



2024 COMPREHENSIVE PLAN & MUNICIPAL CODE UPDATE PROJECT ADVISORY GROUP Meeting Agenda

2024 Comprehensive Plan and Municipal Code Update Project Advisory Group

<https://us02web.zoom.us/j/86790881957>

Telephone: 253-215-8782

Webinar ID: 867 9088 1957

Meeting information is posted online at

<https://stanwoodwa.org/>.

Wednesday, October 18, 2023, at 5:30 PM

- 2024 Comprehensive Plan Partial Land Use and Full Transportation Design Drafts
- Parks Policy Review
- SMC Title 7 – Health and Sanitation and Title 8 – Animals Draft Text



2024 COMPREHENSIVE PLAN &
MUNICIPAL CODE UPDATE
PROJECT
ADVISORY GROUP

MEETING DATES: October 18, 2023

SUBJECT: October Agenda Items

CONTACT PERSON: Patricia Love, Community Development Director
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2024 Comprehensive Plan Partial Land Use and Full Transportation Design Drafts
Attached for the Advisory Group Committees review is the first full draft of the 2024 Comprehensive Plan Transportation Element along with a partial draft of the Land Use Element. A full draft of the 2024 Comprehensive Plan is expected to be drafted by the end of the year.

Staff is requesting that the Committee review and provide comments on the attached chapters so that when the draft plan issued for formal public review in early 2024 it includes the Committee's recommendations.

These Elements are broken into Chapters telling the story of the City as follows:

Land Use Element:

- Key Takeaways
- Introduction
- Community Feedback
- Growth Management in Stanwood
- A Tale of Two Downtowns
- Historic Preservation
- Downtown Flood Management
- Uptown
- Current Land Use Inventory
- Future Land Use Capacity
- Essential Public Facilities

Transportation Element:

- Key Takeaways
- Introduction
- Transportation and Community Vision
- Transportation Inventory
- Existing Highways and Street Systems

- Traffic Volumes: A 2022 Snapshot
- What is it like to travel in Stanwood?
- Stanwood Traffic and Safety
- LOS Standards: Local Scale
- LOS Standards: Regional Scale
- Freight System
- Non-Motorized Transportation Systems
- Public Transit: Bus Routes and Networks
- A Call to Action: Planning for 2044 Growth
- Land Use Forecasts
- 2044 Baseline Evaluation
- Future Intersection Operations
- Future Improvements and Capacity Issues
- Transportation Systems Plan: A Strategy for Improvement and Movement
- Key Partnership for TDM Actions
- Financing Program

Parks Policy Review

As part of the Comprehensive Plan Update process, the parks goals and policies need to review and updated. The policies were revised to reflect current conditions, simplify into “plain language” and to reduce redundancy. Below are the revised policies for your review.

PROSG 1 - Equally distribute a park system throughout the City that provides a variety of park types, facilities, and uses to the residents of Stanwood.

PROSP 1.1: Prioritize development and implementation of existing park master plans over development of new parks.

PROSP 1.2: Maintain and expand Heritage Park as a regional attraction while providing community and neighborhood parks to meet the needs of City and UGA residents and businesses.

PROSP 1.3: Provide a variety of active and passive facilities, trails and open space to meet the needs and desires of the community.

PROSP 1.4: Identify City owned parcels and underutilized public rights-of-ways that are not currently part of the park and recreation system and evaluate them for potential public access, trails, or other public use where appropriate.

PROSP 1.5: Incorporate historical and cultural lands, public art, historic sites, structures, and facilities into the park system to preserve these features and provide a balanced recreational and social experience.

PROSP 1.6: Design and renovate city parks, trails and facilities to be accessible to individuals and organized groups of all physical capabilities, skill levels, age, income, and recreational interests.

PROSP 1.7: Emphasize user input in planning, design, and development of park and trail facilities.

PROSP 1.8: Support the development of private recreation facilities as part of the platting process that are accessible, walkable and provides some form of space or equipment for physical activities.

PROSG 2 - Work in collaboration with local, county and state agencies, special districts and businesses to provide a network of park facilities in Stanwood and in neighboring communities to accommodate the recreational needs of the greater Stanwood-Camano region.

PROSP 2.1: Work with the Snohomish County, State agencies, local Tribes, and other public and private agencies, to purchase land and open space areas necessary to provide high quality, convenient park and recreation lands before the most suitable sites are lost to development.

PROSP 2.2: Pursue an agreement with the Stanwood Camano School District to create opportunities for joint ventures to develop and use of combined school, playground, and athletic facilities.

PROSP 2.3: Support and partner with private and non-profit agencies that provide active and passive recreation opportunities, public health, and other facilities that support community needs.

PROSP 2.4: Pursue the acquisition and development of a new community park serving the community in the uptown area of the city.

PROSP 2.5: Consider joint ventures with the Snohomish County Department of Parks & Recreation, Island County, Stanwood Camano School District, Washington State Department of Wildlife, and local public and private agencies to provide coordinated and quality recreational activities and programs in the City where feasible and desirable.

PROSP 2.6: Provide a means for private philanthropy and business participation in supporting parks and recreation including legacy donations funding and volunteerism.

PROSG 3 - Reconnect Stanwood to the Stillaguamish River.

PROSP 3.1: Acquire and develop shoreline properties or easements for waterfront access and parks when opportunities become available.

PROSP 3.2: Develop watercraft access opportunities including a mixture of canoe, kayak, rowboat, raft, and power boating.

PROSP 3.3: Prioritize use of the City owned property on the shoreline of the Stillaguamish River for park, recreation, educational or open space uses.

PROSP 3.4: Connect City waterfront park land and recreation uses with Downtown Stanwood.

PROSG 4 - Provide for the active and passive recreational needs of the Stanwood community.

PROSP 4.1: Provide a variety of quality active recreation facilities sufficient to serve Stanwood residents and area visitors.

PROSP 4.2: Improve and maintain existing recreation facilities to meet the needs of all local citizens, including barrier free access.

PROSP 4.3: Expand, upgrade, and diversify support facilities (restrooms, parking, picnic areas, shelters, and playground equipment, etc.) in recreational areas.

PROSP 4.4: Support the development of indoor community and recreational centers that provide for community usage, athletic uses, and multiuse activities on a year-round basis.

PROSP 4.5: Promote a healthy community by providing an opportunity for exercise and recreation on a local trail system.

PROSP 4.6: Develop a comprehensive, high-quality system of multipurpose trails and corridors for pedestrians and bicyclists that provides access to downtown, public facilities, local neighborhoods and connects to Warm Beach, the Centennial Trail in Arlington, Conway, and Camano Island.

PROSP 4.7: Implement the Stanwood Port Susan Loop Trail in Downtown connecting parks to businesses with connections to the Uptown area.

PROSP 4.8: Apply a wayfinding system as a means of identifying and advertising trail systems.

PROSG 5 - Promote recreation facilities and activities that will attract visitors and enhance the City’s economic development initiatives.

PROSP 5.1: Encourage and promote the use of parks for sport tournaments, special events, community festivals, art shows, concerts, or other economic development activities that attract visitors to the City and that are complementary to recreational uses.

PROSP 5.2: Encourage healthy food production such as community gardens or pea patches in city parks where these uses do not conflict with established recreation uses.

PROSP 5.3: Allow concessionaires in park facilities to support recreation uses with rental of equipment and food vendors.

PROSG 6 - Establish a network of open spaces that enhance the livability of the community.

PROSP 6.1: Acquire, preserve, and protect natural areas, critical areas, shorelines, historical sites and areas of ecological significance for open space, recreation and educational opportunities for the community and visitors.

PROSP 6.2: Encourage the preservation of unique areas and/or site features including natural and exemplary built features such as the Hamilton Smokestack.

PROSP 6.3: To the maximum extent possible connect open space areas on adjacent plats to create open space and wildlife corridors.

PROSG 7 – Regularly review and update Level of Service Standards for Parks and Recreation Facilities.

PROSP 7.1: Identify the amount of land needed to meet Level of Service standards for future park development and types of facilities needed to meet recreation standards.

Facility	Level of Service
Regional Parks	0.002 - 0.003 acres per 1,000 population
Neighborhood Parks	2.5 acres per 1,000 population
Community Parks	2.5 acres per 1,000 population
Trails	2.0 acres per 1,000 population

PROSP 7.2: Update the inventory, surplus and/or deficiency of City park lands based on the official population estimates from the Washington State Office of Financial Management.

PROSP 7.3: Identify parklands for acquisition in advance of its actual need based on: a) level of service standards, b) population growth, c) neighborhood benefit, and d) regional demand.

PROSG 8 – Incorporate principles of sustainability in the site development, maintenance, operations and programming of park facilities.

PROSP 8.1: Incorporate green stormwater runoff development techniques into park design as mitigation when converting land to recreational use.

PROSP 8.2: Develop guidelines for park users to encourage sustainable practices with park activities, and events techniques such as use of compostable plastics, composting, and carpooling.

PROSP 8.3: Work with the Snohomish County Conservation District to identify and implement opportunities to incorporate conservation techniques in park design and ongoing maintenance and operations.

PROSP 8.4: Maintain the wetland area in Heritage Park as a location for offsite mitigation, and potentially convert to a wetland mitigation bank, to encourage sustainable development throughout the City.

PROSG 9 – Implement the 2022 Parks and Recreation Feasibility Study through a phased approach balancing community desires with budget constraints.

PROSP 9.1: Implement a phased and scalable approach to improving city parks and services prior to formally creating a City Parks Department.

PROSP 9.2: Focus the Public Works Parks Division on park planning and maintenance around the following generalized actions:

- Increase maintenance levels to have tournament-ready ballfields
- Increase signage and wayfinding around the city
- Improve trails and walkability
- Increase parking capacity and improved parking maintenance
- Increase park development and planning

PROSP 9.3: Consider forming a City Parks Department once recreational programming is provided which includes, but is not limited to providing recreation classes, hosting / managing tournaments, and / or building a community center or other buildings that support parks and recreation.

Stanwood Municipal Code Title 7 – Health and Sanitation & Title 8 – Animals

Staff is beginning the review of Title 7 – Health and Sanitation and Title 8 – Animals. In July, staff brought before the Advisory Group the scoping memos for these titles

The attached Titles are in draft form and are currently being reviewed by staff and the City Attorney. Comments by the Advisory Group will be added to the staff comments and addressed in the second draft of the amendments.

Title 7 – Health and Sanitation

Title 7 is the general nuisance code for the City. The rewrite of Title 7 will retain the existing chapters while updating the language for consistency with the style guide in addition to adding a new chapter for smoking and vaping.

Chapter 7.04 – Garbage Collection: This chapter will be renamed to Solid Waste to reflect modern terminology and will be updated to be consistent with the City's service agreement with Waste Management, adding anti-scavenging provisions, and setting penalties for violations or fees for additional service.

Chapter 7.12 – Litter Control: This entire chapter is out of date and will be rewritten to reference current state law. It is also proposed to rename the chapter "Littering".

Chapter 7.16 – Nuisances: Adoption of the existing nuisances enforceable by the City Code Enforcement Office and Police Department with the addition of junk vehicles and materials, abandoned properties, graffiti, unmaintained vegetation, and chronic nuisances.

New Chapter 7.20 – Smoking and Vaping: The smoking provisions contained in Title 6 will be expanded to cover any indoor or outdoor public places, not just parks and open spaces.

New Chapter 7.30 – Noise Control: Noise control is being moved from Title 9 – Public Peace, Safety and Welfare, to be consolidated with the other nuisance provisions.

Title 8 – Animals

Title 8 contains the animal control licensing and regulations of the City. This Title as currently written contains only one chapter and is difficult to follow and attempts to combine too many issues that may or may not be consistent. This Title has been revised into new, logical Chapters addressing specific issues for ease of reading and enforcement.

Chapter 8.02 – General Provisions: Contain provisions applicable to the entire Title such as definitions, enforcement, and severability.

Chapter 8.10 – Dogs: Address dog licensing, leash requirements, limitation on number of dogs allowed, dangerous dogs, animal noise, animal waste, and exemptions for guide dogs.

Chapter 8.20 – Kennels and Catteries: Existing code provisions adopted in its own chapter.

Chapter 8.30 – Pet Shops and Grooming Parlors: Existing code provisions adopted in its own chapter.

Chapter 8.40 – Livestock: Existing code provisions adopted in its own chapter. This Chapter will also address small livestock as pets.

Chapter 8.50 – Dangerous Animals: Create a specific chapter addressing exotic, wild or dangerous animals (other than dogs) consistent with state law.

Chapter 8.80 – Animal Cruelty: Existing code provisions adopted in its own chapter and updated per state law.

Chapter 8.90 – Enforcement and Impoundment: Enforcement chapter for the Title, include laws regarding impound animals and dealing with stray animals.

2024 Comprehensive
Plan Partial Land Use
and Full
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Design Drafts

CITY OF STANWOOD 2024 - **COMPREHENSIVE PLAN**

A GUIDE TO STANWOOD'S FUTURE





WHERE WE'RE GOING: LAND USE



COMMUNITY VALUES

-  SENSE OF COMMUNITY
-  LIVABILITY
-  GROWTH
-  ECONOMIC DEVELOPMENT
-  ENVIRONMENT

GROWTH TARGET

The City is on track to meet 2044 population target of **10,963 people** if the growth rate continues steadily. Between 2013 to 2023, the City grew an average of 2.9% in population each year. **To meet 2044 targets, the City would need a minimum growth rate of 1.27% per year.**

ZONING COMPOSITION

While annexations have occurred since the 2015 Comprehensive Plan, **Single Family Residential zones continue to occupy the greatest acres and percentage of lands that exist within City limits.** While residential zones comprise 60 percent of all lands, single family zones make up 73.5 percent of all residential zones and 44 percent of the entire city.

JOB TARGETS

Stanwood supports creating livable wage and professional jobs within its boundaries to meet 2044 job target. **The job target of 5, 073 will require more job growth than recent years have shown.** Between 2013 and 2023, the City grew on average 0.37% in jobs per year. **The goal of 5,073 jobs by 2044 can only be met if the city grows on average 1.95% over the next 20 years.**

HISTORIC DOWNTOWN

Downtown Stanwood is the historic center of the community with beginning settlements as early as 1870. **Early 20th century buildings and local businesses line the streets north of where the historic wharf once was.** Historic downtown has had a lasting impact on the current City development patterns and are memorialized in the Mixed Use zone.

UPTOWN IDENTITY

Residents describe concerns of losing community identity. Uptown is the center of most new developments and as such, has a visual disconnect from historic downtown. **The City is investing in creating a uniform identity through the City Beautification Action Plan, public art projects, connective trail projects, and uptown design guidelines.**



INTRODUCTION

At the heart of every Comprehensive Plan is the community's desire to shape or direct the city's future development to support a higher quality of life. Cities are primarily molded through zoning and land use regulations defining what can be built and where it should be placed. Stanwood utilizes land use planning to adapt to changing local, regional, and national conditions that influence the community's opportunities to build resiliency and adaptability.

The Land Use element is the most critical component of the Comprehensive Plan and the basis for all other required elemental chapters. Stanwood's changes to the Zoning Map or Municipal Code are made in preparation for future demands on land, services, and infrastructure. The Land Use elemental chapter outlines the required changes needed in Stanwood to accommodate growth in population and housing, increase the number and variety of job opportunities, forecast transportation needs and routes, maintain a standard of living, and enhance the environmental and cultural well-being of the community.

Stanwood's Land Use elemental chapter establishes the policy basis for guiding the City's growth and development to achieve the desired urban form, intensity, and aesthetic.





COMMUNITY FEEDBACK

As with all public engagement activities there are many opinions on how, or if, the City should grow. Some of these opinions conflict and contrast with the public majority. However, that doesn't mean they should be ignored. Instead, these options should be preserved and considered when evaluating Comprehensive Plan amendments or future land use regulations. Below are a few of the land use comments consistently heard during the outreach efforts.



Businesses should be developed more evenly throughout the City. Development is focused along SR 532 impacting roadways and commuting times.

Downtown revitalization is a key effort in maintaining the small town character. Uptown has too many neighborhoods that look alike and equally needs investment in developing a unique but compatible character to downtown.

A new grocery store is needed in the northwest region to reduce food deserts. Grocery stores are concentrated along SR 532 and there are no options available along Pioneer Highway.

We are looking for more parks, variety of housing types and affordabilities, and more professional and living wage job opportunities.

Stanwood has experienced a lot of growth and some feel that the community is losing its identity. Residential neighborhoods should be maintained for single-family residences and not higher density. High density residential should be concentrated in the urbanized areas of downtown and uptown.

Residential units are being placed farther and farther away from key services and amenities, such as public transit, parks, and commercial or governmental services. There is interest in "building upward instead of outward" to reduce sprawl, increase non-motorized transportation or transit opportunities, improve community health, and generate a greater variety of compact housing types that support attainable housing and greater affordability at every income level.

While small businesses are the heart of downtown, regional services need to be met in uptown. Greater opportunities for grocery stores, restaurants, clothing stores, and hotels are needed for residents to feel all their needs can be met in-town.





GROWTH MANAGEMENT IN STANWOOD

The City of Stanwood is responsible for providing urban services to areas within its jurisdictional limits. Snohomish County is responsible for managing the unincorporated areas in an UGA until they are annexed by the city.

Growth on large tracts of vacant land within Cities and their UGA's is often viewed as "sprawl" by local residents. This viewpoint is based on residents observing the landscape around them changing. However, the opposite is true. When growth occurs per the City's adopted Comprehensive Plan, this is controlled and managed growth: growth is occurring where it is planned which in turn preserves rural lands and resources from uncontrolled growth. For Stanwood, the Urban Growth Boundary, protects the surrounding rural areas for farming and agricultural uses for future generations.

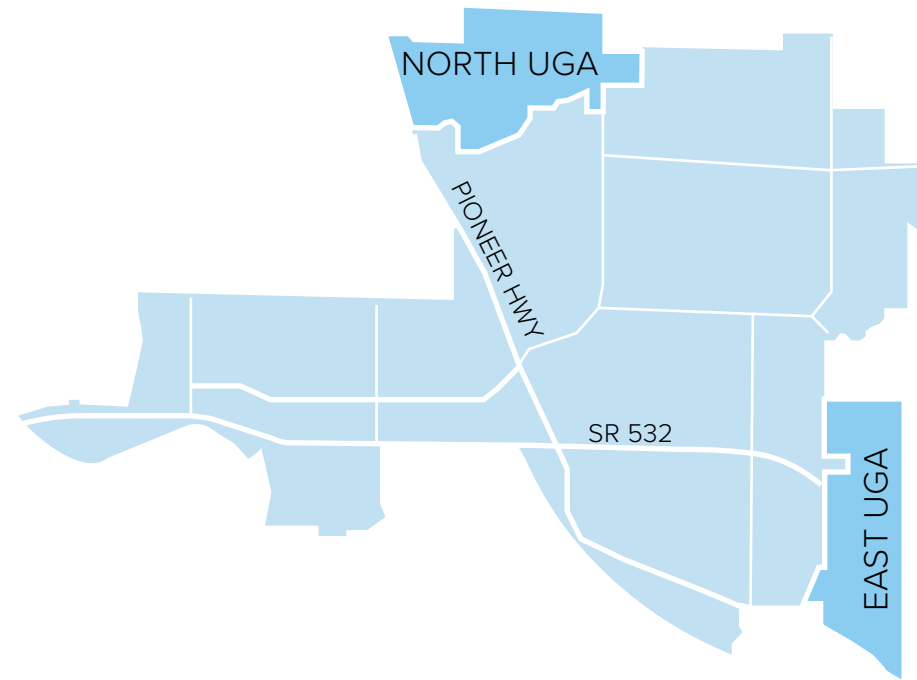


Exhibit 1: City of Stanwood and Urban Growth Area Boundaries

WHAT IS AN URBAN GROWTH AREA?

An Urban Growth Area, or UGA, is an area designated for urban growth and higher densities. UGA's include both lands within the City limits and those areas intended to be annexed by the city. Urban Growth Areas were established by the Washington State Growth Management Act (GMA) as a tool to preserve and protect rural and resource lands while accommodating growth where urban services are available. One of the core principles of the GMA is that Cities manage urban growth and services while Counties manage rural lands.

TWO CITIES BECAME ONE

The Stanwood we know today was not always one cohesive city. Historically, Stanwood was made up of two competing towns, Stanwood and East Stanwood, that fought for resources, services, and commercial power for 72 years (1888 to 1960). While Stanwood was platted in 1888 and incorporated in 1903; it's sister city "East Stanwood," located one mile east of the original town, was platted in 1906 and incorporated in 1922.

While Stanwood proper was consolidated in 1960, the legacies of historic Stanwood and East Stanwood still exist in the form, aesthetic, and development patterns seen throughout the community today. Stanwood has two distinct areas of town, Downtown and Uptown, representing where historic Stanwood and East Stanwood were split up as shown in Exhibits 2 and 3. While the boundaries of downtown and uptown have expanded to accommodate growth and change over the last 64 years (1960 to 2024), the split between each planning area has consistently been the railway line. Downtown and uptown each physically present differently in the visual appearances, amenities and services, orientation, and purpose. Each area has different strengths that fulfill the needs of the other side of town.

Stanwood and East Stanwood ultimately consolidated into one community in 1960 responding to the need for a sewage treatment plant; while neither community could afford it on their own, a consolidated community feasibly

could pay for the sewage infrastructure. The mutual constraints and competing strengths each community once had ultimately resulted in a consolidation that benefited the overall community and resulted in a stronger, united community. Despite their initial differences and competing needs, each planning area had specialized amenities and services that addressed what the other area was missing. Together, they created a harmonized community where residents can get a little bit of everything they need within the City's limits.

Both areas have their unique histories and characters, resulting in two key planning areas that provide different types of amenities. Their differing settlements, economics, and culture resulted in different legacies seen today in the redevelopment and expansion of the downtown and uptown. While downtown has more historic buildings, institutional uses, and pedestrian oriented commercialized areas, uptown has newer buildings, mixed uses, and auto oriented commercial uses.

While both areas have single family residential, multifamily, parks and open space, commercial, and industrial zoning, each area has different means of providing these uses. The following section will describe the downtown and uptown area's existing character, zones, uses, and aesthetic, and how these characteristics are correlated to the community's history.

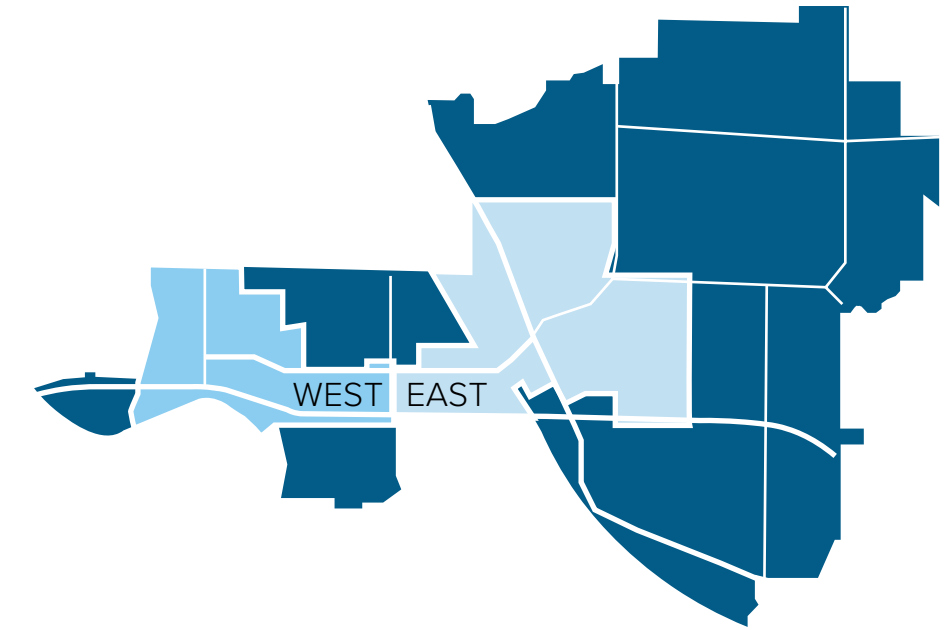


Exhibit 2: Historic Stanwood and East Stanwood Boundaries



A TALE OF TWO DOWNTOWNS

Downtown was primarily an area occupied by historic Stanwood (pre-1960) and is the City's current historic center. The community's oldest buildings and structures are mostly located in downtown along with the Stanwood Historical Society Museum. Downtown contains two commercial districts – commonly referred to as “eastend” and “westend”, representing the historic, adjacent boundaries of Stanwood and East Stanwood as shown in Exhibits 4 and 5. While eastend and westend operated as the “downtowns” for historic Stanwood and East Stanwood, today they have distinctly different goods and services originally oriented toward different communities and facilities. Today, we see a distinct visual break between what is considered the eastend and westend of downtown.

