, and sell useable marijuana
42 and marijuana-infused products at wholesale to marijuana retailers.

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

3
4 **30.91M.040 Marijuana production.**

5
6 "Marijuana production" means a facility licensed by the state liquor control board to produce and
7 sell marijuana at wholesale to marijuana processors and other marijuana producers.

8
9 Section 16. A new section is added to Chapter 30.91M of the Snohomish County Code to
10 read:

11
12 **30.91M.042 Marijuana retail.**

13
14 "Marijuana retail" means a facility licensed by the state liquor control board to sell useable
15 marijuana and marijuana-infused products in a retail outlet.

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

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33 *[The remainder of this page is intentionally left blank.]*
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1 PASSED this ___ day of _____, 2013.

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SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Chairperson

ATTEST:

Clerk of the Council

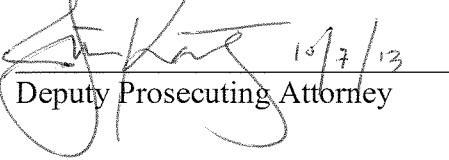
- APPROVED
- EMERGENCY
- VETOED

DATE: _____

County Executive

ATTEST:

Approved as to form only:

 10/7/13
Deputy Prosecuting Attorney

Snohomish County: Analysis of Building and Land Use Regulation Effects on Housing and Jobs

Proposed Regulation:

ORDINANCE NO. 13-___ 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 30.28.050, ADDING NEW SECTIONS TO CHAPTER 30.91M SCC, AND RENUMBERING SECTIONS OF CHAPTER 30.91M SCC

Date: October 8, 2013

Staff Contact: Troy Holbrook, PDS, extension 6257

	Increase	Decrease	Neutral	Uncertain	Comments
Housing					
Capacity/Targets			X		Not impacted by proposal
Cost of housing dvpt:			X		Not impacted by proposal
• Infrastructure			X		Not impacted by proposal
• Site			X		Not impacted by proposal
• Building const.			X		Not impacted by proposal
• Fees			X		Not impacted by proposal
• Yield			X		Not impacted by proposal
Timing			X		Not impacted by proposal
Jobs					
Capacity/Targets			X		Not impacted by proposal
Cost of com'l/ind dvpt:			X		Not impacted by proposal
• Infrastructure			X		Not impacted by proposal
• Site			X		Not impacted by proposal
• Building const.			X		Not impacted by proposal
• Fees			X		Not impacted by proposal
• Yield			X		Not impacted by proposal
Time to Create Jobs			X		Not impacted by proposal
# Family Wage Jobs				X	May support jobs

Discussion:

This is a non-project proposal adopting amendments to Title 30 of the Snohomish County Code establishing definitions and regulations for marijuana-related facilities.

The proposal does not relate to housing development and therefore has a neutral impact on housing supply and opportunities. The proposal is supportive of agriculture and may have an economic benefit by ensuring a diversity of uses.

Snohomish County Capital Facility Development Cost Analysis Summary

Project/Document Title: ORDINANCE NO. 13- ___ 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 30.28.050, ADDING NEW SECTIONS TO CHAPTER 30.91M SCC, AND RENUMBERING SECTIONS OF CHAPTER 30.91M SCC

Date: **October 8, 2013**

Primary Staff Contact: **Troy Holbrook, Ext. 6257**

General Cost Analysis Summary:

This is a non-project proposal to adopt amendments to Title 30 of the Snohomish County Code establishing definitions and regulations for marijuana-related facilities. The recommendation is not anticipated to increase the demand for county capital facilities.