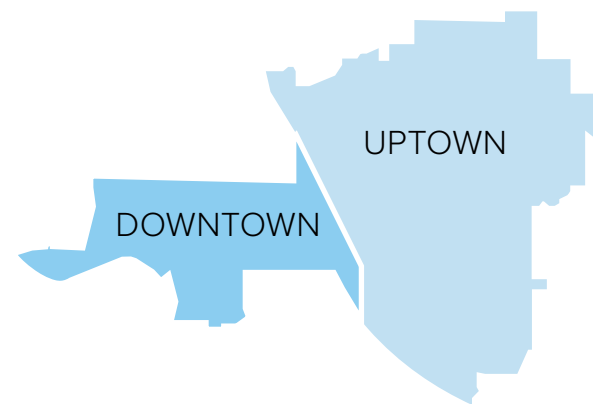


Exhibit 3: Downtown and Uptown Stanwood Boundaries

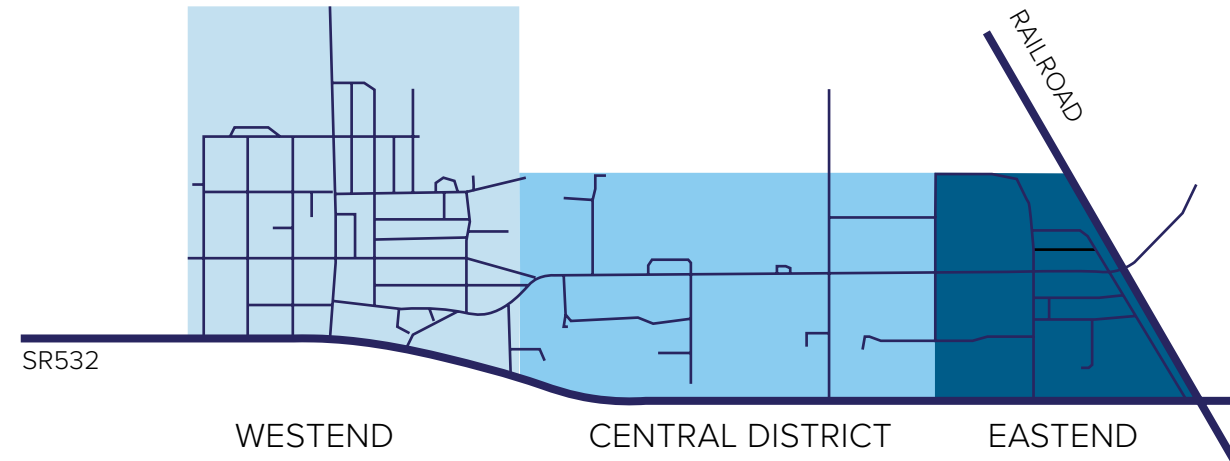


Exhibit 4: Delineation of East and West end

WESTEND

Westend represents historic Stanwood which was oriented around the wharf, the Stanwood lumber mill, and mercantile buildings adjacent to the Stillaguamish River. Westend is characterized by smaller, cottage-style housing typical of the early 1900's, early and mid-20th century storefronts, and the brick roadway on 270th Street NW. Small businesses, municipal uses, and historic residential buildings primarily occupy the westend with fewer chain uses. Westend is the heart of where civic events are held.

CENTRAL DISTRICT

The Central District is the most modernized area of the downtown core, connecting westend to eastend. The central district contains larger or chain retailers, professional offices, home businesses, and the Stanwood Middle School. Additionally, a wide variety of housing types are sprinkled throughout the district, including single family homes, duplexes, apartments. As of 2024, the area is characterized by its emphasis on auto oriented infrastructure. Stanwood's priorities for this district are to build up regional economic opportunities, create stronger pedestrian connections, develop public spaces, and establish a visual identity complimentary to the westend and eastend.

EASTEND

On the other side, Eastend represents a portion of East Stanwood and was originally oriented around the railroad for railway development, shipping goods, and agriculture. Eastend today is characterized by a “main street” feel of the contiguous mid-century storefronts, pedestrian and automotive connectivity to the train station, and some larger retail uses. The chain commercial uses do not preclude the other key uses that exist in eastend, including but not limited to small businesses, the farmers market, and the train station. Eastend has a development pattern oriented toward automobiles and newer buildings, however remnants of mid-century buildings remain along 271st are the legacy of what eastend used to look like.

HEART OF STANWOOD: DOWNTOWN

Downtown is described as the heart and soul of the community – but why? Downtown embodies both Stanwood and East Stanwood's historic downtowns. Downtown is the local arts, culture, and historic center. Numerous buildings are registered as nationally recognized historic places. Additionally, Downtown is the center of where most community events are held, such as the Farmer's Market, community concerts, festivals, art shows, and parades. Downtown is the area where people come together, support local businesses, and socially engage with the greater community.

While Eastend and Westend comprise the downtown, Stanwood is currently working to implement strategies outlined in the 2015 Downtown Plan to effectively unite the downtown core. There will always be a legacy of the Eastend and Westend identifies, but at the same time the community desires for a unified, singular downtown area that represents not only the histories of Stanwood and East Stanwood, but how they successfully blend together into a stronger, single community. Implementation of the downtown plan is occurring through the City Beautification Action Plan and the Twin City Mile Revitalization Project which includes city-led projects to beautify downtown and promote re-development of the central district connecting the two ends. The mutual constraints and competing strengths of each community once had as individual cities resulted in a stronger, united community once consolidated. Despite their initial differences and competing needs, each planning



area has specialized amenities and services that addressed what the other area was missing. Together, the “twin cities” creates a harmonized community where residents can get a little bit of everything they need within the City's limits.

Development of the downtown and uptown areas reflect the differences in their historic beginnings. While downtown has more historic buildings, institutional uses, and pedestrian oriented commercialized areas, uptown has newer buildings, mixed uses, and auto oriented commercial uses.

Both areas have single family residential, multifamily, parks and open space, commercial, and industrial zoning, but each area has different means of providing these uses. The following section will describe the downtown and uptown area's existing character, zones, uses, and aesthetic, and how these characteristics are correlated to the community's history while answering the following:

- 1. Why did Stanwood develop this area?**
- 2. What relationship does today's zoning map have with how historic downtown was developed?**
- 3. What key considerations should be made for the downtown area overall?**



RESIDENTIAL NEIGHBORHOODS

Stanwood has three residential zones that exist in Downtown that are intended to serve different types of housing units and densities. Each residential unit type helps a different local need as described in the Housing element. There are two primary categorical zones for residential uses Downtown: the Single-Family Residential (SFR 5, SFR 7) zones and the Multifamily Residential zone.

Stanwood's historic single-family homes are a distinguishing feature of the downtown core that are distinctively different than all other residential units in the City. The original neighborhoods in the Downtown represent typical small-town town, early century architecture with cottage, craftman style homes owned by mill workers and business owners of the time (between 1890 and 1930). The historic cottage homes are located in the westend. These homes remain today and are being renovated by a new generation of homeowners working to preserve the historic character of downtown Stanwood. Westend is comprised primarily of lower density, single-family residential zones with a few duplexes sprinkled throughout the neighborhood.

The Multifamily zone supplements the lower residential uses in the heart of town by offering alternative, more affordable housing units, including senior housing, apartments, and duplexes. As the downtown fills in, eastend has developed new residential homes and townhomes are being developed near the "middle" section of the Downtown with duplexes,

triplexes, townhouses, and apartments. Eastend is anticipated to meet the higher density residential uses to meet housing capacity targets for 2044, however denser forms of housing in Downtown has net benefits. More homes are located near the City's center encouraging physical activity, reducing demands on local roadways, and supporting local businesses through the walkability of the neighborhood.

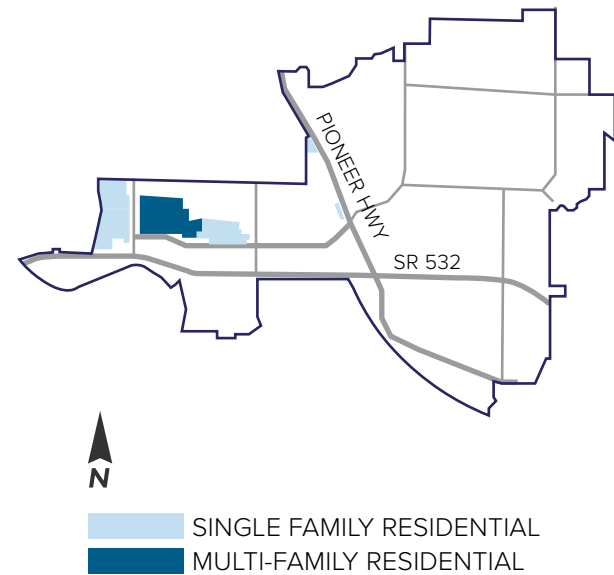


Exhibit 5: Downtown residential zones

INDUSTRIAL DEVELOPMENT

There are swaths of lands in Stanwood zoned for industrial job activity however industrial activity has declined over the past several years. While existing industrial operations should be protected, the city must evaluate alternative options for the use of industrial lands or structures that are

underutilized, do not generate many jobs, and may not provide livable wages.

Downtown is comprised of two industrial zones: the Planned Industrial zone and the General Industrial zone. The Planned Industrial zone permits most industrial activities to occur as well as professional office and business uses. The PI zone allows more flexibility for industrial operations to have retail/wholesale showrooms and contain such uses as commercial kitchens, brewpubs, meetings/event space, offices, and entertainment/recreation than past industrial zones previously allowed.

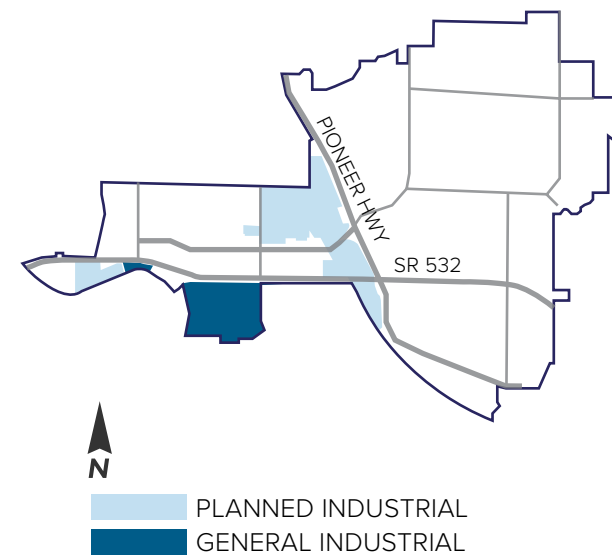


Exhibit 7: Downtown Stanwood Industrial Areas

COMMERCIAL DEVELOPMENT

Two areas on downtown have the General Commercial designation – about 12 properties south of SR 532 and a concentrated 4-block area in eastend north of SR 532. Existing uses in this zone include a grocery stores, gas stations, coffee stands, banks, quick service restaurants, retail, and Viking Village.

There is a single parcel in Downtown zoned for Neighborhood Business in the northwest corner of the City near the elementary school. The parcel has low-impact, service-oriented uses including physical therapy and a salon. While the surrounding uses are residential, public, or park oriented, this single parcel's zone allows the existing business to continue operation without major impacts to the property owners or the neighborhood.



Exhibit 8: Downtown commercial zones

PARKS, OPEN SPACE AND PUBLIC FACILITIES

Downtown is commonly referred to as the "heart and soul" of the city. As such it contains all of the City Municipal facilities including the Police Station, City Hall, Public Works, the library, public elementary and middle schools, and the Water and Wastewater Plant.

Stanwood has approximately 76 acres in Downtown zoned for parks, open spaces, and trails. Within Downtown, parks are abundantly available with ample opportunities for recreation and a variety of supportive amenities or infrastructure. Downtown parks include Heritage Park, Hamilton Landing Park, Ovenell Park, and City Hall Park. In addition, the City is currently working on a 5-mile looped trail in the downtown area known as the Stanwood Port Susan Trail. Parks and open space zones are intended to remain in perpetuity by the City and are conveniently located within walking distance of schools, housing, commercial amenities, and government facilities. Additional information regarding Stanwood's parks system is in the Parks and Recreation elemental chapter.



INSPIRING PHYSICAL ACTIVITY

Downtown is described as the heart of the community – but why? Downtown embodies both Stanwood and East Stanwood's historic downtowns. Downtown is the local arts, culture, and historic center. Numerous buildings are registered as nationally recognized historic places. Additionally, Downtown is the center of where most community events are held, such as the Farmer's Market, community concerts, movie night at the park, and parades. Downtown is the area where people come together, support local businesses, and socially engage with the greater community.



HISTORIC PRESERVATION

Stanwood has developed a variety of plans that address historic preservation, including the 2015 Downtown Plan and the Twin City Mile project. The City is protecting its historic buildings and features through historic designations with the National Registry of Historic Sites, design guidelines, the storefront improvement program, and downtown revitalization.

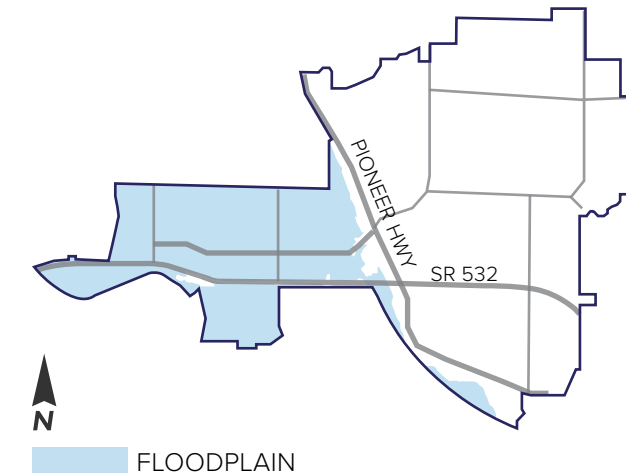
- + First National Bank
- + Sons of Norway
- + Hartney's Style Shop
- + 1929 Fire Station
- + Stanwood Hotel
- + IOOF HALL- Floyd Norgaard Cultural Center
- + Masonic Hall
- + Stanwood Hardware & Furniture
- + Presbyterian Church
- + Stanwood City Hall
- + West End Historic Main Street commonly referred to as the "Brick Road"
- + East End Historic Main Street



DOWNTOWN FLOOD MANAGEMENT

Being near Puget Sound, the Stillaguamish River, Skagit Bay, and active farms, Stanwood's Downtown is located in the flood zone (FEMA Zone AE). In the late 1800's the original city was founded near the Stillaguamish River for farming and ranching. A fish cannery and lumber mill was established along the waterfront. As business prospered, the City continued to grow with a general store, meat market, and new town hall.

To mitigate the fact that historic downtown is located in the flood plain, the City has been investing in flood control devices and management. New buildings must meet FEMA regulations for flood proofing or be raised above base flood elevation. Physical improvements include construction of flood berms and walls, improved drainage systems and pumps, and most recently reconstruction of the dike north of SR 532 by Skagit Bay.





UPTOWN

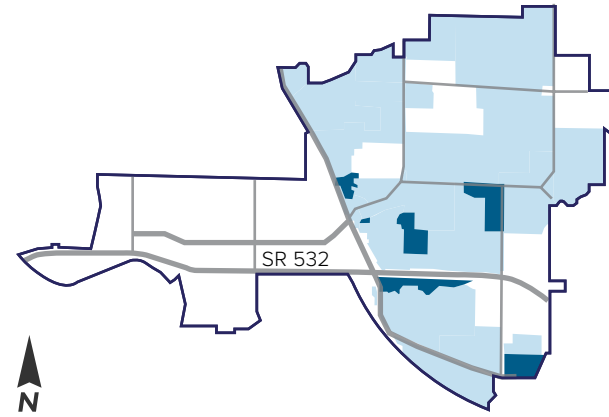
Uptown is the center for growth that contains a majority of new residential and commercial development. Uptown is the newer portion of the City that has primarily met Stanwood's residential growth demands, corresponding with how Stanwood has annexed new lands into its city limits, see Annexations for further details. Uptown plays an equal role in serving Stanwood's needs for larger retail uses, auto oriented services, new jobs, and housing opportunities.

RESIDENTIAL NEIGHBORHOODS

Large annexations occurred in the 1980's thru the early 2000's forming the uptown landscape seen today. This area is primarily dominated by single-family development north of SR 532 and multifamily south of SR 532. There are five residential oriented zones in Uptown that are designed to accommodate multiple forms of housing. Residential zones include single family residential (SFR 5, SFR 7, SFR 9.6, and SFR 12.4) and Multi-family Residential.

Uptown fulfills most of the community's housing needs and allows a range of housing types within its residential zones to provide a variety of housing opportunities. The wider the range is, the greater the opportunity for any individual or household to find housing to their particular needs, preference, or affordability. This range of housing can be seen not only in Stanwood zones of single or multi-family residential, but in the mixed-use and traditional neighborhood zones and includes

housing types such as accessory dwelling units, duplexes, cottages and townhomes commonly referred to as "missing middle" housing.



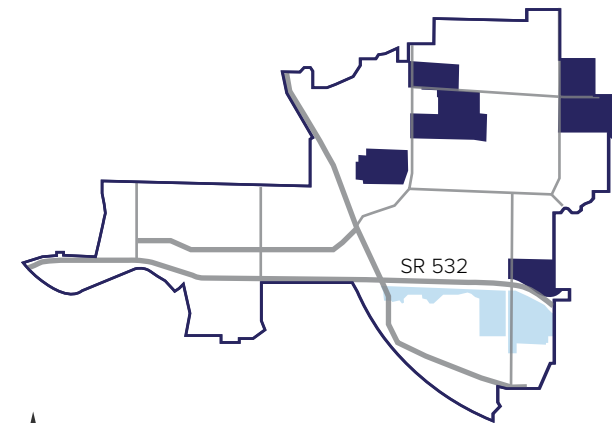
Legend: SINGLE FAMILY RESIDENCES (light blue), MULTI-FAMILY RESIDENCES (dark blue)

Exhibit 9: Uptown Residential Zones

MIXED-USE AND TRADITIONAL NEIGHBORHOOD DEVELOPMENT

The Traditional Neighborhood and Mixed-Use zones allow for residential uses in addition to other uses such as commercial or public use. Traditional Neighborhood zoning requires at least three types of housing units within a development or a mix of commercial uses with two housing unit types while Mixed-Use zone allows a mix of commercial and multifamily uses in higher-density neighborhoods such as Uptown and the Downtown core. There is flexibility built into these zones to allow the free-market to determine the appropriate uses for these transition oriented parcels will be in the future. Currently the

Traditional Neighborhood zone has a majority of lots that are vacant with occupied lots used for single-family residential units. The Mixed-Use zone currently only has single-family residential units.



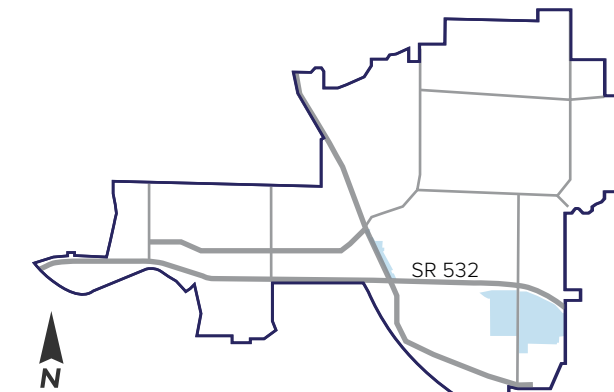
Legend: MIXED USE (light blue), TRADITIONAL NEIGHBORHOOD (dark blue)

Exhibit 10: Uptown Traditional Neighborhood Zones

COMMERCIAL DEVELOPMENT

The Uptown commercial area was initially developed in the 1990's as part of a master planned development known as the Stanwood-Camano Village Business Park and Senior Housing Development, to serve not only residential needs but also regional commercial needs. The development is located south of SR 532 at the eastern entrypoint of Stanwood. Over time, this "Mixed-Use Urban Village" project expanded with a Haggen grocery store, restaurants, a movie

theater, retail 'strip mall' buildings, senior housing, multifamily housing, the YMCA, medical facilities, schools, banks, a light manufacturing facility and other service-oriented businesses. Over the last several years, four new mixed use buildings have been built changing the predominately car oriented environment to more pedestrian friendly atmosphere. A secondary area in the Uptown, set aside for General Commercial uses, north of SR 532 along the Pioneer Highway is occupied by an auto repair shop, a medical facility, a single family home, and vacant lands.



Legend: GENERAL COMMERCIAL (light blue)

Exhibit 11: Uptown Commercial Zones

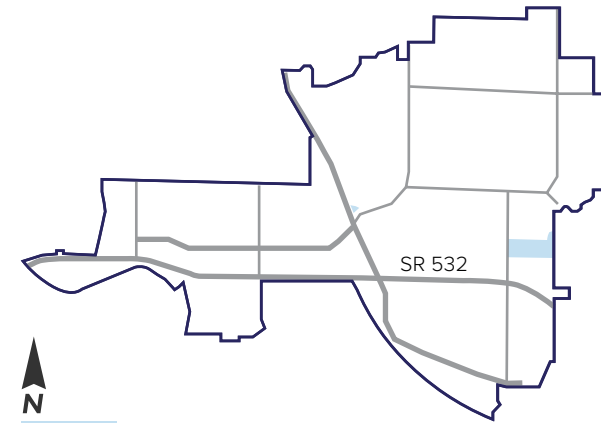
INDUSTRIAL DEVELOPMENT

Similarly to Downtown, industrial zones in Uptown have declined over several years and create an opportunity to re-vision how these areas should be operated to create more professional and living wage jobs and meet regional needs. Uptown's industrial zones are primarily centered around the railway in the core of East Stanwood. Currently industrialized areas include self-storage facilities,

auto repair, food processing and storage, and a construction supplier. While existing uses meet community needs, they are not entirely living wage jobs. There are many underutilized Industrial zoned parcels in uptown that are ripe for new development opportunities that support job growth. Uptown has two industrial zones: The Planned Industrial and General Industrial zone, and are intended to help meet the City's job growth targets.

PARKS, OPEN SPACE AND PUBLIC FACILITIES

Stanwood has approximately 22 acres in Uptown zoned for parks, open spaces, and trails. A couple parcels in this zone are undisturbed critical areas with streams or wetlands not intended for intensive development. Uptown's Parks and Open Space zone is concentrated near SR 532 leaving the northeastern portion of the City without a public park.



Legend: PARKS AND OPEN SPACE (light blue)

Exhibit 12: Uptown Parks and Open Space



BODY OF STANWOOD: UPTOWN

Uptown is the body of Stanwood, circulating and providing the nutrients needed to support the community. Uptown is the center for residential growth and the gateway to the Interstate 5 corridor. Uptown provides goods and services needed for a thriving, balanced community. It is also the home of where most new residential development is happening – new mixed-use, townhome and duplex, and single -family homes.

Uptown supports the physical and economic growth anticipated for the next 20 years that Downtown cannot accommodate on it's own.

The heart cannot be sustained without the body. Downtown and Uptown are stronger together, creating a unified and self-sustaining community.



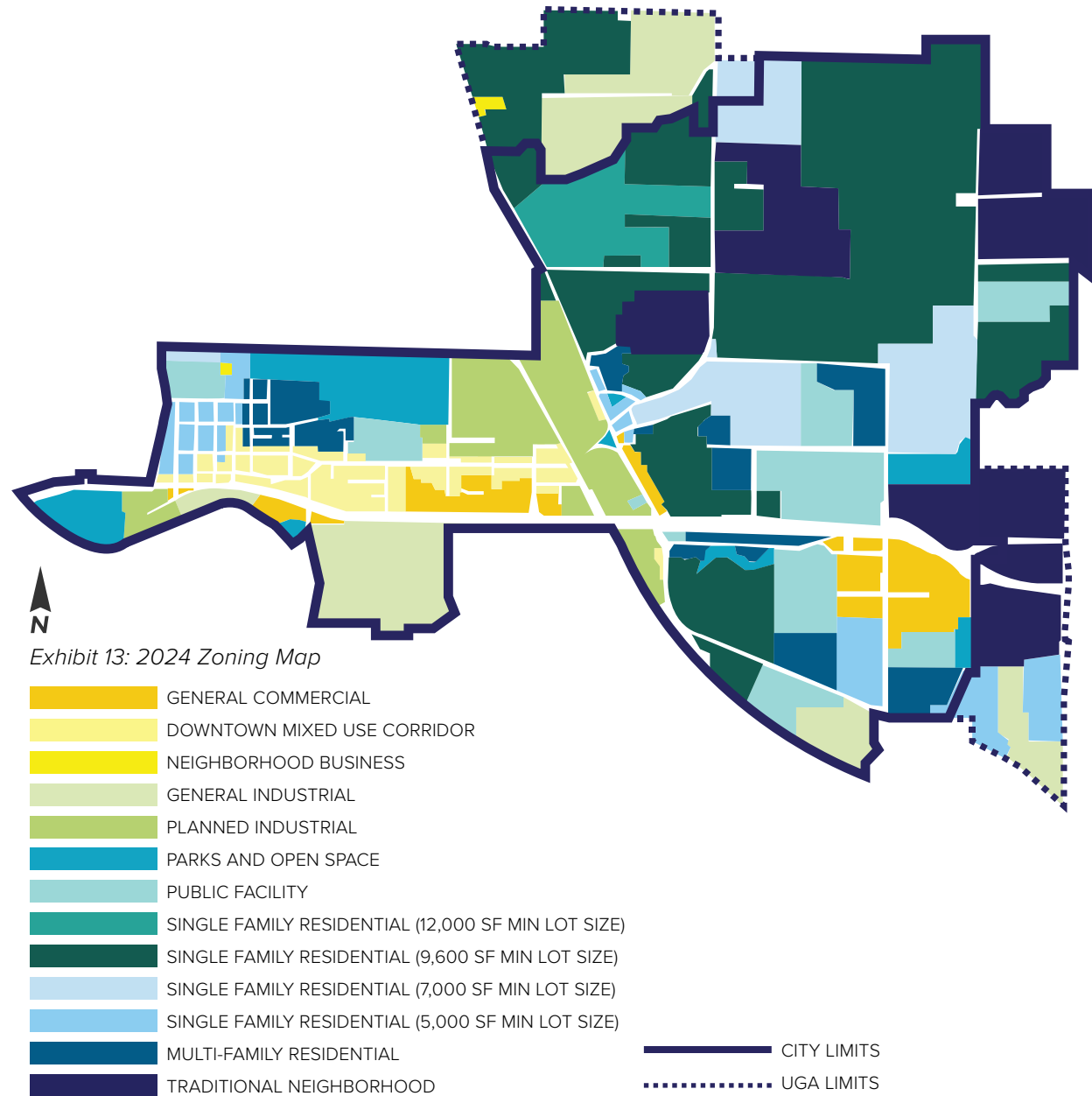
CURRENT LAND USE INVENTORY

The land use inventory includes the estimated acreage of all existing land based on current zoning, including vacant land, within the Urban Growth Area of Stanwood. The inventory is a critical component in understanding the current conditions of the city and whether there are sufficient lands available to accommodate growth. How do we understand what zones or regulations should be changed in the future if we do not understand what lands and development exist today?

EXISTING ZONING

The City of Stanwood has a cumulative total of 1,904 acres within the Stanwood Urban Growth Area (UGA), with 1,617.82 acres zoned and within the city's limits and 308 acres solely within the UGA regulated and maintained by Snohomish County. Stanwood is currently divided into 13 zoning districts as shown in Exhibit 13.

Stanwood is a primarily residential city with much of the land use zoned for single-family residential (43.37%). Approximately 22.77% of the city's lands are zoned for primarily commercial or industrial uses. Municipal lands zoned Public Facilities or Parks and Open Space make up approximately 16.5% of the area within city limits.



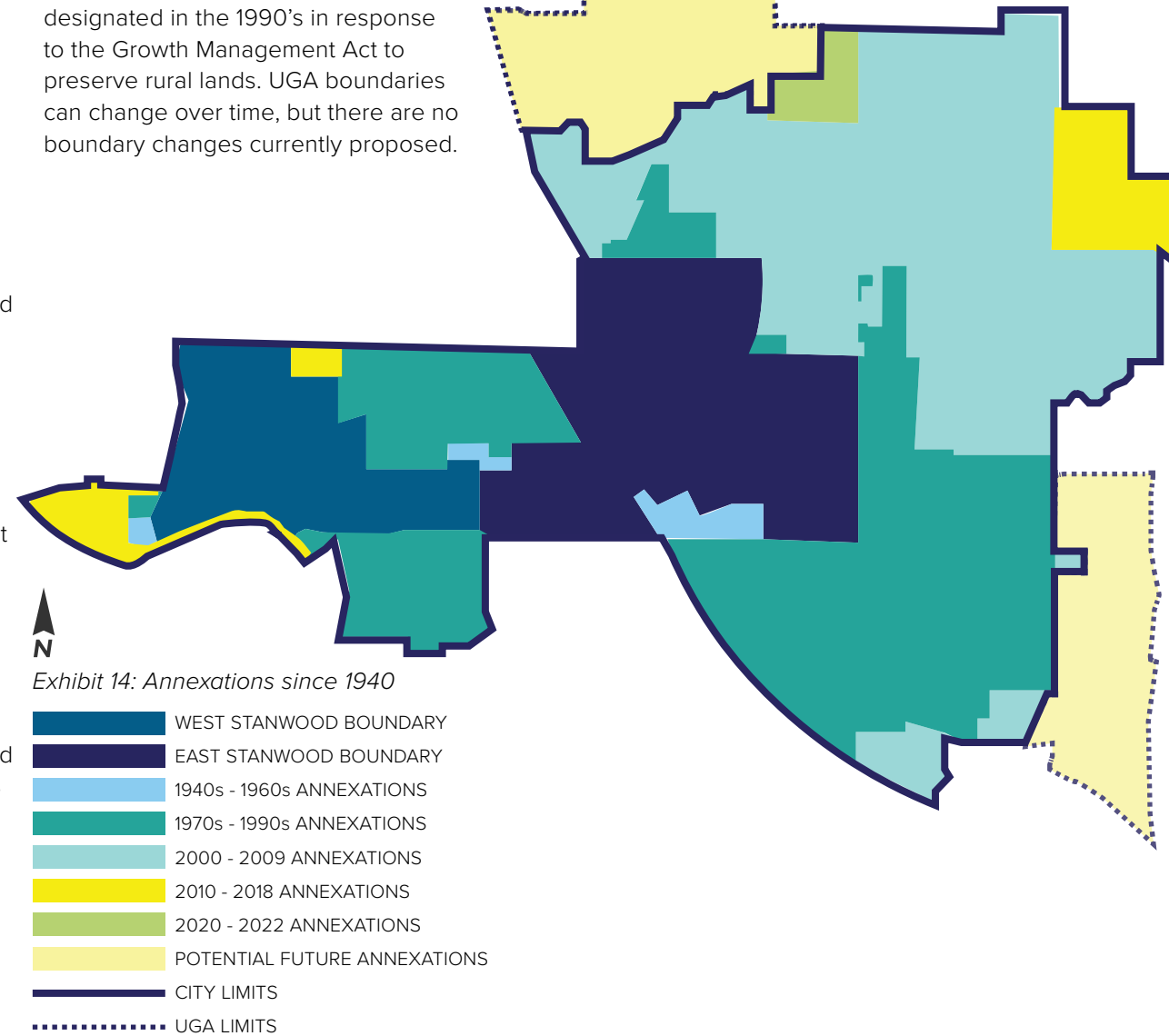
VACANT PARCELS

Undeveloped properties, or vacant parcels, are characterized by either being undeveloped lots or lots without any structures. Approximately 4.44%, or 72 acres, of the City's parcels are occupied by vacant lands with a majority of this vacant land being in a residential zone (41.9% of vacant lands or 30.18 acres) followed by industrial zones (30.6%), public zones (20.4%), and commercial zones (7.1%).

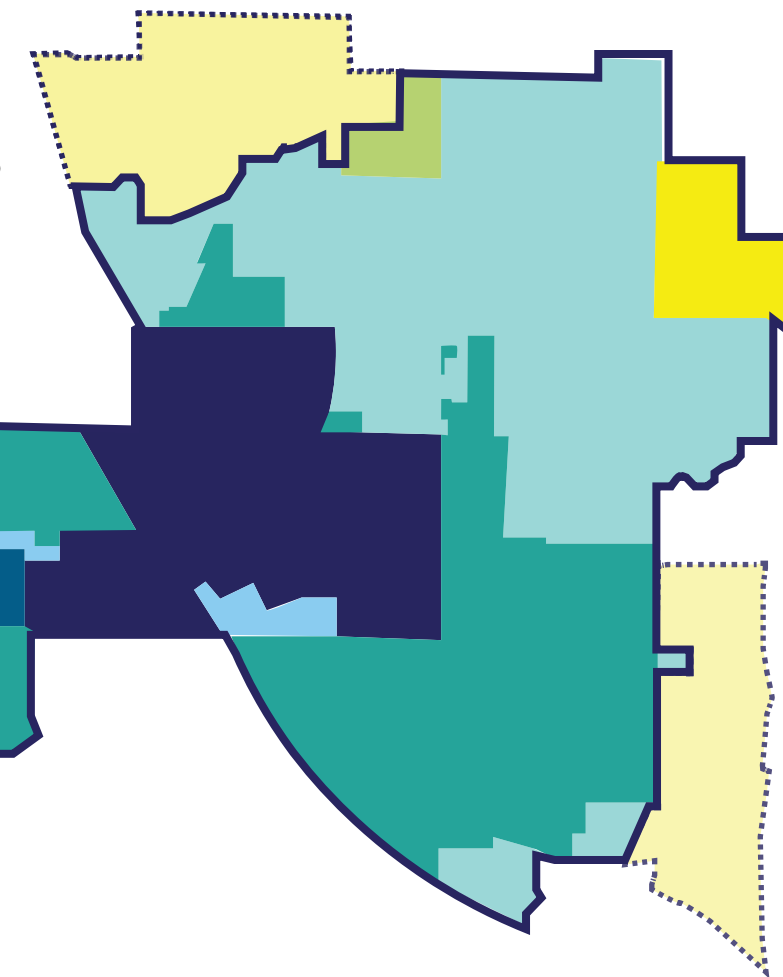
ANNEXATION

The intention of an Urban Growth Area (UGA) is to delineate lands for consideration of annexation into city limits. Properties may request annexation into city limits for a variety of reasons including facilitation of urban development and extension of urban services, such as water and sewer. Management of urban growth areas is a collaborative effort between the County and City. Up until the point at which a property in the UGA is annexed into the City, these lands are regulated and managed by Snohomish County. Stanwood's designated UGAs are located to the north and southeast of city limits.

Annexations do not happen overnight – the process may often take over a year as residents, elected officials, City and County staff, and local agencies work together through the process to ensure appropriate services will be available for the annexation. Annexations can be initiated by the City itself or by property owners interested in annexing. Stanwood's UGA was originally



designated in the 1990's in response to the Growth Management Act to preserve rural lands. UGA boundaries can change over time, but there are no boundary changes currently proposed.





FUTURE LAND USE CAPACITY

The future land use analysis is to determine the amount of land which is needed to satisfy the anticipated growth over the next 20 years in population, jobs, and housing, in the City of Stanwood. Snohomish County is tasked with assigning targets for population, housing, and jobs for each city and unincorporated area within its boundaries. Snohomish County assigns capacity targets based on the most recently published official 20-year population projection for Snohomish County. The Office of Financial Management (OFM), the Puget Sound Regional Council's (PSRC) most recent population data, and the employment distribution represented by the VISION 2050 Regional Growth Strategy (RGS) compose the 20-year projections.

HOUSING CAPACITY AND GROWTH TARGETS

There are approximately 3,367 housing units existing with approximately 70% of homes owned and 30% rented. The Housing chapter anticipates an increase in the housing stock by 1,630 dwelling units, a cumulative total of 4,608 units, by 2044 to meet growth projections. Between 2020 and mid-2023, several projects in the predevelopment pipeline that are estimated to bring in 1,124 new dwelling units (544 single-family and 580 multifamily units) within the city limits bringing the city closer to it's housing target of 4,608 units (4,102 units as of 2023) leaving a

remaining target and capacity of 506 units . Based on the Snohomish County Buildable Land Report 2021, current city zoning, projects developed between 2020 to 2023, pipeline projects and an assessment of gross build able land area project a housing capacity 1,053 units by 2044, which is a surplus of 547 units.

HOUSING AND INCOME-LEVEL AFFORDABILITY

In addition to the housing growth targets determined by Snohomish County (4,608 total dwelling units by 2044), Stanwood must also consider what types of housing units are being developed and what income group those new units would support.

Housing Needs by Income Level

Income Level (AMI)	Units Needed
Extremely Low (30% or less)	218
Very Low (30-50%)	319
Low (50-80%)	-387
Moderate (80-100%)	0
High (100%-120%)	127
Very High (>120%)	229

Recommended Housing types for Income-Level Needs

- Greater than 120% AMI**
Single family homes
- 80-120% AMI**
Small lots single family, cottage homes, townhomes, condominiums
- 50-80% AMI**
Apartments, accessory dwelling units
- 30-50% AMI**
Manufactured homes, Subsidized apartments, single-room occupancy, shared housing
- Below 30% AMI**
Subsidized apartments, tiny home villages, permanent supportive housing

POPULATION GROWTH

The 2044 population target is within the established capacity, there is sufficient land within the Stanwood UGA to accommodate 20 years of growth. It is vital to understand population growth and development trends to create reflective goals and policies that are in tune with community needs. Trends provide insight into the future direction of Stanwood and inform decisions based on the demand for housing and employment. Trends are influenced by complex variables such as quality of life, efficiency and convenience, transportation infrastructure, economic growth and

resiliency, and community culture. Since public facilities, services, and their costs are based on population, it is key for Stanwood to plan for population forecasts with established trends in mind.

Stanwood is a stable community with an upward trajectory of growth. The 2022 population of Stanwood is 8,585 people. Stanwood's population has nearly doubled over the last 20 years and grew 135% over the past 12 years. The County maintains UGAs that provide capacity for 20 years of population growth. The 2044 population target is within the established capacity, there is sufficient land within the Stanwood UGA to accommodate 20 years of growth.

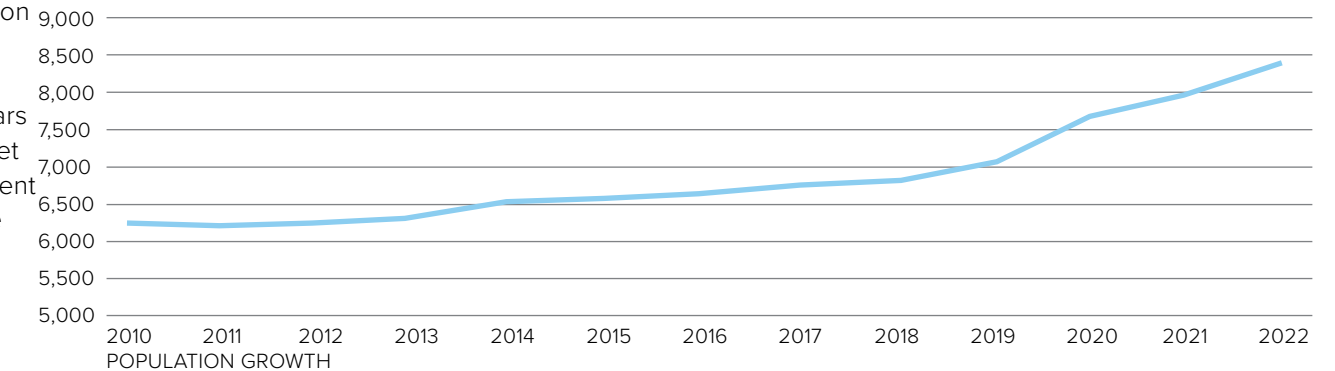
Population Targets: Stanwood / UGA	
2020 Census Population	7,705 / 142
2020 -2044 Growth	3,258 / 290
2044 Population Targets	10,963 / 432

JOB CAPACITY AND GROWTH TARGETS

In 2019, Stanwood had a total of 3,426 jobs. About 73% of jobs are in the service sector, 14% are in the industrial sector, 10% are in retail, and 3% are in the government sector. Almost all of net new job growth in the past ten years took place in the service and government sectors.

Land use and zoning are the parameters that regulate the quality and appropriateness of development. As such, residents and businesses

are continuously invested in proposed changes that change what is allowed to be developed in their backyard. Stanwood's land use strategy prioritizes the city's economic identity, preserves small town character, supports growth, establishes regional draw, maintains compatibility of growth and zoning, and coordinates connectivity. The city's zones have established balance in meeting existing community needs with the future needs of the community's children, new residents, and growing businesses. Future capacity is available by 2044 for an additional 7,693 people, 1,053 new homes and 2,639 new jobs to meet the anticipated growth projections for Stanwood.



Existing Land Use Inventory					
LAND USE	MAX. ALLOWED DENSITY (DU/ACRE)	TOTAL ACRES IN CITY	ACRES IN USE	VACANT ACRES	% TOTAL OF CITY LAND
GENERAL COMMERCIAL	N/A	89.21	85.98	3.23	5.51%
DOWNTOWN MIXED USE CORRIDOR	10-30	63.77	61.89	1.88	3.94%
NEIGHBORHOOD BUSINESS	N/A	2.30	2.30	0.00	0.14%
GENERAL INDUSTRIAL	N/A	90.85	90.51	0.34	5.61%
PLANNED INDUSTRIAL	N/A	122.53	100.83	21.7	7.57%
PARKS AND OPEN SPACE	N/A	99.47	84.81	14.66	6.15%
PUBLIC FACILITY	N/A	166.55	166.55	0	10.29%
SINGLE FAMILY RESIDENTIAL (12,000 SF MIN LOT SIZE)	3.5	57.78	42.56	15.22	3.62%
SINGLE FAMILY RESIDENTIAL (9,600 SF MIN LOT SIZE)	5	464.63	395.19	69.44	29.11%
SINGLE FAMILY RESIDENTIAL (7,000 SF MIN LOT SIZE)	6	117.55	107.63	9.92	7.36%
SINGLE FAMILY RESIDENTIAL (5,000 SF MIN LOT SIZE)	10	63.84	46.10	17.74	4.00%
MULTI-FAMILY RESIDENTIAL	20	106.10	88	18.10	6.56%
TRADITIONAL NEIGHBORHOOD	20	175.37	175.37	0	10.84%



ESSENTIAL PUBLIC FACILITIES

With growth on the horizon, Stanwood is required to consider how future needs can be met for Essential Public Facilities (EPF's), which are defined as government facilities that can be difficult to place, such as but not limited to airports, state education, transportation, correctional, solid waste, or inpatient facilities. EPF's are essential facilities that provide critical services that serve the community and region. The GMA requires that cities develop a process to identify and sit EPF's where they would be appropriate in the community. Stanwood defines EPF's as "essential facilities" in alignment with the American Society of Civil Engineers' (ASCE) definition. Use regulations for essential facilities are described within the Zoning Code and are outright permitted in all commercial, industrial, and public zones outright. Development regulations of the underlying zone are applied to essential facility projects. remaining target and capacity of 506 units . Based on the Snohomish County Buildable Land Report 2021, current city zoning, projects developed between 2020 to 2023, pipeline projects and an assessment of gross build able land area project a housing capacity 1,053 units by 2044, which is a surplus of 547 units.





WHERE WE'RE GOING: TRANSPORTATION





CORE VALUES



FUTURE GROWTH

By 2044, City employment is expected to increase by 57%, and housing by 32%. Most job growth will occur in the Downtown area, while most housing growth will be in the eastern portion of the City. Forecasted capacity issues in these areas will be mitigated through roadway upgrades that serve higher traffic volumes and non-motorized travel.



REDUCE TRAFFIC

The backbone of City transportation is the street and highway system. Traffic along Pioneer Highway and SR 532 has substantially increased over the past 8 years. Certain intersections have also recently experienced higher traffic volumes than others. To reduce traffic delays, road widening/ reconstruction projects are proposed. New Downtown roads are also proposed to provide alternative routes across the railroad tracks.



IMPROVE LOS

Mobility and access are an important component of quality urban living. Most intersections of Stanwood have a high level of service standard, experiencing free and stable flows for most of the year. Three intersections along SR 532 have unstable flows and experience frequent congestion. In response, the City plans to pursue upgrading intersections through the addition of traffic circles, added turn lanes, or modifications to traffic controls.



KEY PARTNERSHIPS

Stanwood plans to continue working with Community Transit and Island Transit to improve transit services and develop an efficient transit system that supports future growth. Strategies coordinated with Snohomish County, WSDOT, and PSRC can provide alternatives for commuting residents and employees such as ridesharing, telecommuting, and flexible work schedules.



PROJECT FINANCING

The estimated capital cost of the Transportation Plan is \$110 million. Stanwood is estimated to only be able to fund less than 50% of identified projects and costs. However, strategies such as delaying improvement projects, obtaining additional grants and other agency funding, and reviewing project designs to determine whether costs can be reduced through reasonable changes, can help Stanwood



INTRODUCTION

Cities are defined and constrained by their transportation networks (i.e., highways, roads, trails, railroads and transit services) that move their residents in and around the community. A comprehensive and efficiently functioning transportation system is essential to Stanwood's long-term growth and vitality.

The Transportation Element, or also known as the Transportation Plan (the Plan), establishes the City's goals and policies for developing Stanwood's transportation system within the boundaries of the City and the *Urban Growth Area* (UGA). The Plan is based on a 2014 Study of Stanwood's existing transportation network, combined with projections of future growth and transportation needs. The Plan includes five sections:

- Community Engagement
- Inventory of Existing Transportation Facilities and Conditions
- Travel Forecasts Evaluation
- Transportation Systems Plan and Strategies

KEY TERMS

URBAN GROWTH AREA

Each city shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period. As part of this planning process, each city must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate;

- Medical
- Governmental
- Institutional
- Commercial, service, and retail
- Other nonresidential use





TRANSPORTATION AND COMMUNITY VISION

Transportation Planning

The Transportation Plan establishes a flexible policy framework for making decisions consistent with the City's vision, and describes a strategy for accomplishing the City's vision over the 20 year planning horizon. The Plan recognizes the regional nature of the transportation system and the need for continuing interagency coordination to improve the system.

While the automobile-related transportation system needs found the core of Stanwood transportation system, the Plan addresses the development of a balanced, multi-modal transportation system for the City.

The Transportation Element and 2044 Stanwood Housing and Community Vision was informed with great consideration to the concerns and values shared by community members during the Public Engagement process. Goals and policies are also informed by community identified needs, while balancing the requirements of the State and the demands of the market. Many community members voiced concerns over the increasing traffic and congestion along major roadways, improving pedestrian safety near schools and commercial areas, and investing in sidewalk, trails, bicycle paths, and roundabout improvements for long-term community health and mobility.



LOCAL AND REGIONAL PLANNING

The 2024 Comprehensive Plan Transportation Plan is informed by a combination of local and regional regulatory requirements. These include the following:

- Growth Management Action (RCW 36.70A.070)
- Puget Sound Regional Council- VISION 2050
- Snohomish County Countywide Planning Policies
- Clean Air Conformity Act (WAC 173-430-080)
- Healthy Communities Amendment (ESSB 5186)

More information regarding regulatory requirements is found in Appendix [INSERT APPENDIX NAME]



Community Feedback

In 2023, community members identified a range of priorities for Stanwood's transportation infrastructure. These priorities help guide the goals and policies of the Transportation Element. Identified transportation priorities are listed below:

"Strategically develop transportation systems for both pedestrians and motorized transportation, including road, pathway, trails, and sidewalk improvements in the Downtown and Uptown Area."

"Locate transportation facilities and services within walking distance to public facilities, schools, residential neighborhoods, commercial and business centers, and public parks"

"Investigate the feasibility of roundabout construction and other public works improvements to alleviate traffic."

"Improve road safety for younger and older populations through ADA and sidewalk connectivity investment near key community amenities and services."

"Create and improve pedestrian infrastructure and non-motorized friendly transportation options in all areas of the City to improve community accessibility, safety, health, and mobility."

"Invest in traffic and road safety improvements, especially on State Route (SR) 532, 80th Street, and 84th Street, to improve overall city congestion caused by an increasing local and regional population."

"Recognize Stanwood as a transportation hub between island and inland communities to encourage human movement by an array of interconnected transportation facilities and services."



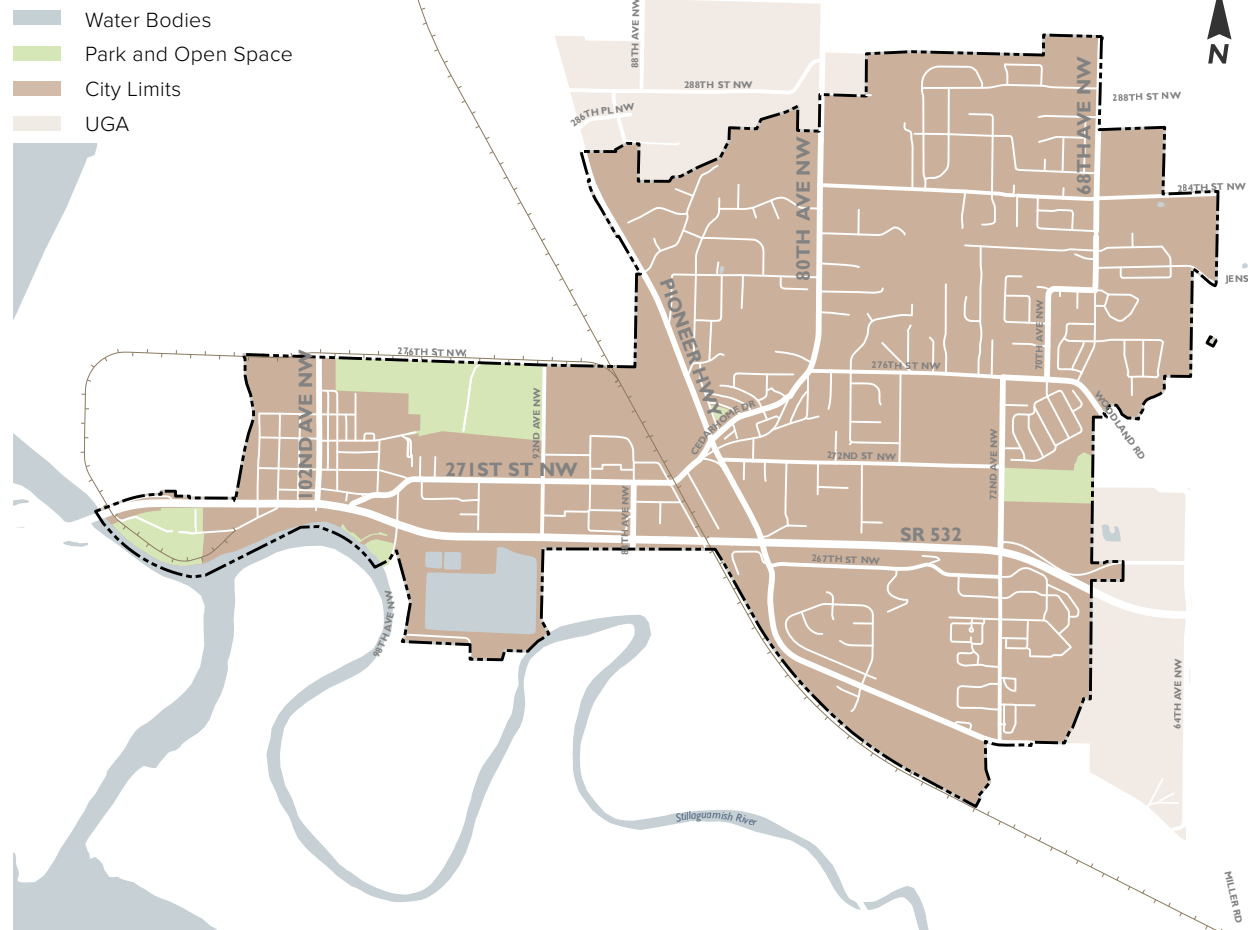
TRANSPORTATION INVENTORY: How Does Stanwood Currently Navigate the City?