Necessary Facility	Quantification/Qualification of Anticipated Cost:
Parks	County Funded Impacts – None anticipated. Other Fund Sources Impacts – None.
Roads & Transit	County Funded Impacts – None anticipated. An increase in vehicle trips is not anticipated, additional costs to improve and maintain roads is not anticipated. Other Fund Sources Impacts – None.
Surface Water	County Funded Impacts- None anticipated. Other Fund Sources Impacts – None.
Public Schools	County Funded Impacts – None, funding of schools responsibility of local district. Other Fund Sources Impacts – None.
Electric Power	County Funded Impacts – None, funding of electric power is the responsibility of the local district or city. Other Fund Sources Impacts – None.
Public Water	County Funded Impacts – None, funding of public water is the responsibility of the local district or city. Other Fund Sources Impacts – None.
Wastewater	County Funded Impacts – None, funding of wastewater treatment is the responsibility of the local district or city. Other Fund Sources Impacts – None.



Snohomish County
Planning and Development Services

John Lovick
County Executive

Clay White, Director
3000 Rockefeller Avenue M/S #604
Everett, WA 98201-4046
(425) 388-3311 FAX (425) 388-3832

MEMORANDUM

TO: Councilmember Stephanie Wright, Council Chair
Councilmember Dave Somers, Vice-Chair
Councilmember Dave Gossett
Councilmember John Koster
Councilmember Brian Sullivan

FROM: Troy Holbrook, Principal Planner *TH*

DATE: October 7, 2013

SUBJECT: Marijuana-Related Facilities

Planning and Development Services (PDS) has transmitted two ordinances addressing marijuana-related facilities to Council under two separate ECAFs. An attachment to this memo illustrates the differences between these ordinances.

In August 2013, the County Council directed the Department of Planning and Development Services and the Planning Commission to draft consistent regulations for all marijuana-related facilities, including I-502 (recreational) and medical marijuana facilities. Council expressed a desire to have regulations in place in advance of the Liquor Control Board (LCB) application window that opens on November 18, 2013.

One ECAF has a draft ordinance developed by PDS based on early direction from Council. In response to the need to get permanent regulations in place, PDS held a workshop with council staff on August 23, 2013, and began drafting regulations for discussion. The ordinance was drafted to align local regulations addressing marijuana related- facilities with state law, which can be implemented with minimal decision points. This ordinance was transmitted to the Planning Commission and the Agricultural Advisory Board for consideration.

The other ECAF transmits an ordinance that was recommended for approval by the Planning Commission. PDS briefed the Planning Commission and the Agricultural Advisory Board on the proposed ordinance on September 10, 2013. The Agricultural Advisory Board made a recommendation which the Planning Commission took into consideration. The Planning Commission took action on September 24, 2013, voting 9 – 0, to recommend approval of the proposed ordinance.

Subsequent to the Agricultural Advisory Board and Planning Commissions meetings, PDS added a provision that prohibits marijuana-related facilities within the boundaries of the Tulalip Indian Reservation. This provision is not included in the Planning Commission recommendation as it was not part of the proposal for their consideration.

In light of the short timeframe and complexities of the issues, PDS has forwarded both ordinances in order to provide the full range of options that have been discussed and to help facilitate Councils deliberations. Council may want to consider blending parts of both ordinances, such as the prohibition of marijuana-related facilities within the boundaries of the Tulalip Indian Reservation. A table is attached to this memo that summarizes the two ordinances.

Attachment: Summary of ordinances

cc: Clay White, Planning and Development Services Director
Will Hall, Council Legislative Analyst