Transportation facilities and services provide for travel within the City and also connect Stanwood with the rest of the region. The City's existing transportation system includes:

- State highways
- Arterials
- Collectors
- Local roads
- Pedestrian and Bicycle Facilities
- Transit Routes and Facilities.
- Rail Line (freight and passenger travel).

This section summarizes the key elements of the existing transportation system serving the City. The inventory of existing transportation facilities and conditions provides a foundation for identifying and prioritizing the City's transportation improvement projects and programs presented later in the Transportation Plan.

Figure 1. Transportation Facilities Map



ROADWAY SYSTEM

The backbone of the City's transportation system is the street and highway system. This system provides mobility and access for a range of travel modes and users. Roadways are classified by their intended function (collector, arterial, etc.) and desired level-of-service. The functional classification system provides context for identifying the transportation improvement projects needed to serve anticipated growth and meet minimum LOS standards.



This section includes street and highway system background information such as:

- Number of Travel Lanes and Existing Traffic Controls
- 2022 Traffic Volumes and Operations
- Transportation Safety Conditions
- Level of Service: Local & Regional
- Alternative Routes and Networks

The City's existing and future roadway functional classifications are discussed in TRANSPORTATION SYSTEMS PLAN: "A Strategy for Improvement and Movement" below. Non-motorized and transit facilities and services, which use the roadway system, are also described in subsequent sections.

KEY TERMS

COLLECTOR

A road that provides for traffic movement between arterial roads and local (residential) streets, and direct access to abutting properties.

ARTERIAL

Including freeways, highways, and other high-volume roads that connect urban areas, cities, and industrial/commercial centers. Typical speeds range from 50 to 70 miles per hour.

TG-1

Continue to develop a transportation system that encourages, supports, and enhances the safe, efficient, and reliable movement of people, vehicles, and goods.

TP 1.1: Direct pass-through traffic to collector roads designed and classified for higher volumes of traffic. Use neighborhood traffic calming and access control to direct traffic appropriately.

TP 1.2: Design local access streets to provide safety for pedestrians, bicycles, and automobiles, and meet the requirements of the Americans and Disabilities Act (ADA).

TP 1.3: The City's transportation system should consist of a grid of through streets, providing a better connection from east to west and north to south.

TP 1.4: Adopt a "complete streets" ordinance based on the guidelines established by Smart Growth America and the US Department of Transportation.

TP 1.5: Work with regional transportation providers to employ emerging technological solutions to improve the safety and efficiency of the transportation system.

TP 1.6: Identify and implement strategies

to ensure the resilience and future security of the transportation system for the efficient movement of emergency responses.

TP 1.7: Update lighting standards and use lamps that assure safe and effective illumination at minimum cost and energy use.

TP 1.8: Conduct a street light evaluation study and upgrade the lighting system per the study's recommendations to ensure safe walking routes to schools and parks.

TP 1.9: Prepare a citywide ADA inventory and transition plan with an implementation strategy.



EXISTING HIGHWAYS AND STREET SYSTEM

Figures 2,3, and 4 shows the existing state highway and arterial system serving Stanwood. The City is served by several north-south and east-west routes including State Route (SR) 532.

Roadway	Number of Lanes	Speed Limit (MPH)
North-South Routes		
102nd Ave NW / Old Pacific Hwy	2	25
Pioneer Hwy	2	30-35
80th Avenue NW	2	25
68th Avenue NW	2	25
72nd Avenue NW	2-3	25
64th Avenue NW	2	35
Marine Drive	2	25

East-West Routes		
SR 532 (within city limits)	2-3	35-45
271st Street NW	2-3	25
272 Street NW	2	25
26th Street NW	2	25
300th Street NW	2	50

Figure 2. Existing Roadways Serving Stanwood (2014)

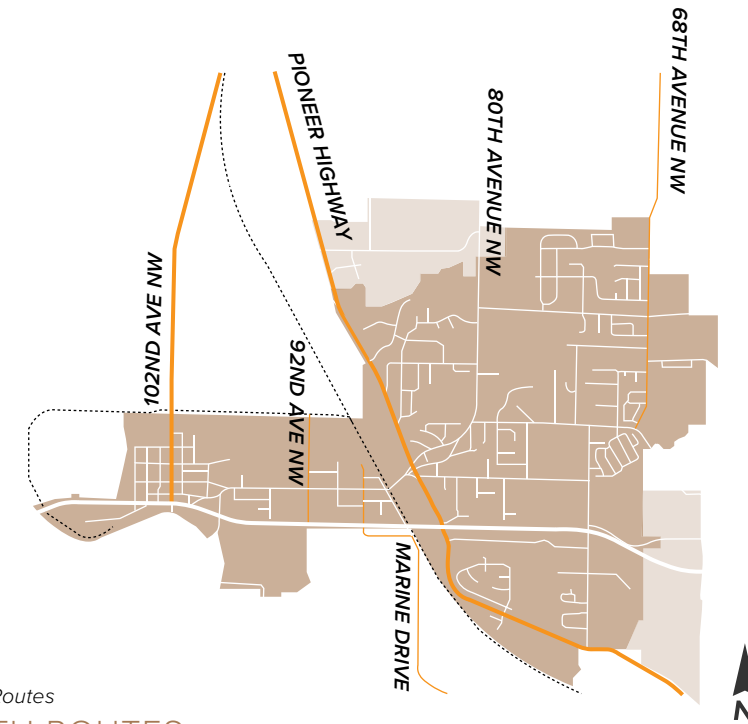


Figure 3. North South Routes

NORTH-SOUTH ROUTES

Pioneer Highway

“The primary North-South Route”

- An original farm-to-market road.
- The highway connects north to Interstate 5, just to the south of Mount Vernon.
- To the south, the highway veers east and again connects to Interstate 5 (northwest of Arlington).

102nd Avenue

“Old Pacific Highway”

- In the western half of the City, provides the only north-south connection to areas north of the City limits.

92nd Avenue NW

“Western Secondary North-South Route”

- Located between SR 532 and 276th Street NW (“Lovers Lane”).

80th Avenue NW and 68th Avenue NW

“Main North-South Thoroughfares”

- Located in eastern Stanwood.

Marine Drive

“North-South route connecting the downtown region to areas south of the City”



KEY TERMS

REGIONALLY SIGNIFICANT STATE HIGHWAY

State transportation facilities that are not designated as being of statewide significance (also called non-HSS facilities). These routes generally have varying LOS standards than statewide significant highways.

For example, SR 532 has an LOS of D, meaning speed begins to decline with increasing volume on this road. Freedom to maneuver is further reduced, and the traffic stream has little space to absorb disruptions.

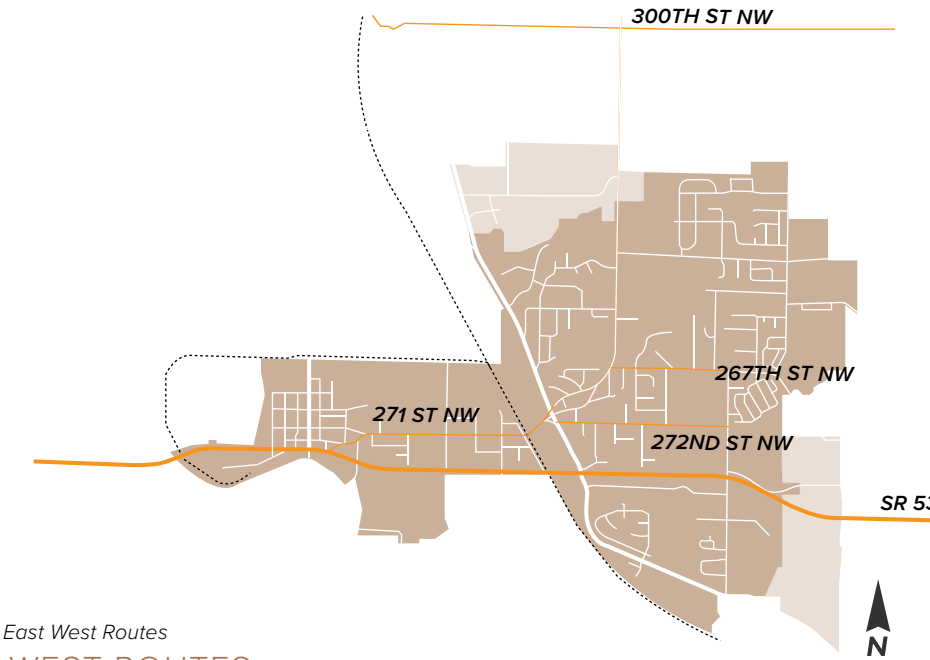


Figure 4. East West Routes

EAST-WEST ROUTES

SR 532

“10-mile Regionally Significant State Highway”

- Connects Stanwood to Interstate 5, the Puget Sound region, and destinations beyond.
- Provides the only land connection to Camano Island.

271st Street NW

“East-West route through the Historic Business District”

- North of SR 532 and west of the rail line
- Connects 104th Drive NW to Cedarhome Drive and Pioneer Highway.

272nd Street NW and 276th Street NW

“East-West connectivity north of SR 532”

- Provides connectivity east of the rail line.
- Runs between Pioneer Highway and 72nd Avenue NW.
- 276th Street NW runs between 70th and 80th Avenue NW.

300th Street NW

“Connection from Pioneer Highway to the west and Old Highway 99 North/I-5 to the east”

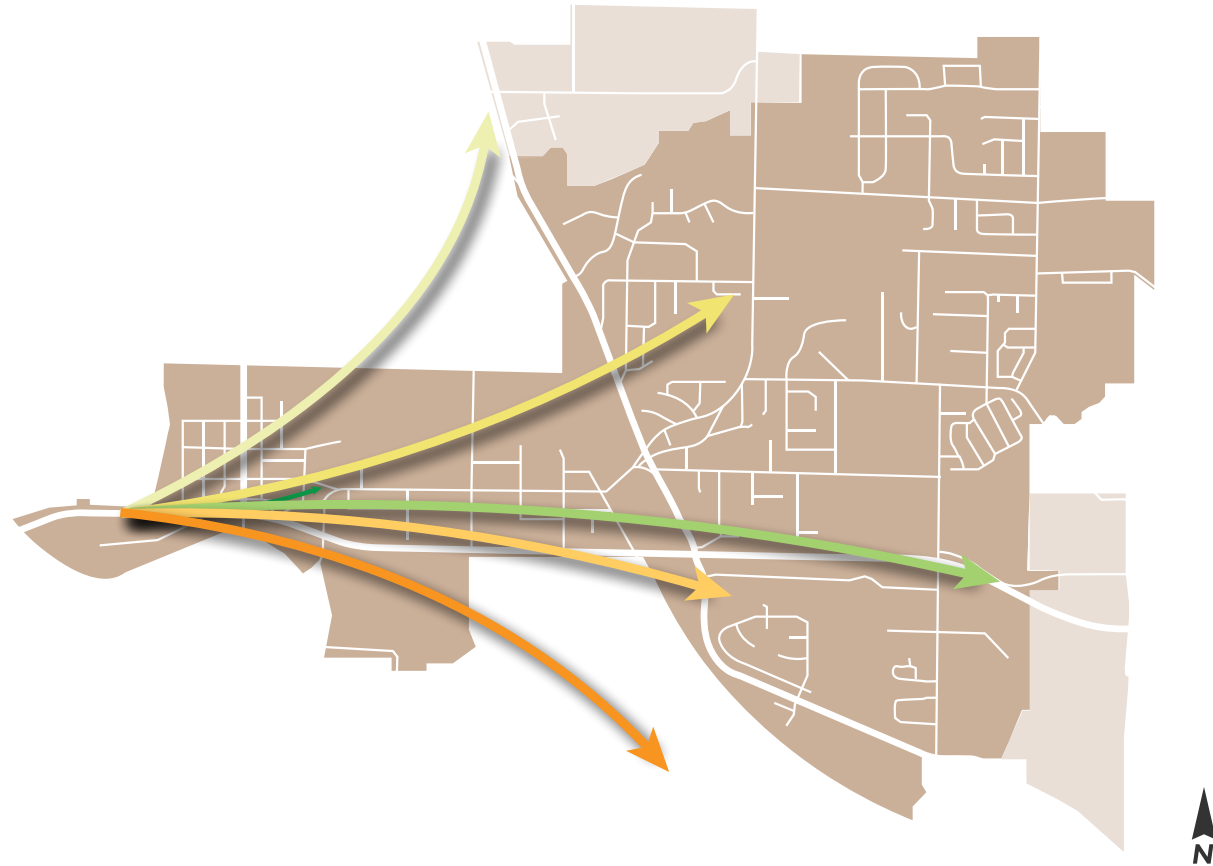
- 300th Street NW has a single lane in each direction and a posted speed limit of 50 mph.



WHAT IS IT LIKE TO TRAVEL IN STANWOOD?

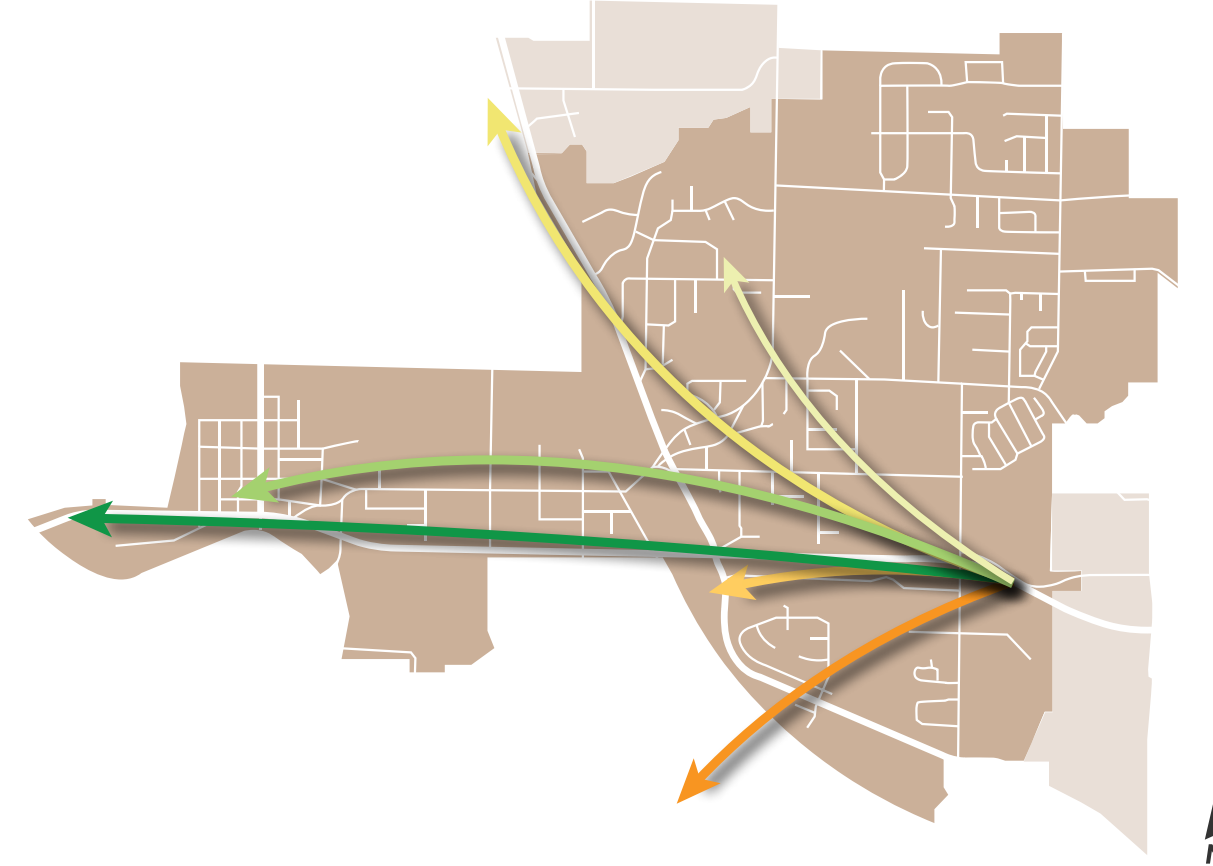
Trips along SR 532 in the eastbound direction generally head north along Old Pacific Hwy (about 20 percent) or pass completely through the City on SR 532 (approximately 28 to 35 percent). About 21 to 25 percent of eastbound trips are oriented to the western areas of Stanwood, and 22 to 24 percent to the eastern areas of the City.

In the westbound direction, trips generally stay on SR 532 to reach City areas or Camano Island beyond. Approximately 33 to 35 percent of trips travel completely through the SR 532 corridor. Another 20 percent is oriented to the western areas of the City. The bulk of westbound trips (about 40 percent) are oriented to the eastern parts of the City.



DIRECTION	Weekday Daily: 9,140	Weekend Daily: 8,195	Weekend PM Peak: 1,090
NE STANWOOD (RESIDENTIAL)	19%	19%	20%
NORTH OF STANWOOD	11%	7%	11%
DOWNTOWN	21%	22%	25%
THROUGH TRIPS	35%	37%	28%
SE STANWOOD (COMMERCIAL)	11%	9%	11%
SOUTH OF STANWOOD	3%	5%	3%

Figure 6, Eastbound Origin-Destination Traffic Volume Percentages



DIRECTION	Weekday Daily: 9,140	Weekend Daily: 8,195	Weekend PM Peak: 1,090
NE STANWOOD (RESIDENTIAL)	25%	27%	25%
NORTH OF STANWOOD	3%	3%	3%
DOWNTOWN	20%	19%	20%
THROUGH TRIPS	33%	36%	35%
SE STANWOOD (COMMERCIAL)	17%	14%	16%
SOUTH OF STANWOOD	1%	2%	1%

Figure 7, Westbound Origin-Destination Traffic Volume Percentages





STANWOOD TRAFFIC AND SAFETY

Daily traffic volumes for major roadway corridors in the City are shown in Figure 8. Historical traffic volumes collected in 2014 for corresponding locations are also shown where available. The traffic volumes shown in the table represent the approximate volumes in both directions of travel.

Location	2014 (AWDT)	2022 (AWDT)
SR 532 <i>between east and west city limits</i>	18,100-21,300	21,100-24,000
102nd Ave NW / Old Pacific Hwy <i>north of city limits</i>	5,100	7,000
Pioneer Hwy <i>north of Logan Road</i>	3,800	5,000
80th Avenue NW <i>south of Larson Road</i>	1,100	2,000
68th Avenue NW <i>north of 288th St NW</i>	1,900	3,000

Collision records for roadways were provided by WSDOT for a five-year period from 2017 to 2021. Collision records were summarized by intersection, which have the highest concentration of conflict points and where majority of collisions occur.

Over the five years of data collected by WSDOT, 202 collisions were reported at study intersections from January 1, 2017 to December 31, 2021. No fatal collisions occurred within the study area during the five-year period.

Collision rates from the most recent five years of records available (2017 to 2021) show that two intersections within Stanwood are considered high collision locations:

267th Street NW and 72nd Avenue NW

- Rate of 1.17 Collisions Per MEV.
- The majority (69 percent) of collisions resulted in property damage only.
- Most Frequent Collision Type: Rear-end collisions.

64th Avenue NW and 268th Street NW

- Rate of 1.82 Collisions per MEV.
- Seven reported collisions, six of which resulted in property damage only.
- Most Frequent Collision Type: Angle Collision.

From (2011 to 2013) to current data (2017 to 2021), some intersections have had reductions in the average number of collisions over time. The intersection of 267th Street NW/72nd Avenue NW had the largest increase between the two study periods.

Level of Service Standards

Level of Service (LOS) standards are part of the mandatory elements of the City's Comprehensive Plan as required by the Growth Management Act (GMA) (RCW 36.70A.070). In addition, climate legislation passed in 2023 requires jurisdictions to adopt level of service standards for pedestrian and bicycle facilities. The Puget Sound Regional

Council (PSRC) and the VISION 2050 Regional Transportation Plan encourage local jurisdictions to conduct the following:

- Develop multi-modal transportation concurrency programs.*
- Identify specific actions and requirements for bringing into compliance locally owned transportation facilities or services that operate or will operate below the established LOS standard.*

As required by the GMA, the City has reviewed its LOS standards within the context of the regional policies established by PSRC. Stanwood coordinates its LOS standards with those established by Snohomish County, especially as they apply to development within the City's designated Urban Growth Area (UGA). See figure for further discussion.

While vehicles drivers are sensitive to traffic congestion and delay experienced at traffic signals, people walking and biking are sensitive to the exposure and proximity of vehicles moving by them. Transit riders are sensitive to the accessibility of bus stops and shelters, crosswalks, ADA ramps, and street lighting.

For purposes of the 2024 Transportation Plan, the City has adopted LOS standards for all transportation facilities under its jurisdiction.

KEY TERMS

LEVEL OF SERVICE (LOS)

Measure of the quality of traffic flow and operations for vehicles. It can be described in terms such as speeds, travel times, delays, convenience, interruptions, and comfort.

The Highway Capacity Manual 6th Edition (HCM) criteria range from LOS A indicating free-flow conditions with minimal delays, to LOS F indicating extreme congestion and significant delays.

MULTIMODAL LEVEL OF SERVICE (MMLOS)

An inclusive method of measuring all major modes of transportation (pedestrian, bicycle, transit, vehicle). Multimodal measures are typically different for each mode and are sensitive to the conditions experienced by the user group.

Stanwood levels of service are measured using methodologies identified in the latest edition of the Highway Capacity Manual (HCM):

Traffic Signals, Roundabouts, and All-Way Stop Controlled Intersections – LOS D or better based on overall average delay per vehicle.

Unsignalized Two-Way Stop Controlled Intersections – LOS E or better for worst traffic movement. On a case-by-case basis, the City may allow the level of service for traffic movements from the minor streets at two-way stop controlled intersections to operate below the adopted standard, if the City determines that no significant safety or operational issues will result.

The lower LOS standard for unsignalized, two-way stop controlled intersections reflects the desire to minimize delays on the major street and through street traffic, while supporting safe and efficient operations from the minor streets.

LOS A: *Free Flow*

LOS B: *Stable Flow (slight delays)*

LOS C: *Stable Flow (acceptable delays)*

LOS D: *Approaching unstable flow (tolerable delay, occasionally wait through more than on signal before proceeding)*

LOS E: *Unstable flow (intolerable delay)*

LOS F: *Forced flow (congested and Queues fail to clear)*





LOS STANDARDS: LOCAL SCALE

Ten intersections along SR 532 within the Stanwood City limits were studied. Figure 5 shows the 2022 PM peak hour intersection LOS and control type for each of the study intersections. Three intersections along SR 532 operate at LOS E or F. All other intersections on SR 532 operate at LOS D or better and all other intersections operate at LOS B or better, both of which meet the applicable LOS standard.

LOS SIGNAL

□ Stop

○ Signal

LOS level

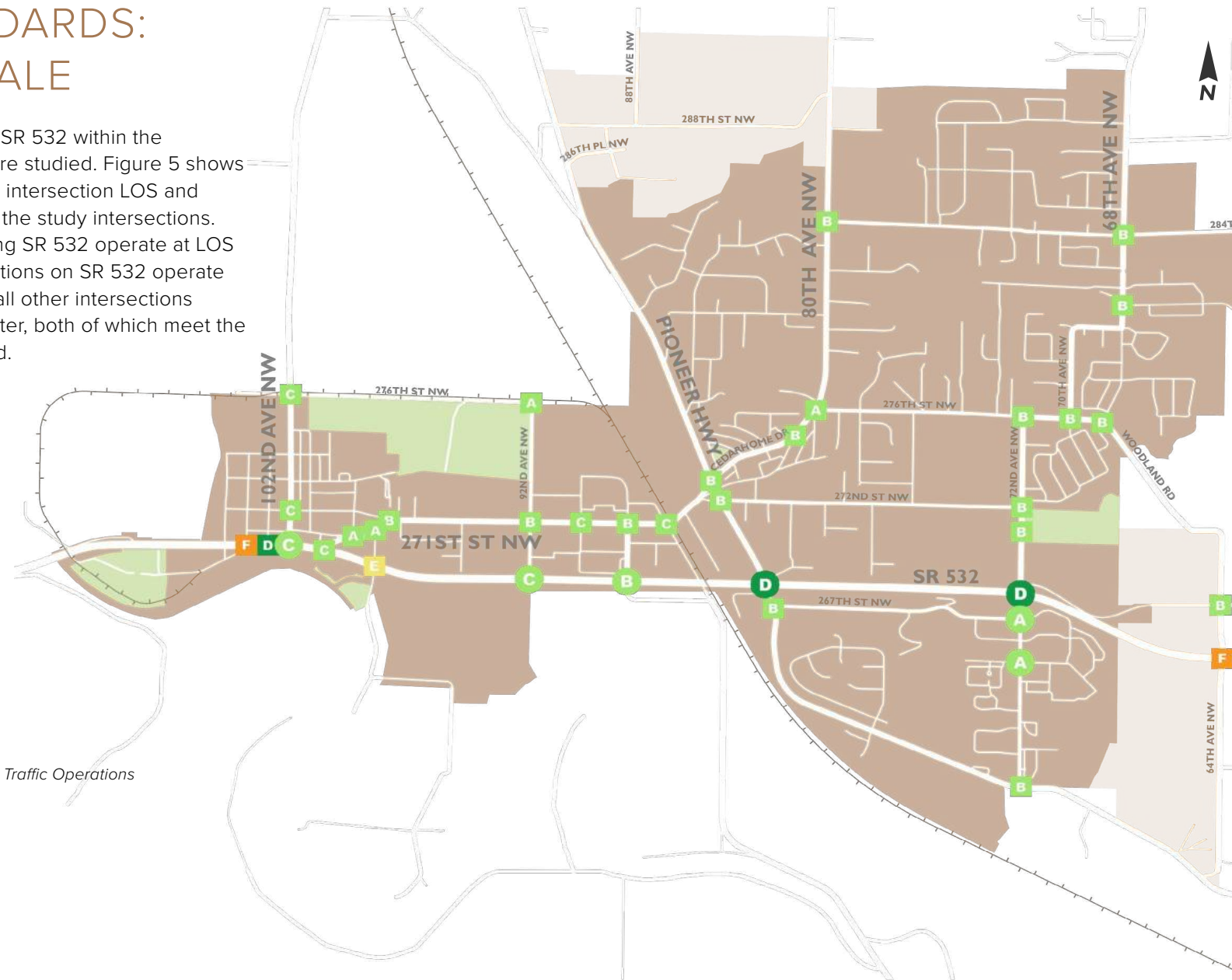
● A-C

● D

● E

● F

Figure 9, Existing Intersection Traffic Operations



SR 532/103rd Drive NW

- Two-way stop-controlled intersection.
- Provides access to residential areas to the north and Saratoga Drive to the south.
- Southbound approach: LOS F with 51 seconds of delay.
- Other movements: LOS B with 14 seconds of delay or better.

SR 532/102nd Drive NW

- Two-way stop-controlled intersection.
- Provides access to the residential areas to the north.
- Southbound approach: LOS D with 25 seconds of delay, and 15 vehicles during the 2022 PM peak hour.
- Eastbound approach: LOS B with 12 seconds of delay.

SR 532/102nd Avenue NW

- Signal-controlled intersection.
- Major access to this part of the City as well as Old Pacific Highway to the north.
- Operated at LOS D in 2014, but has improved to LOS C in 2022. The improvement can be attributed to overall changes in traffic volume levels.

SR 532/270th Avenue NW

- Two-way stop-controlled intersection.
- Southbound approach: LOS C with 20 seconds of delay.
- Eastbound approach: LOS B with 10 seconds

of delay.

- 5 left turns and 85 right turns, with vehicles queues of two vehicles or less.

SR 532/98th Avenue NW

- Provides connections between Camano Street, 270th Street NW, and 271st Street NW to the north, and Leque Road to the south.
- Stop-controlled for northbound and southbound movements.
- Operated at LOS E in 2014 and continues to operate at LOS E in 2022.

SR 532/92nd Avenue NW

- Signal-controlled intersection.
- Provides connections to 270th Street NW and 271st Street NW to the north.
- Provides access to the central portion of the downtown.
- LOS B in 2014 and degrades slightly to LOS C in 2022.

SR 532/88th Avenue NW

- Provides connections from SR 532 to 271st Street NW to the north and to 267th Street NW and Marine Drive to the south.
- LOS C in 2014 and has slightly improved to LOS B in 2022.

SR 532/Pioneer Highway

- Provides connections from SR-532 north to Conway and its access to I-5.
- To the south, Pioneer Highway travels

southeasterly connecting with the City of Arlington.

- LOS C in 2014 and has slightly degraded to LOS D in 2022.

SR 532/72nd Avenue NW

- Provides connections to Pioneer Highway to the south and to the City's urban growth areas to the north.
- The intersection serves Stanwood High School, Twin City Elementary School, Port Susan Middle School, a major commercial development to the south, and several residential neighborhoods to the north.
- LOS C in 2014 and has slightly degraded to LOS D in 2022.

SR 532/64th Avenue NW

- Located at the eastern end of SR 532 and the City's UGA.
- Stop-controlled for northbound and southbound movements.
- LOS E in 2014 and has degraded to LOS F in 2022.



LOS STANDARDS: REGIONAL SCALE

State Highway LOS

- SR 532 is the only state highway serving Stanwood and is designated as a regionally significant state highway (non-HSS).
- Identified in the State's Highway Systems Plan, LOS standards for state highways of regional significance are adopted by PSRC and Washington State Department of Transportation (WSDOT).
- SR 532 is a Tier 2 highway with a standard of LOS D. Tier 2 highways serve the outer urban area which represents the area outside of the 3 mile buffer around heavily traveled highways and usually fall in areas farther from transit service with fewer alternative roadways.

Snohomish County LOS

- LOS standards for key arterials are defined by Snohomish County based primarily on arterial classification, number of lanes, average daily traffic (ADT) and average travel speed.
- In rural areas LOS standards range from LOS C to LOS D depending on the roadway type. In Urban areas LOS E is considered acceptable.
- North of the City limits arterial units are defined along Old Pacific Highway, 300th Street NW east of the current UGA, and 68th Ave NW.

Island County LOS

- The current adopted LOS methodology for Island County is an intersection-based LOS standard.
- For facilities located within designated urban areas, the standard is LOS D.
- For facilities located in outlying rural areas, the standard is LOS C.
- A unique feature of Island County's transportation concurrency program is that state law requires the County to include state highways and ferry routes as part of the County's level of service standard.



TG-2

Maintain transportation levels of service (LOS) consistent with adopted standards and community needs.

TP 2.1: Ensure adequate transportation facilities are available concurrent with development and maintain levels of service (LOS) that promote mobility for people and goods consistent with adopted standards.

TP 2.2: The City has adopted the following levels of service (LOS) standards:

1.) For locally owned intersection operations based on methodologies in the latest edition of the Highway Capacity Manual (HCM):

- i. LOS D for traffic signals, roundabouts, and all-way stop controlled intersections.
- ii. LOS E for two-way stop-controlled intersections.

2.) Apply Washington State Department of Transportation's level of service standards to intersections of state highways within the Stanwood area:

- i. LOS D or better within urban areas.
- ii. LOS C or better within rural areas.
- iii. LOS C or better within rural areas.

TP 2.3: Reassess as appropriate level of service standards and other development regulations based on growth and funding levels.

TP 2.4: Work with Snohomish County to coordinate level of service standards for transportation infrastructure and facilities within the City's

unincorporated Urban Growth Area for motorized and non-motorized transportation.

TP 2.5: Work with PSRC travel demand forecasts to identify state, regional, and local multimodal transportation system improvements deemed necessary to accommodate growth while improving safety and human health.

TP 2.6: Work cooperatively with Snohomish County and Island County to mitigate transportation impacts of development on Stanwood and adjacent areas.

TP 2.7 Develop and adopt an implementable local bicycle and pedestrian level of service concurrency program that promote the movement of people.



FREIGHT SYSTEM

“Freight” refers to the transportation of goods from one place to another. The Washington State Freight and Goods Transportation System (FGTS) is used to classify state highways, county roads, and city streets according to average annual gross truck tonnage they carry as directed by RCW 47.05.021.



SR 532 (Entire Length)
102nd Ave NW / Old Pacific Hwy (North of SR 532
Pioneer Hwy (Entire Length)
88th Ave NW (South of 271st St)
72nd Ave NW (276th St NW to Pioneer Hwy
288th St NW (Pioneer Hwy to 80th Ave NW)
Marine Drive (Entire Length)



300th St NW (Old Pacific Hwy to 68th Ave NW)
68th Ave NW (City Limits to 300th St NW)

KEY TERMS

FGTS TONNAGE CLASSIFICATIONS

T-3

300,000 to 4,000,000 annual gross tonnage (approximately 24 to 320 trucks per day).

T-4

100,000 to 300,000 annual gross tonnage (approximately)

RAIL TRANSPORTATION

Existing rail transportation within Stanwood includes both passenger and freight services via a double-tracked line running through the City. Amtrak passenger trains serving major West coast cities including Portland, Seattle, and Vancouver B.C. stop at the Stanwood Amtrak Station four times each day, two northbound and two southbound. Two trains travel through the station between 9 and 10 a.m. (both directions) and another two trains between 8 and 9 p.m. (both directions).

The main rail line is an important international freight line, connecting Pacific coast Ports including the Port of Seattle, and major cities from Canada to Mexico. BNSF operates an average of 20 trains per day in the area but are anticipating future growth in rail operations to up to 28 trains per day by 2040.

In addition to the mainline traveling through the City, there is a minimally used spur that serves Twin City Foods and the industrial area in southwest Stanwood. This spur rail line, rarely has high volumes of rail traffic, but is periodically used for storing freight train cars west of 102nd Avenue NW.

AT-GRADE RAIL CROSSINGS

Rail lines within the City of Stanwood intersect roadways at two at-grade rail crossings. One at-grade rail crossing is located near the Stanwood Amtrak Station on the mainline between the 271st

St NW / Cedarhome Drive intersection and Marine Drive. The other at-grade crossing is along the minimally used spur track at 102nd Avenue NW and 276th Street NW, just north of the City limits.

Under existing rail volumes, there are relatively small delays to roadway traffic because trains typically pass through crossing during off-peak hours. Future increases to rail volumes could cause more congestion at these locations as crossings occur during heavy vehicle travel times, particularly at the mainline crossing near the Stanwood Amtrak Station.



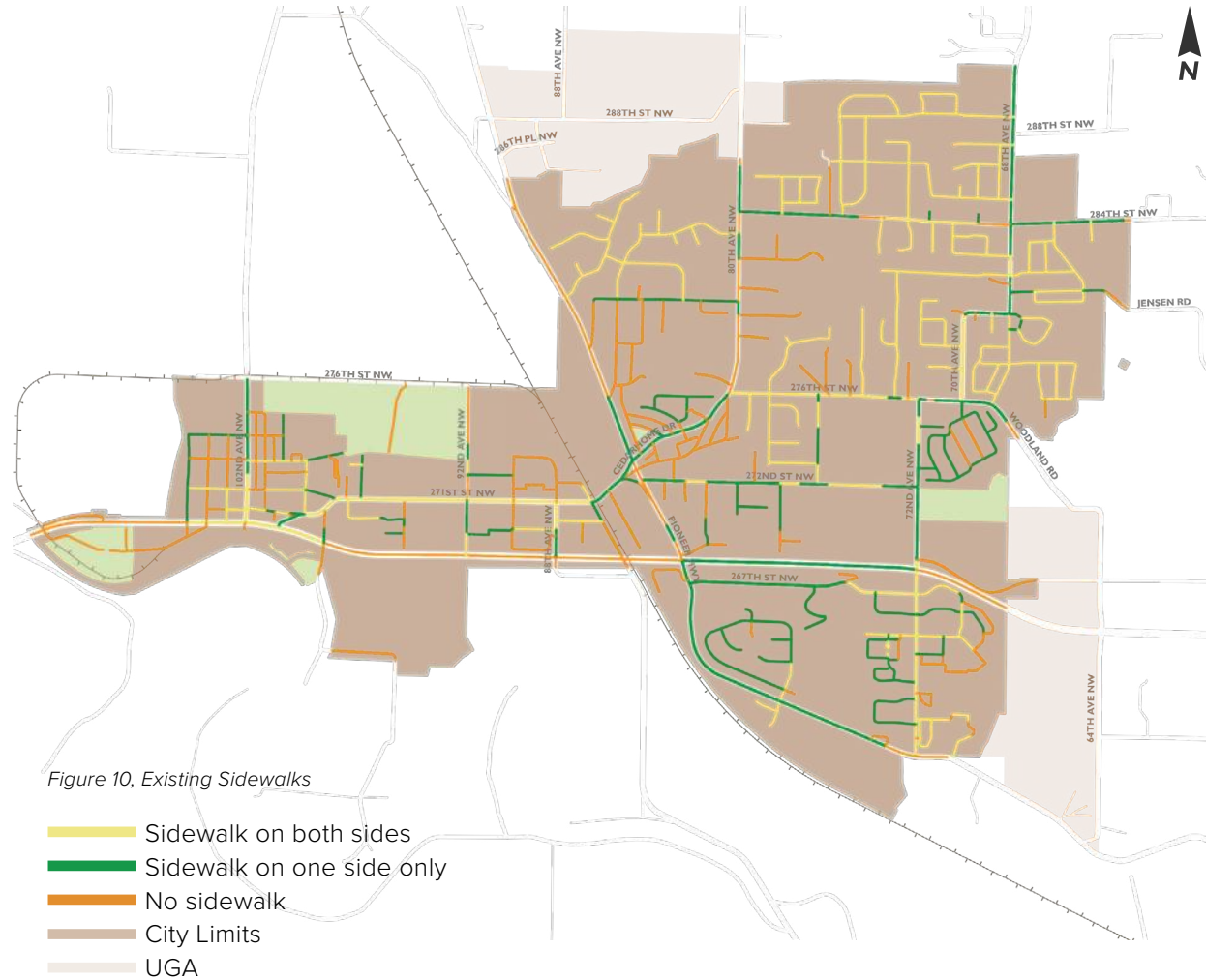


NON-MOTORIZED TRANSPORTATION SYSTEMS

The non-motorized transportation system is comprised of facilities that promote mobility without the aid of on-street motorized vehicles. A well-established system encourages healthy recreational activities, reduces travel demand on City roadways, and enhances safety within a livable community. Pedestrian and bicycle facilities also provide access to/from transit stops. Good transit access can increase the use of non-auto travel modes.

Pedestrian Facilities

Every trip begins and ends with a walk. People walk to their cars and drive somewhere where they will walk into a building or facility or they need to walk to the bus stop. The City hopes to connect more destinations with walking paths and encourage walking between trip destinations. The City encourages retail and commercial developers to design new facilities in a pedestrian friendly way. The City of Stanwood will continue to develop pedestrian and bicycle facilities as part of its transportation system improvements and has adopted street standards that provide for a range of facilities including sidewalks, bike lanes, wider roadway shoulders, and multiuse pathways.



Bicycle Facilities

Bicycling is an important and growing mode of travel for people in the region.. When appropriately planned, bicycle routes have a role in reducing congestion, improving air quality, providing travel choices, encouraging exercise and recreation, and providing greater mobility for those without access to a vehicle. The City encourages the use of bicycles; endeavors to coordinate linkages between off-road and on-road bicycle facilities; considers impacts on bicycles when designing and engineering roadways; and emphasizes continuous bicycle linkages to existing facilities.

The City is interested in incorporating adjacent bicycle lanes or other design treatments, as appropriate, into roadway construction projects whenever the right-of-way is sufficient and funding can be secured. Bicycle travel through traffic circles will need to be addressed as individual projects are designed and implemented.

While no formal bicycle facilities exist within the City, according to the Snohomish County Area Bicycling and Trail Map published by Community Transit, there are multiple bicycle corridors within the City of Stanwood. Community Transit identifies two types of bicycle facilities; routes with shoulders or dedicated bike lane and routes with no shoulder.





PUBLIC TRANSIT: BUS ROUTES AND NETWORKS

The success of the public transportation system is dependent on integrating key elements that comprise the overall plan. Integration of the transit system with street improvements, bicycle facilities, and pedestrian facilities is critical to transit's success.

Community Transit (CT) operates three routes in and through the City of Stanwood while Island Transit operates another three routes serving Stanwood. Each route provides a vastly different service area. Some routes provide direct trips from Stanwood to Camano Island, while others provide long distance trips to

- 240
Stanwood to Smokey Point (Weekday and Weekend Service)
- 247
Stanwood to Seaway Transit Center (Peak AM & PM Weekday Service Only)
- 422
Stanwood to Downtown Seattle (Peak AM & PM Weekday Service Only)
- 3
Stanwood to Camano (Weekdays and Saturday Service only)
- 411C
Camano Island to Mt Vernon (Weekdays and Saturday Service only)
- 412
Camano Island to Everett (Weekday Service Only)



Figure 11, Existing Transit Route and Park and Rides

- Stops + Transit stops
- T Amtrak Station
- P Park and Ride
- P Park and Pool



PARK-AND-RIDE AND PARK-AND-POOL LOTS

Park-and-Ride are important facilities for transit riders as they provide a location to leave personal vehicles parked for extended periods of time. This extends the range of the transit network as drivers can reach transit service via carpools or SOV trips during commutes.

As shown in Figure 8, the Stanwood area is served by one park-and-pool lot within City limits, and another two park-and-ride lots outside City limits. The park-and-pool lot inside the City is located at 90th Avenue NW and Viking Way and has 38 parking stalls which serve both Community Transit and Island Transit Routes.



Outside the City, a park and ride is located on 267th Street NW and Marine Drive and has 70 parking stalls which serve both Community Transit and Island Transit Routes. A 2012 Park-and-Ride survey found this facility is at 28 percent capacity. Additionally, this facility may not be available during significant flood events.

A second park-and-ride located outside the City limits is on the southwest corner of I-5 and SR 532. While this lot is located 3.5 miles east of the City, it provides commuters with the ability to use both the Island Transit and Community Transit routes traveling south on I-5 to destinations such as Everett and Seattle. This lot has approximately 147 parking spaces. A 2012 Park-and-Ride survey found this facility is generally at 95 percent capacity or greater. This facility also has bicycle lockers.

VANPOOL PROGRAMS

Community Transit operates a vanpool program serving commuter groups with an origin or destination in Snohomish County. The program offers support to form and operate vanpool groups. The program provides vehicles, driver orientation, vehicle maintenance, and assistance in forming vanpool groups for daily commuters. There are currently 8 vanpools registered on the Community Transit vanpool webpage that originate in Stanwood and travel to other areas such as Everett, Lynnwood, and Marysville.





A CALL TO ACTION: PLANNING FOR 2044 GROWTH

The Transportation Plan forecasts expected growth and associated travel issues for Stanwood by 2044. The 20-horizon year allows the City to better plan for and size transportation facilities that will be needed as the City grows.

As discussed in the Housing and Land Use Elements, Stanwood is expected to grow by a population of 10,963 people and 4,385 housing units. More residents in the community means a higher demand on the City's transportation systems. To accommodate changing transportation needs for increased daily commutes, the City has developed actions to mitigate and reduce growth related impacts, and improve availability and access to transportation routes and network.

To design an "action plan" to accommodate future growth, the City has examined existing and future land use allocations. Allocations are based the previous 2015 Comprehensive Plan information, updated to reflect the latest changes to zoning, planned and built developments, and subarea plans.





LAND USE FORECASTS

The City's travel forecasting model was built to support the City's transportation planning efforts. The travel demand model provides a tool for forecasting long-range traffic volumes based on the projected growth in households and employment. The model is useful in evaluating transportation system alternatives intended to restrict or to require specific land use actions. The land use assumptions are based on zoning present at the time the model was created.

Household Growth

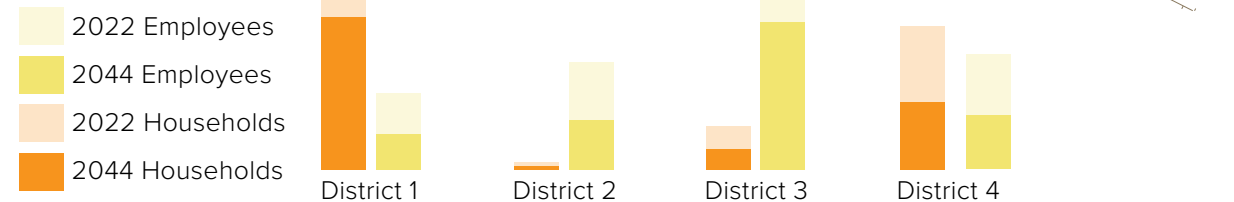
Figure 12 shows the projected household growth in Stanwood, which is forecast to grow by approximately 1,070 households (or 32 percent). From an annual basis, growth in the City and its UGA is forecast to average 1.3 percent per year.

As shown in Figure 12, the bulk of housing growth (nearly 77 percent of all housing growth) will be in the eastern portion of the City (east of Pioneer Highway), with the majority allocated to District 3. The other districts have about an equal share of the remaining growth allocation.

Employment Growth

Figure 12 also summarizes the forecasted growth in employment used in developing the 2035 travel forecasts. The number of jobs in Stanwood and its UGA is forecast to increase by 57 percent (approximately 1,830 employees) – from approximately 3,240 employees in 2022 to nearly 5,070 employees in 2044. The bulk of the employment growth (nearly 84 percent of all employment growth) will occur in the downtown area (District 1).

Figure 12, Existing and Future Land Use by District



TG-8

Minimize negative environmental impacts for the benefit of the City's natural resources and the reduction of greenhouse gas emissions.

TP 8.1: Reduce greenhouse gas emissions and pollutants from transportation activities through the electrification of the transportation system, use of cleaner fuels and vehicles, and developing of infrastructure needed to support clean fuel vehicles such as electric vehicle chargers.

TP 8.2: Prioritize transportation projects that reduce vehicle miles traveled per capita while promoting vibrant commerce and environmental sustainability.

TP 8.3: Promote and incentivize transportation trip reduction programs and actions to reduce air pollution and greenhouse gas emission, including but not limited to:

- a.) Land use plans and zoning for compact, higher-density, mixed use development to reduce vehicle mile traveled;
- b.) Employer-based incentives for ridesharing, vanpooling, flextime, and telecommuting work schedules;
- c.) Adopting policies or regulations proportionally reducing traffic impact fees or reduced parking requirements;

d.) Support building codes and other efforts to promote conservation efforts and the use of clean alternative energy sources, renewable energy, electric or hybrid vehicles, and electric vehicle charging stations; and

e.) Convert incandescent streetlights to L.E.D.

TP 8.4: Work with local, state, and regional agencies to achieve regional goals to improve air quality, water quality, fish passage, and environmental pollution goals by minimizing and mitigating adverse impacts of transportation services on designated critical areas and resource lands.

TP 8.5: The City should consider purchasing hybrid or electric vehicles when purchasing fleet vehicles.

TP 8.6: Establish compact, pedestrian, transit-oriented development, and reductions to greenhouse gas emissions as metrics for prioritizing transportation investments.

TP 8.7: Adopt and apply stormwater retrofit designs in transportation projects to provide flow control and/or treatment benefits to protect and improve fish habitat and water resources.

TG-10

Ensure and prioritize equity, inclusion, and access to opportunities in the development and maintenance of transportation systems.

TP 10.1: Consider current and past inequities in infrastructure development when planning and programming new investments using PSRC's Opportunity Index, the Countywide Equity Index, and other regional/state guidance documents. Consider consolidating findings into a transportation equity report.

TP 10.2: Conduct public engagement with marginalized or underrepresented communities to understand multimodal transportation needs and barriers to access.

TP 10.3: Prioritize active transportation and transit investments in historically underserved communities of color and areas with

higher concentrations of low-income, non-English speaking, seniors, youth, and disabled populations to improve affordable and convenient access to employment, education, health care, social services, recreation, and culture.

TP 10.4: Mitigate the negative impacts of the transportation system on historically underserved communities when developing plans and programs by incorporating equity and inclusion into the Capital Improvement Plan and Transportation Improvement Plan's proposed infrastructure projects.



2044 BASELINE EVALUATION

Future Traffic Volumes

The travel forecasting model was used to convert the existing (2022) and forecast (2044) land use data into vehicle travel demand growth on City roadways. This growth, combined with 2022 traffic counts, was used to forecast 2044 traffic volumes and travel patterns. Future daily traffic volumes are shown in Figure 13.

Future Intersection Operations

The 2044 Baseline forecast model was set up with the assumption that only currently committed transportation improvement projects would be constructed by 2044. This scenario provides a baseline for identifying future traffic operations deficiencies, which were then used to establish a framework for the Transportation Systems Plan. The resulting 2044 baseline PM peak hour intersection levels of service are shown in Figure 14.