Version Tracking-Regulations for Marijuana-Related Facilities

Topic	Zones	Original Version	9-24-13 Planning Commission Recommendation		
RECREATIONAL (I-502)	PRODUCTION	URBAN	<ul style="list-style-type: none"> Allow indoor production in the urban industrial zones (IP, BP, LI, HI) as a permitted use. Do not allow outdoor production in urban zones. 	No change	
		RURAL / RESOURCE	<ul style="list-style-type: none"> Allow both indoor and outdoor production in the A-10 and RI zone as a permitted use. With a 10-acre minimum lot size. 	<ul style="list-style-type: none"> Allow both indoor and outdoor production in the A-10 and RI zone as a permitted use. And R-5 zone as a permitted use. Reduce minimum lot size to 100,000 sq.ft. Setbacks to 30 ft. for indoor facilities and 50 ft. for outdoor facilities. 	
	PROCESSING	URBAN	<ul style="list-style-type: none"> Allow indoor processing in the urban industrial zones (IP, BP, LI, HI) as a permitted use. Do not allow outdoor processing in urban zones. 	No change	
		RURAL / RESOURCE	<ul style="list-style-type: none"> Allow both indoor and outdoor processing in the A-10 and RI zone as a permitted use. With a 10-acre minimum lot size. Only in conjunction with production. 	Facilities up to 5,000 square feet	<ul style="list-style-type: none"> Allow both indoor and outdoor processing (only in conjunction with production) in the A-10 and RI zone as a permitted use. Allow same in the R-5 zone as an administrative conditional use. Reduce minimum lot size to 100,000 sq.ft. Setbacks to 30 ft. for indoor facilities and 50 ft. for outdoor facilities.
				Facilities over 5,000 square feet	<ul style="list-style-type: none"> Allow both indoor and outdoor processing (only in conjunction with production) in the A-10, RI zones as an administrative conditional use. And R-5 zone as an administrative conditional use.
	RETAIL	URBAN	<ul style="list-style-type: none"> Allow retail stores in commercial zones (NB, PCB, CB, GC) and some industrial zones (BP, LI, HI), as well as urban centers as a permitted use. 	No change	
		RURAL / RESOURCE	<ul style="list-style-type: none"> Allow retail stores in the RB zone only as a permitted use. 	No change	

Version Tracking-Regulations for Marijuana-Related Facilities

MEDICAL	COLLECTIVE GARDEN	URBAN	<ul style="list-style-type: none"> Allow medical marijuana collective gardens in the urban industrial zones (IP, BP, LI, HI) as a permitted use. 	<ul style="list-style-type: none"> Allow indoor medical marijuana collective gardens in the urban industrial zones (IP, BP, LI, HI), as a permitted use. Do not allow outdoor medical marijuana collective gardens in urban zones.
		RURAL / RESOURCE	<ul style="list-style-type: none"> Allow medical marijuana collective gardens in the RB and RI zones as a permitted use. 	<ul style="list-style-type: none"> Allow both indoor and outdoor medical marijuana collective gardens in the RI zone as a permitted use. Allow same in <u>the R-5 and CRC zones as an administrative conditional use.</u>
	DISPENSARY / ACCESS POINT	URBAN	<ul style="list-style-type: none"> Allow medical marijuana dispensaries/access points in commercial zones (NB, PCB, CB, GC and industrial zones (IP, BP, LI, HI) as well as urban centers as a permitted use. 	No change
		RURAL / RESOURCE	Allow medical marijuana dispensaries/ access points in the RB and RI zones as a permitted use.	<ul style="list-style-type: none"> Allow medical marijuana dispensaries/access points in the RB zone as a permitted use. Allow same in <u>the R-5 and CRC zones as an administrative conditional use.</u>
OTHER	DEFINITIONS		Adds new definitions related to marijuana-related facilities, adapted from state law. Expanded definitions for collective gardens and additional definitions to differentiate access points and dispensaries from collective gardens.	Change the definition of collective garden to match the definition provided by the state in RCW 69.51A.
	HOME OCCUPATIONS		Prohibits recreational (I-502) marijuana-related facilities in private residences.	Prohibits all marijuana-related facilities recreational and medical (except for individual patients) in private residences.
	SIGNS		None	Advertising should be further restricted in commercial retail zones.
	Tribal		Prohibits marijuana-related facilities within the boundaries of the Tulalip Indian Reservation. This was added by PDS staff on October 6, 2013.	This provision is not included in the Planning Commission recommendation as it was not part of the proposal for their consideration.