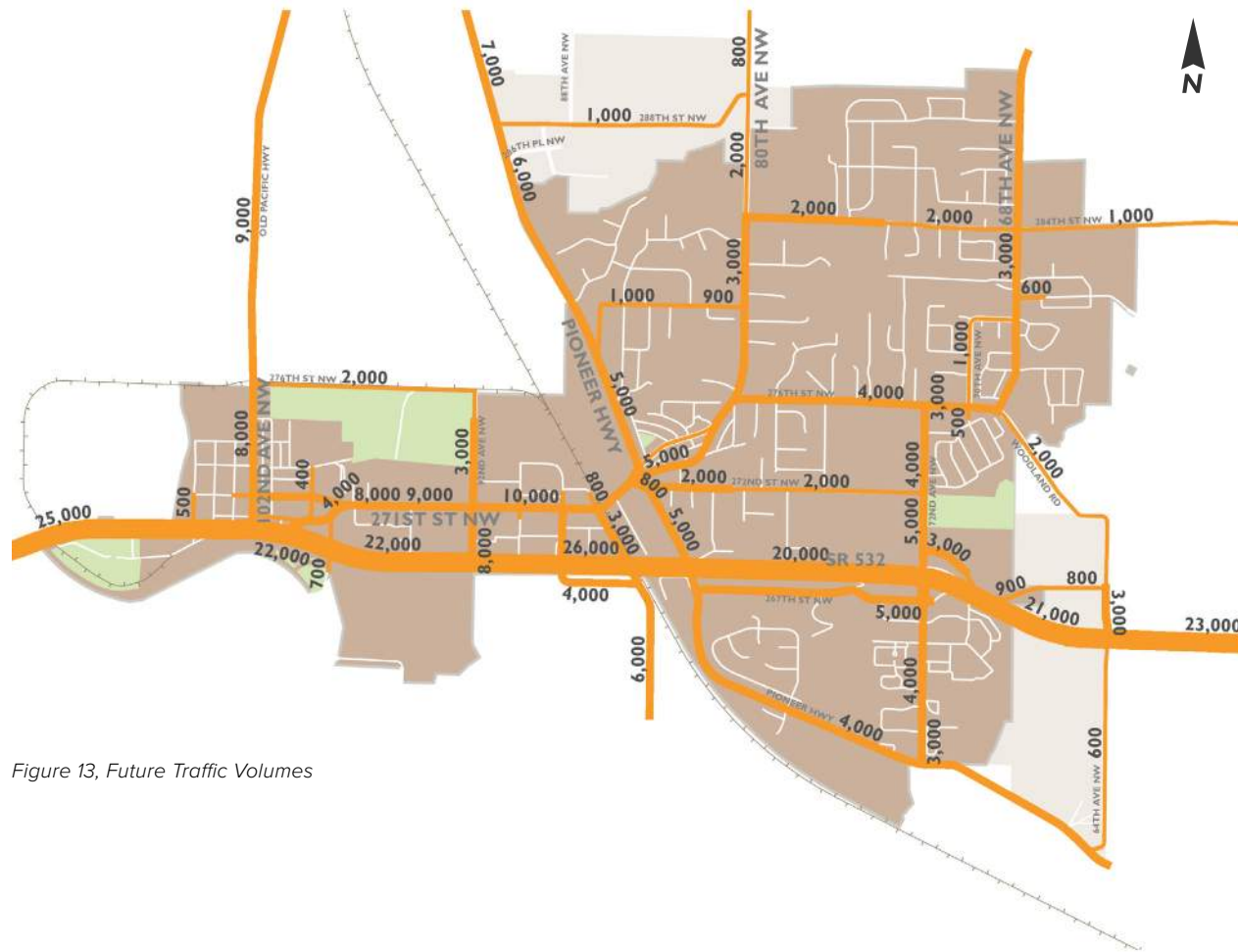


Figure 13, Future Traffic Volumes



Future Intersection Operations

The 2044 Baseline forecast model was set up with the assumption that only currently committed transportation improvement projects would be constructed by 2044. This scenario provides a baseline for identifying future traffic operations deficiencies, which were then used to establish a framework for the Transportation Systems Plan. The resulting 2044 baseline PM peak hour intersection levels of service are shown in Figure 14.



Figure 14, Future (2044) Intersection Traffic Operations

LOS SIGNAL

□ Stop

○ Signal

LOS level

● A-C

● D

● E

● F



FUTURE IMPROVEMENTS & CAPACITY ISSUES

The 2044 Baseline model was developed based on capacity improvement projects identified in City of Stanwood plans and project lists (see Figure 16). No applicable projects were noted in WSDOT and Snohomish County plans and project lists. The following list highlights areas within the City and UGA with capacity concerns:

SR 532 at the intersection of 103rd Drive NW

This intersection operates below standard under existing conditions and with the added traffic volumes along SR 532 the intersection continues to operate below standard by 2044.

The intersection is stop-controlled on 103rd Drive NW and the traffic attempting to turn onto SR 532 is experiencing heavy delays due to limited breaks in through traffic along the highway. As the minor leg experiences more delay it may back up into the downtown area, causing additional delays at adjacent intersections.

SR 532 at the intersection of 98th Drive NW

Under existing conditions this intersection operates near capacity and with the added traffic volumes along SR 532 the intersection operates below standard by 2044.

This intersection is stop-controlled on the minor legs (north and south) and the traffic both turning

onto and crossing SR 532 is experiencing heavy delays due to limited breaks in through traffic along the highway. While both minor legs experience high delays, the south leg has slightly more volume and thus experiences slightly more approach delay.

SR 532 at the intersection of 64th Avenue NW

Similar to the previous two intersections, this intersection operates below standard under existing conditions and with the additional traffic volumes along SR 532 the intersection operates below standard by 2044.

The stop-controlled north and south legs both experience heavy delays, with the northern leg experiencing more due to slightly higher volumes. While 64th Avenue NW isn't in the downtown area, there is both residential and employment growth planned in areas near this intersection. Delays at this intersection may generate backups in the surrounding area, potentially blocking driveways and adjacent intersections.

These capacity concerns are addressed in the transportation project and program improvements as described in the following chapter, "A Strategy for Improvement and Movement".





TRANSPORTATION SYSTEMS PLAN: "A STRATEGY FOR IMPROVEMENT AND MOVEMENT"

Transportation system improvements are required to safely and more efficiently accommodate the projected growth in population and employment within the City and its UGA. The recommended improvements are based upon the following:

1. Analyses of the existing transportation system
2. Forecasts of future travel demand
3. Anticipated availability of funding resources
4. The desire of the community to create an efficient transportation system that puts a priority on community livability.

Streets and state highways are the core of the transportation system serving the City of Stanwood and surrounding communities. These facilities provide for the overall movement of people and goods, for a wide range of travel modes.

As the streets and highways establish the framework for the overall transportation system for the City, this section describes proposed projects and policies to maintain and improve Stanwood transportation.

KEY TERMS

FUNCTIONAL CLASSIFICATION

A method to group highways, roads, and streets that comprise the transportation system. The functional classification of a roadway depends on types of trips that occur on it, the basic purpose for which it was designed, and the relative level of traffic it carries.

Higher classifications (e.g., freeways, principal arterials) provide a high degree of mobility with higher traffic volumes, generally at higher speeds, and should have limited access to adjacent land uses.

Lower classifications (e.g., local access streets) provide access to adjacent land and are not intended to serve through traffic, carrying lower volumes at lower speeds. Collectors balance the function between mobility and access.

Roadway Functional Classification: Urban vs. Rural

The City of Stanwood has an urban roadway designation while areas outside City limits are designated as rural. The functional classification reflects the analysis of the longer-range needs to serve growth through 2044.

In Stanwood, the roadway functional classification system is based on the Federal Functional Classification as defined by the Federal Highway Administration (FHWA). This classification system defines the role of travel through a network of roadways, rather than focusing on individual roadways. The functional classification system has three broad categories of roadways that are further divided into urban and rural classifications as described in the Transportation Plan Appendix:

- Minor Arterial
- Major Collector
- Minor Collector

In addition to the roadway classifications described in the Transportation Plan Appendix, the roadway network includes local streets. These roadways are intended for use within commercial, single-family, and multi-family subdivisions to

Traffic volumes are typically very low for compatibility with abutting land uses, to accommodate turning movements and significant amounts of pedestrian activity, while providing minimal disturbance to the tranquility of the residential environment. Local streets are not designed to accommodate transit service. All

roadways that have not been designated as an arterial or collector roadway are considered to be local access streets.

The general hierarchy of functional classification is based on the relationship between the function of the roadway and the surrounding land uses and the relationship between mobility and access. For example, commercial developments will generally desire to locate along arterials or collectors due to higher traffic volumes and visibility. Likewise, it is desirable to have parks, schools, and residential homes located along collector or local streets due to lower traffic volumes and a high degree of access.

Figure 15 shows the functional classification for streets within the City and designated UGA. The figure shows how the City's arterial classifications connect with and support the transportation system.

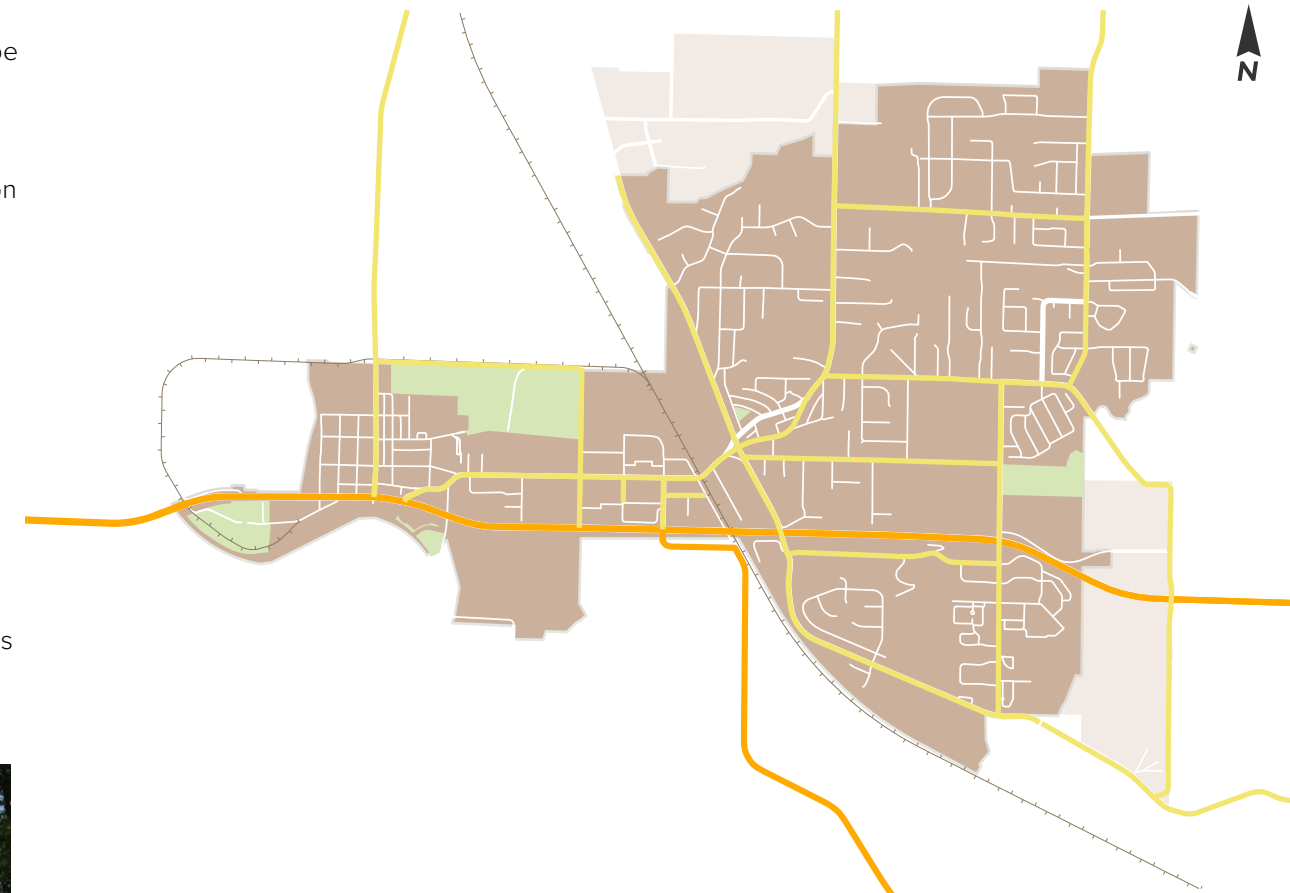


Figure 15, Federal Functional Class

- Minor Arterial
- Collector



Transportation Strategies

Based on the previously discussed evaluation of existing and forecast traffic volumes, traffic operations, safety, and circulation needs, a recommended list of transportation improvement projects and programs are identified. Improvements to the roadway network include intersection / operations, widening / reconstruction, and new roadway projects.

See Figure 16 for an overview of the proposed transportation improvement projects to meet 2044 growth needs and pedestrian travel.

As the streets and highways establish the framework for the overall transportation system for the City, this section describes proposed projects and policies to maintain and improve Stanwood transportation.

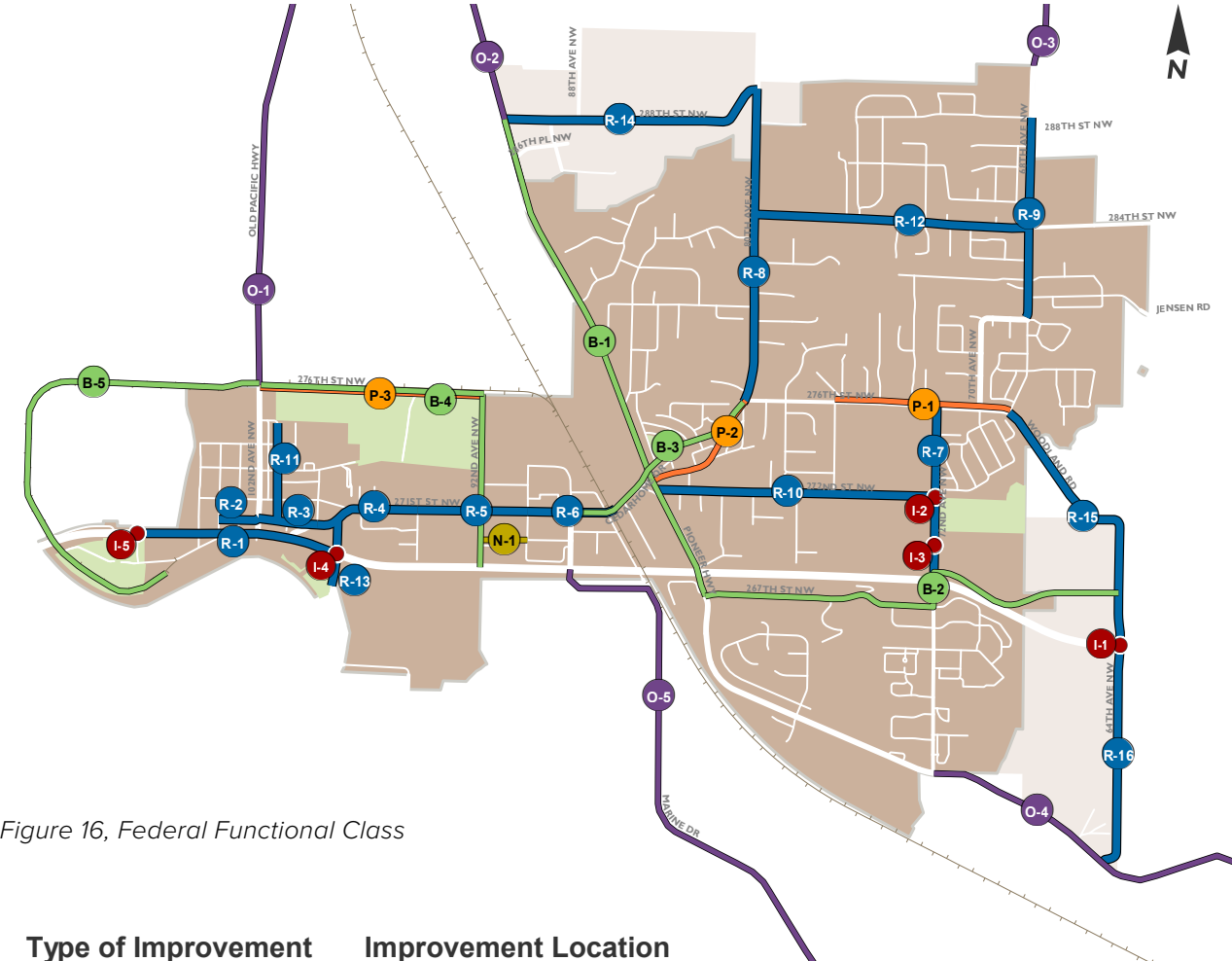


Figure 16, Federal Functional Class

Type of Improvement	Improvement Location
Widening/ Reconstruction	Roadway
New Roadway	Intersection
Pedestrian Facility	City Limits
Bicycle Facility	UGA
Other Agency	



The Stanwood transportation project list is organized into the following categories:

Roadway Network improvements include projects that benefit all modes and are further sub-divided into the following categories:

Intersection / Operations projects include upgrading intersections through the addition of traffic circles, added turn lanes, or modifications to traffic controls. Where applicable, improvements may also include implementation of Intelligent Transportation Systems (ITS).

Five intersection projects have been identified within the City that includes the installation of a new traffic signal or traffic circle.

Widening / Reconstruction projects include widening existing corridors to add travel lanes and turn lanes to add capacity. Includes reconstruction and upgrading roadways to serve higher traffic volumes and non-motorized travel.

These projects are generally intended to add capacity to existing road segments rather than establishing new roadways to serve the same purpose. Roadway reconstruction projects typically include the addition of curb and sidewalks on one or both sides, and are important improvements to complete the pedestrian network.

New Roadways projects include constructing new arterials or collector roads, including non-motorized facilities.

The City has identified two new roadways to support future growth. The new roadways of Viking Way (N-1). A second project, Downtown to East Residential Connectors (N-2), would study the feasibility of providing alternative routes across the railroad tracks separating the City.

Other Agency improvements include projects developed by other agencies (WSDOT, transit, etc.) that impact the City's transportation system. As described in the previous section, Snohomish County is currently developing a countywide bicycle network as part of their Comprehensive Plan update. Several roadways into and out of the City are identified as future bicycle routes. These other agency improvements are shown as bicycle connections in Figure 15. These corridors are expected to serve as key connections that would provide the most benefit for serving non-motorized destinations outside of the City.

The bicycle projects included in the City's transportation project list were primarily selected due to the location of connections to the Snohomish County bicycle network to provide greater bicycle and recreational travel opportunities.

Citywide Programs include annual transportation programs within the City of Stanwood. A systematic program for maintaining the existing and future transportation infrastructure is critical to a safe and efficient transportation system. Failure to maintain existing roadways by providing dedicated funding for

maintenance and operations programs could result in more substantial capital projects and road rehabilitation projects in the future.

Small capital programs (C-1) include small-scale construction projects in the City of Stanwood. Maintenance and operations (C-2) provides for other ongoing maintenance needs. The Non-Motorized Plan Annual Improvements (C-3) is used to address numerous smaller projects identified on the City's Non-Motorized Plan.





Pedestrian Network improvements include sidewalks added to one or both sides of the roadway, and multiuse pathways that can be used by a range of non-motorized users.

The City's Pedestrian Network Plan is shown in Figure 17. A well-established system encourages healthy recreational activities, reduces travel demand on City roadways, and enhances safety within a livable community. The pedestrian network projects are addressed in the Non-Motorized Master Plan.

Bicycle Network improvements expand route options for bicyclists through a range of project types that may include shoulder widenings, installation of shared lane markings that indicate where cyclists should ride on the road, or construction on new on-street bicycle lanes. The City's Bicycle Network Plan is shown in Figure 15. Improvements to the bicycle network include separate multiuse pathways and on-street facilities developed with other roadway projects or independently. These types of improvements make bicycles a viable alternative to private vehicles. The bicycle network projects are addressed in the Non-Motorized Master Plan.

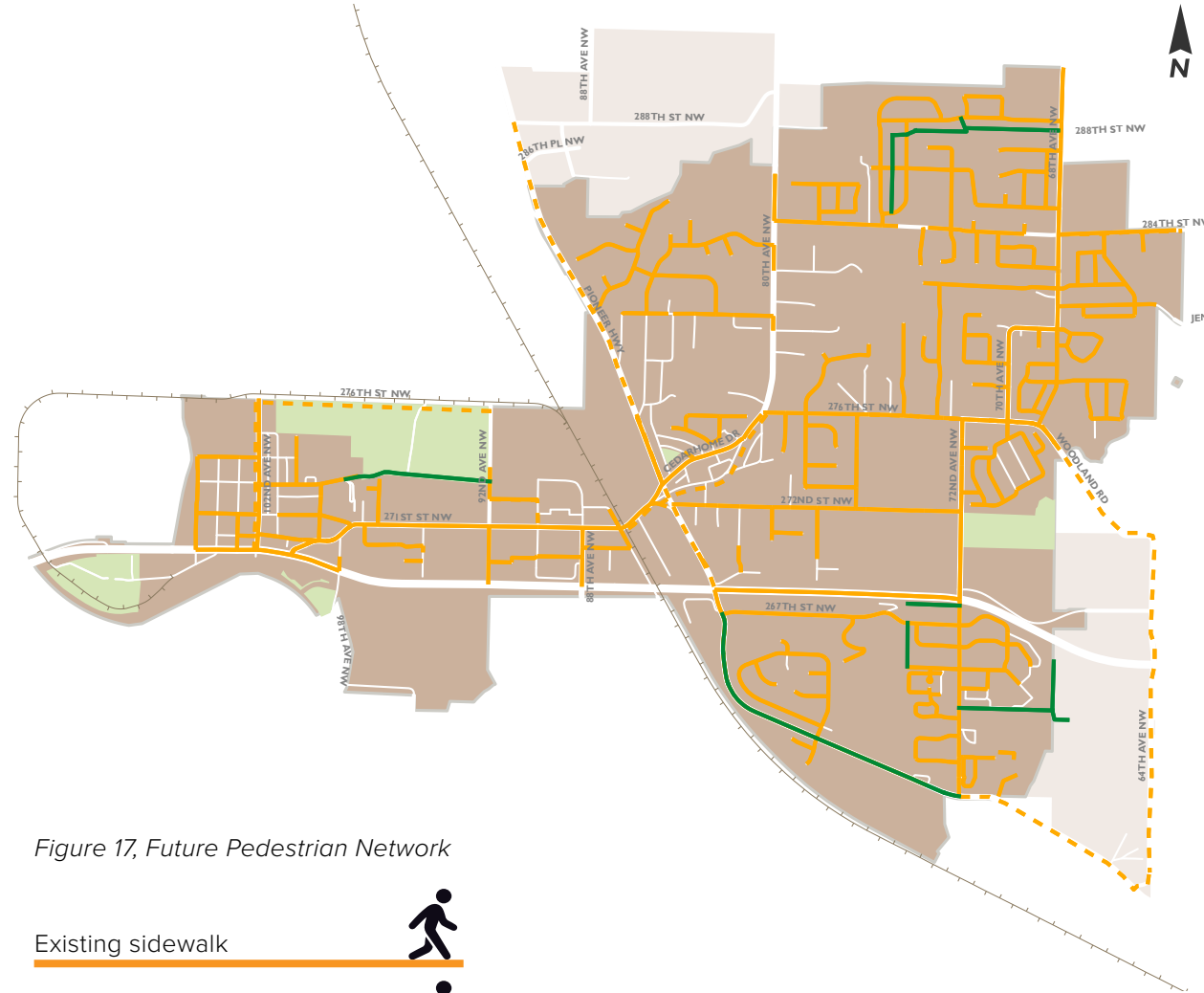


Figure 17, Future Pedestrian Network

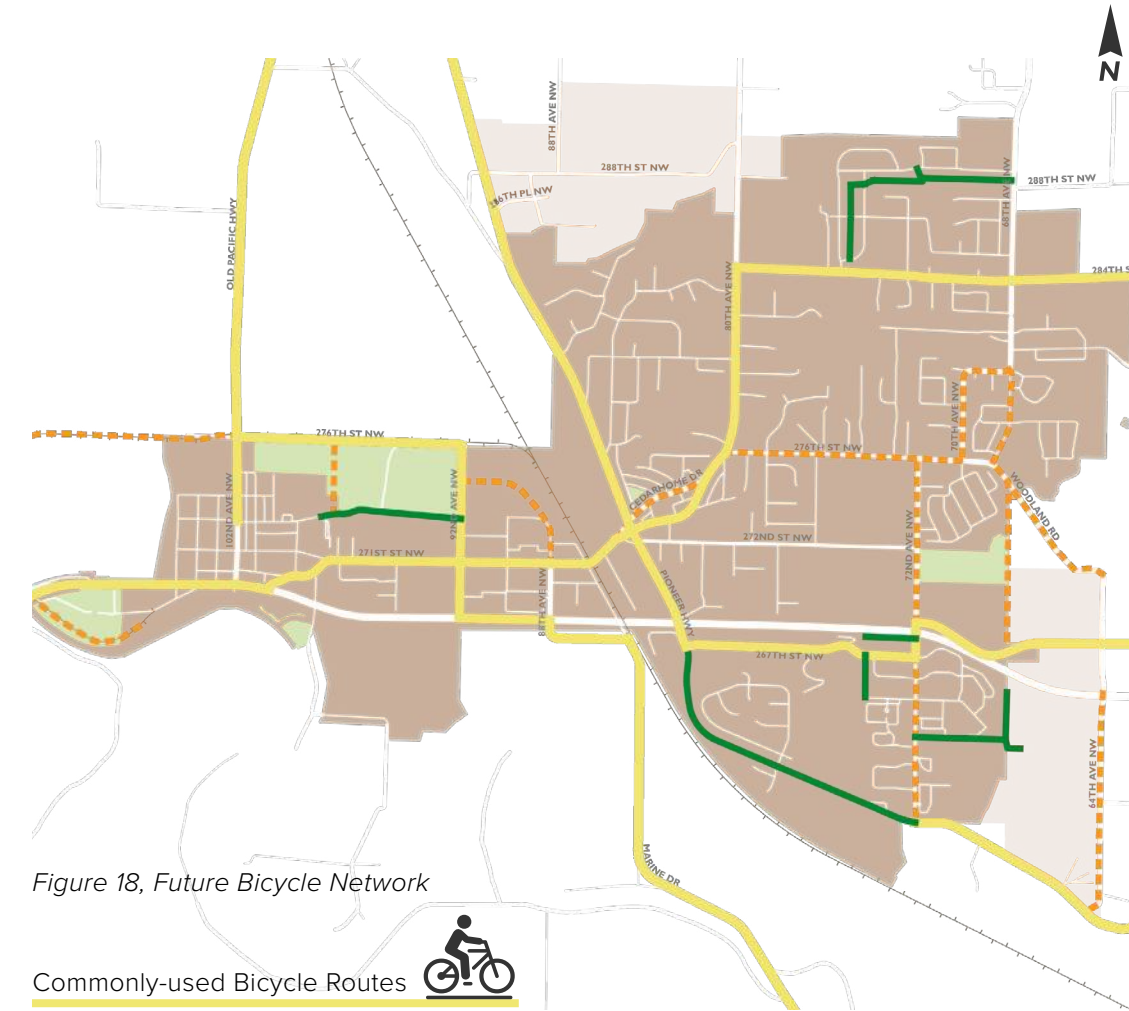
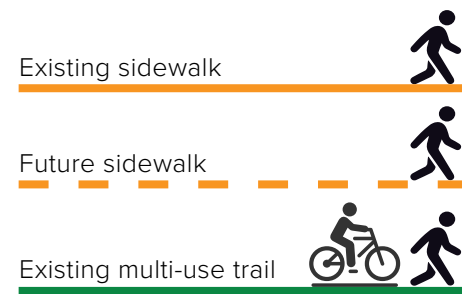
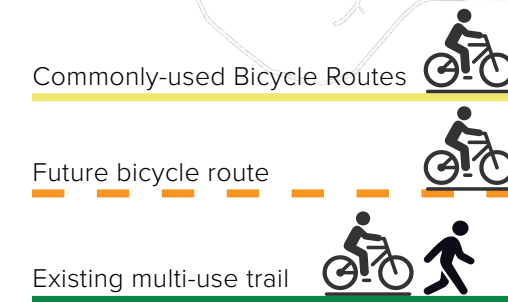


Figure 18, Future Bicycle Network





TG-3

Provide transportation facilities that promote vibrant commerce, clean air and water, health and recreation opportunities.

TP 3.1: Collaborate with regional and state agencies such as the Puget Sound Clean Air Agency and the Washington State Department of Ecology to implement and achieve regional air quality and environmental quality goals.

TP 3.2: Adopt Washington State Target Zero1 strategies as appropriate to Stanwood to reduce traffic-related fatalities and serious injuries.

TP 3.3: Identify and support major transportation hubs and economic development interests, such as ports, airports, and designated freight trucking routes.

TP 3.4: Continue to coordinate freight transportation work with WSDOT, Snohomish County, Port authorities, railroads, and commercial aviation interests.

Target Zero1 = Washington State Strategic Highway Safety Plan

TP 3.5: Support transportation mobility and access for people of all ages and abilities by

providing safe and accessible travel choices for people with physical mobility challenges, special needs, seniors, and young children.

TP 3.6: Transportation plans, improvements, programs, and services shall include an emphasis on social, racial, and income equity, as well as under-served populations.

TP 3.7: Consider options to convert vehicle dominated streets, or portions thereof, into pedestrian and bike friendly corridors, car-free zones or time-flex streets to improve pedestrian mobility and connections, implement low-cost transportation solutions, and promote public health.

TP 3.8: Restrict wide open, undefined access driveways to minimize and consolidate access points to SR-532 and other major city streets.

TP 3.9: Consider impacts to human health and safety (noise, exhaust fumes, vibration, etc.), as well as environment impacts when planning and designing transportation facilities.

TG-4

Maintain and preserve the utility of prior transportation investments.

TP 4.1: Monitor the operation of the transportation system and identify system maintenance and preservation projects to protect existing investments and ensure a safe and reliable citywide transportation system.

TP 4.5 Update the Transportation Improvement Plan (TIP) annually to reflect current estimated costs and schedules to ensure priority, cost, and timing of projects are accommodated.

TP 4.2: Reduce capital improvement needs and extend transportation life-cycle costs through investments in maintenance, preservation, and safety to extend the life and utility of prior transportation investments.

TP 4.3: Conduct periodic inspections of transportation infrastructure proactively, mindful of the infrastructure life cycle.

TP 4.4: Maintain the remaining historic brick roads (see map), particularly 270th Street NW, when financially feasible per

City Beautification Action Plan and Twin City Mile.

Intersection/Operation Improvement Projects

(I-1) SR 532/64th Ave North Intersection
Install a roundabout or signal in coordination with WSDOT

(I-2) 272nd Street NW/72nd Ave N (Lindstrom Road)
Intersection improvement to accommodate bus turning movement and operations. Upgrade to All-Way Stop Control

(I-3) 272nd Street NW/High School Access
Intersection control to be upgraded to a signal with new planned development. Specific traffic controls to be determined

(I-4) SR 532/98th Drive NW
Install a roundabout as eastern gateway to downtown area and improve access management in area

(I-5) SR 532/future Ovenell Park Road Entrance
Install a roundabout as western gateway to downtown area and improve access management in area

Widening/Reconstruction Improvement Projects

(R-1) SR 532 Downtown Corridor
Reconfigure corridor between roundabouts to improve access management and downtown walkability. Improvements subject WDDOT approval.

(R-2) Twin City Mile Phase 1
Construct improvements as part of Twin City Mile. Includes 270th St NW/102nd Ave NW Intersection

(R-3) Twin City Mile Phase 2
Construct improvements as part of Twin City Mile. Includes 102nd Dr NW to 99th Ave NW

(R-4) Twin City Mile Phase 3
Construct improvements as part of Twin City Mile. Includes 99th Ave NW to 96th Ave NW

(R-5) Twin City Mile Phase 4
Construct improvements as part of Twin City Mile. Includes 96th Ave NW to 90th Ave NW

(R-6) Twin City Mile Phase 5
Construct improvements as part of Twin City Mile. Includes 90th Ave NW to 84th Ave NW

(R-7) 72nd Avenue NW Improvements
Reconstruct and widen 72nd Avenue NW, including sidewalks on both sides at missing locations. Three-lane cross-section south of 272nd St NW, two-lane cross-section north. Includes 268th Street NW to 276th Street NW.

(R-8) 80th Avenue NW Improvements
Reconstruct and widen 80th Avenue NW, including sidewalks on both side. Includes 276th Street NW to 288th Street NW/

(R-9) 68th Avenue Reconstruction
Reconstruct 68th Avenue NW, including a sidewalk on one side. Includes 280th Street to 288th Street.

(R-10) 272nd street NW Reconstruction
Reconstruct and widen 272nd Street NW, including sidewalks on both sides. Includes 72nd Avenue NW to Pioneer highway.

(R-11) 101st Avenue NW Reconstruction
Reconstruct 101st Avenue NW, including sidewalks on both side. Includes 270th Street NW to 274th Place NW.

(R-12) 284th Street NW Improvements
Reconstruct and widen 284th Avenue NW, including sidewalks on both side. Includes 68th Avenue NW to 80th Avenue NW.

(R-13) 98th Drive NW Reconstruction
Reconstruct and widen 98th Avenue NW, including sidewalks on both sides. Includes 268th Street NW to 271st Street NW.

(R-14) 288th Street NW Reconstruction
Reconstruct and widen 288th Avenue NW, including sidewalks on both sides. Includes 80th Avenue NW to Pioneer Highway.

(R-15) 64th avenue NW/Woodland Road
Reconstruct and widen 64th Avenue NW, including sidewalks on both sides. Includes SR 532 to 68th Ave NW

(R-16) 64th avenue
Reconstruct and widen 64th Avenue NW, including sidewalks on both sides. Includes SR 532 to Pioneer Highway.

New Roadways

(N-1) Viking Way
Construct a new road, including sidewalks on both sides. Includes 88th avenue to 92nd Avenue NW

(N-2) Downtown to East Residential Connectors
Feasibility study for a new roadway between downtown and east residential





Pedestrian Network

(P-1) 276th Street NW

Construct sidewalk on south side of the street and complete gaps in sidewalk on the north side of the street. Includes 76th Drive NW to 68th Avenue NW

(P-2) Cedarhome Street

Construct sidewalk on both sides of the street. Includes 276th Street NW to Florence Road

(P-3) 276th Street NW (Lover's Lane)

Construct sidewalk on both sides of the street. Includes 92nd Avenue to 102nd Avenue NW

Bicycle Network

(B-1) Pioneer Highway

Install bicycle facility on Pioneer highway from the existing pathway south of 267th Place NW to the future County bicycle connection north of the city limits. Includes 288th Street NW to 72nd Avenue NW (Lindstrom Road)

(B-2) 267th Street NW/268th Street NW

Install bicycle facility on 267th Street NW and 268th Street NW from the existing pathway south of 267th Place NW to the future County bicycle connection east of the city limits. Includes Pioneer Highway to 72nd Avenue NW (Lindstrom Road).

(B-3) Cedarhome Drive

Install bicycle lanes and accommodation at the new roundabout intersections. Includes 88th Avenue to 276th Street NW

(B-4) 276th Street NW (Lovers's Lane)

Widen shoulder in both directions. Includes 92nd Avenue NW to 102nd Avenue NW

(B-5) Rails to Trails

Widen shoulder in both directions. Includes Railroad line - Saratoga Drive to Lane Road.

Other Agency Improvements

(O-1) Old Pacific Highway

Snohomish County bike route

(O-2) Pioneer Highway North

Snohomish County bike route

(O-3) 268th Street NW

Snohomish County bike route

(O-4) Pioneer Highway South

Snohomish County bike route

(O-5) Marine Drive

Snohomish County bike route

City Wide Programs

(C-1) Small Capital Projects

Ongoing funding for small capital projects

(C-2) Maintenance & Operations

Ongoing funding for small capital projects

(C-3) Non-Motorized Plan Annual Improvements

Separate annual program to make progress on improvements as listed in the City's Non-motorized Transportation Plan.

HOW TO NAVIGATE

A relative priority (high, medium, and low) was established for each project.

The priority reflects the relative need for the projects to enhance the City of Stanwood and its UGA transportation system and provides guidance in implementing the respective improvements.

The priority list will be amended throughout the planning period, based on achieved growth, funding, and project cost.





KEY PARTNERSHIPS FOR TDM ACTIONS

Community Transit and Island Transit

The success of the public transportation system is dependent on integrating key elements that comprise the overall plan. The City plans to continue to work with the Community Transit and Island Transit to improve transit services and develop a convenient, integrated, and efficient transit system that supports future growth. The City can encourage the integration of the transit system with other modes through:

1. Street improvements and design standards that support transit;
2. Bicycle facilities and parking located near transit stops; and
3. Pedestrian facilities that connect people to transit, including crosswalks and wayfinding signs.
4. Development of the City's transportation system in a way that emphasizes a well-connected community and coordinates effective transit service with providers is critical to transit's success.

Snohomish County, WSDOT, and PSRC

The City's UGA is classified as an "affected" UGA by WSDOT but currently does not have any employers with 100 or more employees working a shift beginning between 6 am and 9 am, and therefore is not required to implement CTR. When such an employer does exist, the City should develop a CTR ordinance consistent with the State CTR Act. The ordinance should include Transportation Demand Management (TDM) actions for employers.

TDM strategies are typically most effective in denser and larger urban areas. However, strategies coordinated with Snohomish County, WSDOT, and PSRC can provide alternatives for residents and employees in Stanwood. Potential TDM strategies the City could promote through policy or investment include but are not limited to the following.

1. **Transit Incentives:** Employers can provide free or reduced-rate transit passes to all employees.
2. **Ridesharing:** Employers can develop and maintain a database of home addresses to facilitate carpool and vanpool matching between employees working on the same site. Employers can also provide financial incentives or reserved parking spaces for carpool and vanpool vehicles.
3. **Flexible Work Schedules:** Flexible work hour schedules allow employees to adjust start/end times to accommodate carpools, vanpools,

or transit options. Alternative work schedules can also be used to reduce the number of days an employee commutes during peak travel periods. These programs help reduce the need for adding capacity to highways and arterials, and reduce the levels of peak hour congestion.

4. **Telecommuting:** The use of telecommunications technology can allow some employees to work from home, reducing the need for travel to and from a work site for some workdays.
5. **Secured Bicycle Parking and Showers:** Secured bicycle parking could be provided in the vicinity of major employment centers, preferably in a covered, weather-protected area. Shower facilities at work sites are also desirable to encourage commuting by bicycle.



REGIONAL CONTEXT

COMMUTE TRIP REDUCTION (CTR) LAW (1991)

Enacts goals to improve air quality, reduce traffic congestion, and reduce fuel consumption. In 2006, the Legislature adopted changes to the CTR law to make the program more effective, efficient, and targeted. The modified program focuses on UGAs and congested highway corridors.

TRANSPORTATION DEMAND MANAGEMENT (TDM)

Consists of strategies that seek to maximize the efficiency of the transportation system by reducing the number, length and need of private automobile trips. Typically, TDM measures include provision of park and ride lots, improvements to pedestrian and bicycle facilities, and promotion of ridesharing activities.

TG-6

Coordinate with regional officials on hazard mitigation planning efforts to improve the city's emergency management response and recovery efforts during and after major disasters to save lives, protect community investments, and restore critical transportation assets and services quickly after a disaster.

TP 6.1: Adopt and implement a Hazard Mitigation Plan that advances the resilience of the transportation system by incorporating redundancies, preparing for disasters and other impacts.

TP 6.2: Coordinate with Snohomish County, Island County, and WSDOT to prepare a local and regional response for system recovery for the Hazard Mitigation Plan.

TG-7

Support the development of a balanced regional transportation system by working cooperatively with federal, state, regional and local agencies to develop the City's transportation system, financing strategy, and land use plan that helps achieve regional mobility goals.

TP 7.1: Coordinate with WSDOT, Island County, and Snohomish County to implement the SR 532 Route Development Plan, including the adoption of an impact fee ordinance addressing immediate and long-term improvements on SR 532.

TP 7.2: Encourage rail providers such as Amtrak or Sound Transit's Sounder to expand light rail passenger rail service to better connect Stanwood to regional centers, such as Everett, Lynnwood or Seattle.

TP 7.3: Partner with WSDOT to implement access management solutions on SR 532 ensuring a coordinated system of traffic flow by adding roundabouts or signals, restricting left turning movements, and/or by amending traffic signal timing to allow efficient progression of vehicles, bicycles, and pedestrians.

TP 7.4: Promote a working relationship with regional planning agencies, particularly with Puget Sound Regional Council (PSRC), to ensure the City's Comprehensive Plan

is consistent and complementary with the Regional Transportation Plans, Growth Strategies, including VISION 2050 and the multi-county planning policies that are reviewed and approved by PSRC.

TP 7.5: Work with Island County and Snohomish County to ensure the City's transportation plan is consistent with Island and Snohomish Counties Transportation Element and Six Year Transportation Improvement Plans.

TP 7.6: Integrate and focus transportation system improvements with land use plans to connect local and regional development centers.

TP 7.7: Actively coordinate with local transit agencies, such as Community Transit, Island Transit, Skagit Transit and Snow Goose Transit, to promote and expand bus service and connections to improve access to regional transportation systems.





FINANCING PROGRAM: How will Stanwood support transportation projects?

The list of transportation improvement projects must be funded and implemented to meet existing and future travel demands in and around the City of Stanwood.

The implementation plan sets up the framework for the City to prioritize and fund the improvements identified in the transportation systems plan. Implementation strategies are discussed and include items such as coordination with WSDOT, Snohomish County, and Puget Sound Regional Council (PSRC) to prioritize and fund regional improvements.

The Growth Management Act (GMA) requires the Transportation Element of the Comprehensive Plan include a multi-year financing plan based on the identified improvement needs in the transportation systems plan. The financing plan is to be the basis in developing the required 6-year Transportation Improvement Program (TIP).

If probable funding is less than the identified needs, then the transportation financing program must also include a discussion of how

additional funding will be raised or how land use assumptions will be reassessed to assure that level of service standards will be met.

This section presents a summary of the following:

- Costs for capital improvement projects and citywide maintenance and operation programs .Comparison of capital project and maintenance and operations program costs to estimated revenues from existing sources used by the City to fund transportation improvements.
- Other potential funding sources to help reduce the projected shortfall are described.
- Summary of a reassessment strategy for the City to use for reviewing transportation funding in the context of the overall Comprehensive Plan is also included

Program Highlights

- The estimated capital cost of the Transportation Plan is approximately \$110 million (in 2014 dollars).
- Nearly two-thirds of the capital costs are associated with reconstruction and widening of existing streets in the City.
- These costs cover upgrading roadways to accommodate higher volumes of traffic and construction of urban features such as underground drainage, sidewalks, and street lights.
- Less than 5 percent of the capital project costs focus on improving the safety and operations of intersections.
- The revenue projections were estimated

based upon the City's 2013 budget, historical revenues, and the adopted impact fee program.

- Based on recent historical data, it is estimated that revenues would be more than \$58 million during the 20-year period, of which approximately 85 percent would be dedicated for capital improvements and approximately 15 percent for maintenance and operations programs.
- The maintenance and operations program to preserve the existing street system is approximately 10 percent, or \$12 million, of the total \$124 million Transportation Plan cost.
- The cost projections are not specific to individual projects or locations.
- More detailed cost estimates will need to be prepared as the projects are closer to design and construction. Future design studies will identify specific property impacts and options to reduce costs and impacts on properties.
- The City has developed estimates of annual expenditures to repair, replace and construct sidewalks to improve connectivity and safety, beyond facilities that would be constructed as part of other capital improvements.

TG-9

Establish a stable, financially sustainable, long term financial foundation for continuously improving the quality, effectiveness, and efficiency of the transportation system.

TP 9.1: Actively pursue grants individually or with other agencies to help fund transportation projects to support the maintenance, operations, and upgrading of the transportation system.

TP 9.2: Pursue and implement transportation financing methods, such as transportation benefit districts or user fees (as allowed by state law per RCW 36.73), to support ongoing maintenance, preservation, and operation of the City's transportation system.

TP 9.3: Ensure that new development pays a proportionate share of the costs of transportation facilities needed to support growth through: traffic impact fees, frontage improvements, local improvement districts, off-site mitigation improvements and other means allowed by State and local laws.

TP 9.4: Partner with WSDOT, Snohomish County, Island County, Community Transit, Island Transit, Tribes and other state or local agencies to define and adopt broad based funding approaches that leverages city revenues against other funding opportunities to implement transportation projects

and programs.

TP 9.5: Evaluate project design strategies that can reduce costs of transportation improvements or provide for phasing of improvements to spread the costs over time.

TP 9.6: Periodically review longer range transportation funding options and consider changes in the level of service standard or land use element if sufficient funding is not available. Consider options for alternative funding mechanisms if local fundings is not available for critical/high priority projects.

TP 9.7: Prioritize funding transportation safety improvement projects during the annual adoption process of the Transportation Improvement Plan (TIP) and city budget.

TP 9.8: Develop a 20-year plan that balances transportation improvement needs, costs, and revenues available for all modes to assist in updating the Transportation Impact Fee (TIF) program and the annual adoption of the Six-Year Transportation Improvement Program (TIP).



Project and Program Costs

Planning-level cost estimates were developed for the capital improvements presented in the Transportation Systems Plan. The planning estimates were prepared based upon average unit costs for transportation projects within the region. Planning-level costs were also developed with the assumption that costs would include:

- Associated storm water development requirements
- Property acquisition
- Wetland mitigation
- Utility extensions and/or upgrades, based upon historic costs for those items.

Maintenance and operations costs were projected based on recent expenditures and assuming 3 percent annual growth to account for expected population growth and annexations. Maintenance and operations costs cover the following:

- General administration
- Roadway and storm drainage maintenance
- Street lighting, traffic signal and street signs, and street sweeping
- Other miscellaneous safety improvement programs

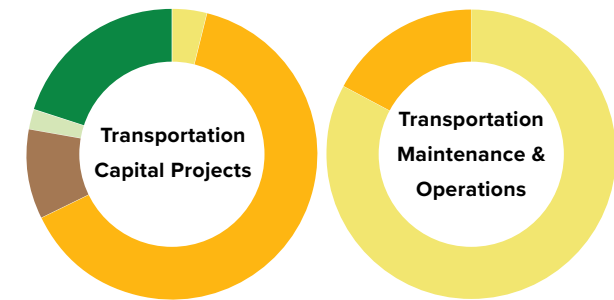


Figure 19 summarizes the costs of the recommended transportation improvement projects and programs. These cover City of Stanwood capital improvements, maintenance, and operations. The costs are summarized for the life of the Plan.

Figure 19, Transportation Project and Program Costs

Transportation Capital Projects

Intersections/Operations:	\$4,000,000
Widening / Reconstruction:	\$72,100,000
New Roadways:	\$11,070,000
Pedestrian Network:	\$2,540,000
Bicycle Network:	\$21,160,000



Transportation Maintenance & Operations

Maintenance & Operations:	10,025,000
Small Capital Project Program:	\$2,050,000

Existing Revenue Sources

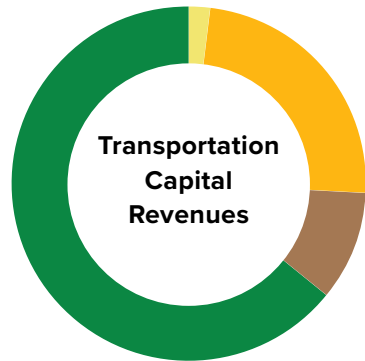
The City has historically used tax revenues, developer fees, and grants to construct and maintain their transportation facilities. In 2012, the City of Stanwood passed Ordinance 1328, creating a Transportation Benefit District (RCW 36.73.020) coextensive with City limits. Funds from the \$.002 sales tax are used for transportation improvements including safety, multi-modal connectivity, peak period trip capacity, to reduce the risk of transportation facility failure, and to maintain optimal performance of transportation infrastructure, as defined in RCW.36.73.010(6).

The description of available funding sources and projected revenue is listed in Figure 20.



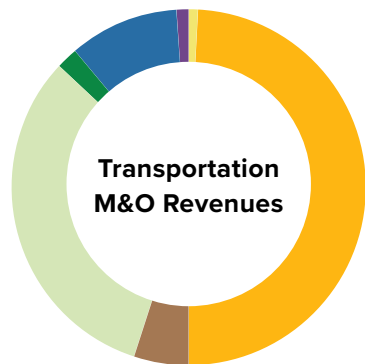
Figure 20, Transportation Funding Revenues

Transportation Capital Revenues
REET 2: \$935,000
Transportation Impact Fee Fund: \$12,000,000
Transportation Benefit District: \$5,232,000
Miscellaneous: \$53,000



Transportation M & O Revenues

REET 1: \$124,000
Property Tax: \$3,977,000
Sales & Use Taxes (Street Maintenance): \$413,000
Motor Vehicle Fuel Tax: \$2,600,000
Transportation Benefit Management Fee: \$210,000
Transportation Benefit District (M&O) \$775,000
Miscellaneous: \$44,000



Distribution

Approximately \$50 million in revenues is dedicated for capital improvements. These revenues are sourced from the following resources:

- Grants - \$32 million (based on the types of projects pursued)
- Developer Contribution Impact Fees- \$12.0 million
- The Transportation Benefit District - \$5.2 million
- Capital Revenues – 10%
- City Taxes and Fees - Less than \$1 million

Approximately \$8.1 million in revenues (over 20 years) is dedicated for maintenance and operations programs. These revenues are sourced from the following resources:

- Property Taxes – Approximately 50%
- Motor Vehicle Fuel Tax - \$2.6 Million (30%)
- Sales and Use Taxes – 5%

Tax Revenue

The existing tax revenues used by the City will need to be maintained as one source of revenue to fund transportation projects and programs. These revenue sources include motor vehicle fuel tax, property taxes, and other tax revenues that support the City's general fund. The majority of the existing tax revenue sources will be used for maintenance, and to provide the matching funds for grants or to complete a portion of the improvement projects not covered by other agencies.



Developer Transportation Funding

The City uses several programs to help offset the increased traffic impacts of new development or redevelopment. These include construction of frontage improvements such as curb, gutter, and sidewalks and internal roadways needed to serve the development.

The City is also required to review the potential transportation impacts of development and define appropriate mitigation under the State Environmental Policy Act (SEPA) and GMA concurrency requirements. In addition, the City previously adopted a Transportation Impact Fee (TIF) program as allowed for by the GMA to help fund growth-related transportation system improvements.

Transportation Impact Fees

Transportation Impact Fee (TIF) programs help fund part of the costs of transportation facilities needed to accommodate growth.

State law (RCW 82.02) requires that TIF programs are:

- Related to improvements to serve new growth and not existing deficiencies;
- Assessed proportional to the impact of new developments;
- Allocated for improvements that reasonably benefit new development, and;
- Spent on facilities identified in the adopted Capital Facilities Plan.

TIFs can only be used to help fund improvements that are needed to serve new growth. The projects can include recently completed projects to the extent that they serve future growth and did not solely resolve existing deficiencies. The cost of projects needed to resolve existing deficiencies cannot be included.

The TIF program must allow developers to receive credits if they are required to construct all or a portion of system improvements to the extent that the required improvements were included in the TIF calculation. Cost associated with dedication of right-of-way for improvements included in the TIF also would be eligible for credits. The City is in the process of updating its existing program based on the updated Transportation Plan.



Other Developer Mitigation and Requirements

The City requires developments to fund and construct certain roadway improvements as part of their projects. These typically include reconstructing abutting streets to meet the City's current design standards. These improvements can include the following:

- Widening of pavement
- Drainage improvements
- Construction of curb, gutter, and sidewalks.

Several of the projects identified in the Transportation Plan could be partially funded and constructed as part of new developments. As noted above, to the extent that costs of a transportation improvement are included in the TIF then credits would be required. If improvements to an abutting local street are not included in the TIF, then credits against the TIF would not be required or allowed.

The State Environmental Policy Act (SEPA) review may identify adverse transportation impacts that require mitigation beyond payment of the TIF. These could include impacts related to the following:

- Safety
- Traffic operations
- Non-motorized travel
- Or other transportation issues.

The needed improvements may or may not be identified as specific projects in the Plan. As with frontage improvements, if the required improvements are included in the TIF program, then the City must provide credits to the extent

that the costs are included in the impact fee. The City also requires an evaluation of transportation concurrency for development projects. The concurrency evaluation may identify impacts to facilities that operate below the City's level of service standard. To resolve that deficiency, the applicant can propose to fund and/or construct improvements to provide an adequate level of service. Alternatively, the applicant can wait for the City, or another agency or developer to fund improvements to resolve the deficiency.

Grants

Over the past several years, the City has secured grants for transportation improvements. Grant funding is typically tied to specific improvement projects and distributed on a competitive basis. Due to reduced federal and state revenues, the pool of grant funding will likely decrease in the future. In addition, more local agencies are pursuing grants resulting in a more competitive environment.

Part 1: Revenue Shortfall

The Transportation Plan results in a shortfall of over \$65 million dollars.

This shortfall assumes that the level of grants and developer commitments will be generated as estimated in the Transportation Plan. The deficit could be greater if the level of development or the level of grant funding is less than forecast. This would be offset by a reduced need for

transportation improvements necessitated by growth.

If the City is more successful in obtaining grants or other outside funding for projects then potential deficit could be reduced, as discussed in the next section.

Capital Revenue Shortfall

The shortfall in funding would primarily affect the ability of the City to fund capital improvements. The City is committed to funding the existing maintenance and operations programs needed to preserve the integrity, safety, and efficiency of its existing transportation system. The maintenance and operations cost will expand with the future annexation of its UGA.

Maintenance and Operations Revenue Shortfall

A shortfall of approximately \$3.9 million is forecasted for completely funding the 20-year maintenance and operations programs. General citywide maintenance and operations programs will balance with forecasted revenues over the life of the plan.

Table XX summarizes the City's proposed transportation financing strategy for the approximately \$110 million City portion of the capital improvement costs as well as the \$12 million in maintenance, operations, and program expenditures.

Figure XX, Forecasted Revenues and Costs
 Transportation Capital Revenues: \$50,667,000
 Total Capital Project Costs: \$111,870,000
Capital Estimated Shortfall: (\$62,203,000)
 Transportation M&O Revenues: \$8,143,000
 Transportation M&O Costs: \$12,075,000
M&O Estimated Shortfall: (\$3,932,000)
Total Estimated Shortfall: (\$65,135,000)

Part 2: Potential Options to Balance Shortfall

As previously noted, projected existing revenue sources would allow the City to fund less than 50 percent of the identified transportation improvement projects and program costs. The City could address this shortfall through delaying lower priority projects or increasing revenues.

Options for Reducing the funding Shortfall for Capital Improvements Projects

The City can increase funding for capital street projects using a range of revenue options. These include partnering with other agencies or additional grants. Alternatively, the City could delay implementation of projects, especially lower priority improvements.

1. Delaying Improvement Projects

The City will focus its funding on the higher priority improvements (see Table xx) by making conservative adjustments to the Six-Year Improvement plan. The City will not likely be able to, or may choose not to, fund the low and

possibly some of the medium priority projects within the 20-year horizon without additional funding sources. Removing the costs of the low to medium priority projects would reduce the estimated funding shortfall. The projects are, however, still included in the Transportation Plan to illustrate the City's desired transportation system.

2. Additional Grants and Other Agency Funding

As discussed above, the transportation financing analyses estimates that the City may receive more than \$32.4 million in grant funding over the life of the plan. If the City is able to pursue and receive grants at a higher rate, revenues would increase over the life of the plan.

The Transportation Plan has a range of improvement projects that should be competitive for grant funding. These include the Viking Way/90th Avenue NW (project I-1), the SR 532/64th Avenue NW (project 1-2), non-motorized improvements, and several roadway widening / reconstruction projects.

3. Tax Increment Financing

Washington State allows cities to create "increment areas" that allows for the financing of public improvements, including transportation projects within the area by using increased revenues from local property taxes generated within the area. The specific rules and requirements are noted in the Community Revitalization Financing (CRF) Act.



The Local Infrastructure Financing Tool (LIFT) program is a potential tool for the City to pursue. Under this concept the annual increases in local sales/use taxes and property taxes can be used to fund various public improvements.

The City may choose to further consider these types of funding programs in the future as part of its annual budget and six-year Transportation Improvement Program (TIP) processes.

4. Voter Approved Bond/Tax Package

Bonds do not result in additional revenue unless coupled with a revenue generating mechanism, such as a voter approved tax. The debt service on the bonds results in increased costs which can be paid with the additional tax revenues. Although the City does not anticipate issuing bonds in the near future, it remains an option for generating additional transportation revenues to fund some of the higher cost improvement projects.

5. Local Improvement Districts

A local improvement district (LID) is a special assessment area established by a jurisdiction to help fund specific improvements that would benefit properties within the district. LIDs could be formed to construct sidewalks, upgrade streets, improve drainage or other similar types of projects. A LID may be in residential, commercial, or industrial areas or combinations depending on the needs and benefits. LIDs must be formed by a specific process which establishes the improvements, their costs, and assessments. The assessments are added to the property tax which helps to spread the costs over time.



Reassessment Strategy

Although the financing summary identifies the potential for a total revenue shortfall of approximately \$65 million (in 2014 dollars) over the life of the plan, the City is committed to reassessing their transportation needs and funding sources each year as part of its 6-year Transportation Improvement Program (TIP). This allows the City to match the financing program with the short term improvement projects and funding.



In order to implement the Transportation Plan, the City will consider the following nine principals in its transportation funding program:

1. Balance improvement costs with available revenues as part of the annual 6-year Transportation Improvement Program (TIP);
2. Review project design standards to determine whether costs could be reduced through reasonable changes in scope or deviations from design standards;
3. Fund improvements or require developer improvements as they become necessary to maintain LOS standards to meet concurrency;
4. Explore ways to obtain more developer contributions to fund improvements;
5. Coordinate and partner with WSDOT, Snohomish County, and others to implement improvements to the SR 532;
6. Vigorously pursue grant funds from state and federal sources;
7. Work with Snohomish County to develop multiagency grant applications for projects that serve growth in the City and its UGA;
8. Review and update the TIF program regularly to account for the updated capital improvement project list, revised project cost estimates, and annexations; and
9. The City could consider changes in its level of service standards and/or limit the rate of growth in the City and its UGA as part of future updates to its Comprehensive Plan.

Some lower priority improvements may be removed from the Transportation Plan. The City will use the annual update of the 6-year

Transportation Improvement Program (TIP) to re-evaluate priorities and timing of projects and need for alternative funding programs.

Throughout the planning period, projects will be completed and priorities revised. This will be accomplished by annually reviewing traffic growth and the location and intensity of land use growth in the City and its UGA. The City will then be able to direct funding to areas that are most impacted by growth or to roadways that may be falling below the City's level of service standards.

The development of the TIP will be an ongoing process over the life of the Plan and will be reviewed and amended annually.



SMC Title 7 Health and Sanitation Draft Text

**CITY OF STANWOOD
WASHINGTON**

ORDINANCE NO. __

**AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, AMENDING
STANWOOD MUNICIPAL CODE (SMC) TITLE 7, HEALTH AND SANITATION, AND
ESTABLISHING SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the City of Stanwood has begun a process to comprehensively update its municipal code to conform to current law and practice; and

WHEREAS, the purpose of this code amendment is to eliminate conflicts, improve clarity and overall function of the municipal code, and reflect current city and best practices; and

WHEREAS, Title 7 adopts the City's health and sanitation regulations; and

WHEREAS, the amendments were reviewed for consistency with the state model ordinance and city's review procedures; and

WHEREAS, the amendments update the city's permitting procedures for firework stands, special events, and merchants without a fixed location; and

WHEREAS, the City of Stanwood SEPA Responsible Official has reviewed the proposed amendments to the Stanwood Municipal Code, determined that the amendments are categorically exempt from SEPA, and memorialized those conclusions under file number ____; and

WHEREAS, the Stanwood Advisory Group reviewed the draft ordinance at their ____ meeting, and has recommended that the City Council adopt the ordinance as presented; and

WHEREAS, the Stanwood Planning Commission reviewed the draft ordinance at their ____ meeting and has recommended that the City Council adopt the ordinance as presented; and

WHEREAS, the City Council held a public meeting and first reading of the draft code amendment on ____, a second reading on ____, and accepted public comment; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANWOOD,
WASHINGTON, DOES ORDAIN AS FOLLOWS:**

Section 1. Stanwood Municipal Code Title 7, Health and Sanitation, is repealed in its entirety and replaced with the new Title 7 provided in Exhibit "A" attached to this ordinance and incorporated herein by reference as if set forth in full.

Section 2. Severability. The various parts, sections and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is

adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 3. Authority to Make Necessary Corrections. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener’s clerical errors, references, ordinance numbers, section/subsection numbers and any references thereto.

Section 4. Effective Date. This Ordinance shall take effect five days after its passage and publication as required by law.

PASSED and APPROVED this ____ day of _____, 2023.

CITY OF STANWOOD:

Sid Roberts, Mayor

Attest:

Lisa Sokolik, City Clerk

Approved as to Form:

Nikki Thompson, City Attorney

Date of Publication: _____

Effective Date: _____

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Title 7 Health and Sanitation

- i** This title is a complete rewrite of existing SMC Title 7. We have preserved existing chapter numbers where possible.
- i** Note that RCW 35A.11.020 limits a city to imposing the identical punishment for a criminal violation as state law provides, but that limitation does not apply to civil violations. While this proposed chapter incorporates by reference the level of civil infraction identified in state law, the City could choose to vary from it.

Chapter 7.01 General Provisions

7.01.020 Severability

The various chapters, sections, and clauses of the ordinances codified in this title are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the title must not be affected.

Chapter 7.04 Solid Waste

- i** This chapter is a rewrite of existing chapter 7.04 regarding garbage collection.
- i** This chapter is renamed to encompass all forms of solid waste.
- i** This chapter has been written to be consistent with the city's 2022 solid waste contract with WM.

7.04.010 Applicability.

This chapter applies to solid waste and collection services for solid waste within the City of Stanwood.

7.04.020 Definitions

- i** Definitions are based on the city's 2022 solid waste contract with WM.

"Collection services" means the process by which solid waste is removed from single-family and commercial premises; transported to a transfer, disposal, or processing facility; and subsequently disposed of or processed.

"Commercial premises" means non-single-family premises and includes multi-family premises and premises on which business, governmental, religious, or educational activity is conducted; however, a business conducted upon a single-family premises which is permitted under applicable zoning regulations, and is not the primary use of the premises, is excluded.

"Construction and demolition debris" means commonly used or discarded materials removed from construction, remodeling, repair, demolition, or renovation operations on any pavement, dwelling unit, single-family premises, commercial premises or other structure, or from landscaping. such materials include, but are not

limited to, dirt, sand, rock, bricks, plaster, gypsum wallboard, aluminum, glass, asphalt material, plastic pipe, roofing material, carpeting, concrete, wood, masonry, trees, remnants of new construction materials (including paper, plastic, carpet scraps, wood scraps, scrap metal, building materials, and/or packaging); but does not include any unacceptable waste.

"Food waste" means waste composed of animal, fruit or vegetable matter, resulting from food preparation or consumption.

"Garbage" means all putrescible and non-putrescible solid, semi-solid, and liquid wastes including, but not limited to rubbish, cold bagged ashes, industrial wastes, swill, dead small animals completely wrapped in plastic and weighing less than fifteen pounds (15 lbs.), and discarded recyclable materials. Needles or "sharps" are included in the definition of garbage to the extent such items may be disposed of in accordance with applicable law. Garbage includes construction and demolition debris; but does not include any recyclables, organic waste, hazardous waste, or unacceptable waste.

"Multi-family premises" means any premises with five or more attached or unattached dwelling units, where all such dwelling units receive centralized collection services and are billed collectively.

"Organic waste" means food waste and yard debris and includes shredded paper. Organic waste excludes any unacceptable waste.

"Recyclables" means the types of materials identified in the City's agreement with its provider of solid waste collection services.

"Single-family premises" means premises in the service area having less than five dwelling units, where each dwelling unit is occupied individually by a renter or owner, that receive individual collection services and are billed individually.

"Solid waste" means all putrescible and non-putrescible solid, semi-solid, and liquid wastes that are generated or coming to exist in the Service Area, including Garbage, Recyclables and Organic Waste, but excluding any Unacceptable Waste.

"Solid waste container" means a container provided to the customer by the City or the City's provider of solid waste collection services for the type of waste intended to be deposited into it.

"Unacceptable waste" means any waste tires, radioactive, volatile, corrosive, flammable, explosive, biomedical, infectious, bio-hazardous, regulated medical or hazardous waste, toxic substance or material, as defined by, characterized, or listed under applicable federal, state, or local laws or regulations, any materials containing information protected by federal, state or local privacy and security laws or regulations, or any material the acceptance or handling of which would cause a violation of any applicable law, damage or threatened damage to collection service equipment or facilities, or present a substantial endangerment to the health or safety of the public or the collection service's employees. Title to and liability for unacceptable waste will always remain with the generator of such unacceptable waste.

"Yard Debris" means leaves, grass, and clippings of woody, as well as fleshy plants, and unflocked holiday trees. Materials larger than 4" in diameter or 4' in length are excluded.

7.04.030 Mandatory Service

- (1) Garbage and recyclables collection service is mandatory for single-family premises.
- (2) Garbage collection service is mandatory for multi-family and commercial premises.

7.04.040 Hauling Restrictions

i This section is based on Bellingham MC 9.12.020 and implements section 2.1 in the city's 2022 contract with WM.

- (1) It is unlawful for any person, other than a contractor having a contract for solid waste collection and disposal with the city, to collect, haul or dispose of garbage or refuse within the city. This subsection does not apply to the collection of garbage and refuse from commercial locations within the city by a person who does not have a contract with the city so long as such person holds a valid, permanent certificate of public convenience and necessity under which the Washington Utilities and Transportation Commission has authorized the collection of garbage and refuse from such locations.
- (2) It is unlawful for any person, other than a contractor having a contract for garbage collection and disposal with the city, to collect, remove, haul, or dispose of any recyclables from any public or privately owned premises within the city without first obtaining the consent of the occupant or owner of the premises.
- (3) A violation of this section is a class 1 civil infraction and may also be enforced per SMC Title 13.

7.04.050 Deposit of Solid Waste

i This section is based on Bellingham MC 9.12.030.

- (1) An owner, occupant, or tenant of a single-family or multi-family premises must deposit or cause to be deposited all solid waste that may accumulate on any premises owned or occupied by such owner, occupant, or tenant, into a solid waste container except:
 - (a) Organic waste may be composted on private premises or at a public place designated for composting, providing the compost site is maintained so as not to create odors, expose raw garbage, allow garbage to become scattered, or increase the risk from pests. Non-putrescible garbage and refuse, animal wastes, and materials containing animal or vegetable fats may not be composted.
 - (b) Organic waste may be provided to the city's service provider for solid waste service consistent with that provider's policies.
 - (c) Solid waste may be hauled or transported from one's own premises to an authorized disposal area or transfer station.
- (2) A violation of this section is a class 3 civil infraction.

7.04.060 Solid Waste Containers

- (1) All customers must use solid waste containers only for the type of waste intended to be deposited into it.
- (2) A solid waste container must be either empty, or at all times supported or braced in such a manner that dogs or other animals cannot enter or tip or tilt the container.
- (3) A solid waste container must have its cover closed at all times so that flies, insects, dogs and other scavengers cannot gain access.
- (4) A solid waste container must be located off of any public street, alley, sidewalk, or other public place except at or about the time of collection.
- (5) After it is provided to a premises, a solid waste container is the responsibility of the owner or lessor of that premises. Damage or loss caused by their negligence will result in a charge to their account.
- (6) It is unlawful for any person to willfully damage or destroy any solid waste container.

(7) A violation of this section is a class 4 civil infraction.

Chapter 7.12 Littering

i This chapter is a rewrite of existing chapter 7.12, renamed from "Litter Control."

7.12.020 Definitions

- (1) "Junk vehicle" has the meaning provided in RCW 70A.200.030.
- (2) "Litter" has the meaning provided in RCW 70A.200.030.
- (3) "Litter receptacle" has the meaning provided in RCW 70A.200.030.
- (4) "Potentially dangerous litter" has the meaning provided in RCW 70A.200.030.

7.12.040 Littering Prohibited

i The following section incorporates the state law, which sets penalties as follows:

- Littering less than 1 cubic foot = class 3 civil infraction (base fee \$50)
- Litter more than 1 cubic foot, but less than 1 cubic yard = misdemeanor
- Littering more than 1 cubic yard = gross misdemeanor
- Potentially dangerous litter (e.g., cigarette butts) = class 1 civil infraction (base fee \$250)

[RCW 70A.200.060](#), prohibiting litter and abandonment of junk vehicles, as presently constituted or hereinafter amended is adopted by reference.

7.12.060 Unsecured Loads Prohibited

i The statutory penalty for unsecured loads varies from a \$93 infraction to a gross misdemeanor, depending on the severity.

[RCW 46.61.655](#), prohibiting unsecured loads, as presently constituted or hereinafter amended is adopted by reference.

Chapter 7.16 Nuisances

! After reviewing the list of nuisances below, do we want to designate the Planning and Community Development Director as responsible for enforcement of this chapter?

7.16.020 Public Nuisance Defined

i Based on existing SMC 7.16.025(2). See also existing SMC 13.10.050.

- (1) A public nuisance is a crime against the order and economy of the city.
- (2) The following are public nuisances: every act unlawfully done and every omission to perform a duty, that:

- (a) annoys, injures, or endangers the safety, health, comfort and repose of any considerable number of persons;
- (b) offends public decency;
- (c) unlawfully interferes with, befouls, obstructs, or tends to obstruct or render dangerous for passage a lake, navigable river, bay, stream, canal, or in a public park, square, street, alley, highway or sidewalk; or
- (d) in any way renders a considerable number of persons insecure in life or use of property shall be a public nuisance.

7.16.030 Public Nuisances Enumerated

i The list in this section is derived from existing SMC 7.16.020.

! Are there any additional common nuisances that staff think should be included? What should be deleted?

Each of the following conditions, unless otherwise permitted by law, is declared to constitute a public nuisance in the city of Stanwood:

- (1) The existence of any accumulation of materials or objects in a location when the same endangers property, safety or constitutes a fire hazard, or interferes with access to any public utility connection, drain, outlet or other use needed by those responsible to check, service, repair or use;
- (2) The existence of any obstruction to a street, alley, crossing or sidewalk, and any excavation in or under any street, alley, crossing or sidewalk, which is by ordinance prohibited, or which is made without lawful permission, or which, having been made by lawful permission, is kept and maintained after the purpose thereof has been accomplished, and for an unreasonable length of time;
- (3) The erecting, maintaining, using, placing, depositing, leaving or permitting to be or remain in or upon any private lot, building, structure or premises, or in or upon any street, alley, sidewalk, park, parkway, or other public or private place in the city, any one or more of the following disorderly, disturbing, unsanitary, fly-producing, rat-harboring, disease causing places, conditions, or things:
 - (a) Any putrid, unhealthy or unwholesome bones, meat, hides, skins, the whole or any part of any dead animal, fish or fowl, or waste parts of fish, or animal matter in any quantity; but nothing herein shall prevent the temporary retention of waste in approved covered receptacles;
 - (b) Any privies, vaults, cesspools, sumps, pits or like places which are not securely protected from flies and rats, or which are foul or malodorous;
 - (c) Accumulation of bottles, cans, glass, ashes, small pieces of scrap iron, wire, metal articles, bric-a-brac, broken stone or cement, broken crockery, broken glass, broken plaster and all such trash, or abandoned material, unless it is kept in covered bins or galvanized iron receptacles;
 - (d) Accumulation of trash, litter, rags, empty barrels, boxes, crates, packing cases, mattresses, bedding, excelsior, packing hay, straw or other packing material, lumber not neatly piled, scrap iron, tin or other metal not neatly piled, or anything whatsoever in which flies or rats may breed or multiply or which may be a fire hazard;
- (4) The depositing or burning or causing to be deposited or burned in any street, alley, sidewalk, park, parkway or other public place which is open to travel, of any hay, straw, paper, wood, boards, boxes, leaves, lawn clippings, manure or other rubbish or material;
- (5) The existence of any fence or other structure or thing on private property which is in a sagging, leaning, fallen, decayed or other dilapidated or unsafe condition;

- (6) The existence on any premises of any abandoned, unusable trailer, house trailer, automobile, boat or other vehicle or major parts thereof;
- (7) The existence on any premises of any abandoned or unused well, cistern or storage tank without first demolishing or removing from the city such storage tank or securely closing and barring any entrance or trapdoor thereto or without filling any well or cistern or capping the same with sufficient security to prevent access thereto by children;
- (8) The existence on any premises, in a place accessible to children, of any unattended and/or discarded icebox, refrigerator, other large appliances and attractive nuisances;
- (9) The existence on any premises of abandoned, wrecked, dismantled, or inoperative vehicles which are not properly cared for, stored, licensed, or maintained and which constitute an attractive nuisance to children on public or private property except as provided for elsewhere in this chapter are declared a public nuisance and may be abated. It is unlawful for any person, firm or corporation to place or keep an abandoned vehicle, abandoned automobile hull, wrecked, dismantled or inoperative vehicle or parts thereof upon any public or private property in the city or as owner, occupier or partly in control of any real property within the city to permit or allow any such automobile or portion thereof to be placed or kept on said property;
- (10) The existence on any premises of any items of personal property which are not properly stored and maintained and which constitute junk and trash;
- (11) Buildings which are in a state of disrepair which do not meet state, county or city codes for habitability, use, or occupancy and which could constitute an attractive nuisance to children;
- (12) Any toxic substance or hazardous waste as defined in Chapter 70.105 RCW et seq., Hazardous Waste Management, and in WAC 173-303-080, 173-303-081, 173-303-082, 173-303-083 and 173-303-084, Dangerous Waste Regulations, and as hereinafter amended, which is improperly stored or discharged upon the ground, into the air or into the water within the city limits;
- (13) Smoke, odors and/or noxious fumes which may be detrimental to the health of a number of people within the city limits;
- (14) Any unlawful obstruction of the city streets or sidewalks, curbs, gutters or parking strips;

i Items below this point are grouped from existing code.

! I prefer the following structured list over the existing code's list. Do we want to retain the existing code approach or this organizational scheme?

(15) Undesirable vegetation.

- (a) The existence of any dead, diseased, infested or dying tree that may constitute a danger to street trees, streets or portions thereof;
- (b) The existence of any tree, shrub or foliage, unless by consent of the city, which is apt to destroy, impair, interfere or restrict:
 - (i) Streets, sidewalks, sewers, utilities or other improvements,
 - (ii) Visibility on, or free use of, or access to such improvements;
- (c) The existence of any vines or climbing plants growing into or over any street tree, or any public hydrant, pole or electrolier, or the existence of any shrub, vine or plant growing on, around or in front of any hydrant, standpipe, sprinkler system connection or any other appliance or facility provided for fire protection purposes in such a way as to obscure the view thereof or impair the access thereto;
- (d) Noxious weeds as defined in Chapter 16-750 WAC;

- (e) Any weeds growing on lots within the city, including blackberry bushes, which the law enforcement officer determines to be unsightly, harbor vermin or present a fire hazard;
- (f) Fruit trees or other trees, bushes, or shrubs that are infested with insects;

i The following is from PAMC 8.30.060.

- (g) Any vegetation, or parts thereof, which hang lower than eight feet above any public walkway or sidewalk; or hang lower than 14 feet above any public street; or which are growing in such a manner as to obstruct or impair the free and full use of any public walkway, sidewalk, or street;
- (h) Dead, decaying, or diseased vegetation of any type, except when in an enclosed container or in a managed composting operation.
- (i) Compost not kept in a manner to prevent it from attracting infestations of rodents or insects, or emitting foul odors.

i The following items are from Burlington Municipal Code 8.08.010.

- (j) Vegetation, or parts thereof, which obscures or conceals any traffic control sign, signals or other device so as to interfere with the full and effective use and visibility of the same to the motoring or pedestrian public;
- (k) Vegetation, or parts thereof, which obscures the visibility of the motoring or pedestrian public as such persons approach a street intersection for a distance of greater than 50 feet in any direction from the intersecting existing rights-of-way lines upon which the property abuts;
- (l) Grass, weeds, bushes, trees or vegetation which has died and which constitutes a fire hazard or a harborage for rats, vermin, and/or pests;
- (m) A dead, diseased, infested or dying tree or trees that constitute a danger to health or safety;
- (n) Any vines or climbing plants growing into or over utility pole or transformer, or the existence of any shrub, vine or plant growing on, around or in front of any hydrant, standpipe, sprinkler system connection or any other appliance or facility provided for fire protection purposes in such a way as to obscure the view thereof or impair access thereto;
- (o) Grass, weeds, or other similar vegetation, exclusive of flowers or plants within a flower bed or container, trees and shrubs, exceeding an average height of 12 inches.

i Items below this point are new material from PAMC 8.30.060.

(16) Buildings, structures, and improvements.

- (a) Any building or structure, or portion thereof, that is decayed, dilapidated, unsafe, damaged, or in disrepair, to the extent that it poses a threat of collapse, structural failure, or falling.
- (b) Any building or structure, or portion thereof, constructed with inappropriate materials, or improperly fastened together or anchored, to the extent that it poses a threat of collapse, structural failure, or falling.
- (c) Any partially constructed building or structure, or portion thereof that has been left unattended and unfinished for more than 90 continuous days.
- (d) Any building or structure, portion thereof, or improvement, that does not comply with the building codes.

- (e) Any building, structure, or portion thereof, used for habitation that does not have functioning electricity, water, or sanitation services.
- (f) All vacant, unused, or unoccupied buildings and structures, that are allowed to become or to remain open to entrance by unauthorized persons or the general public.

(17) Accumulations of garbage and materials.

- (a) Any accumulation, stack, or pile of building or construction materials associated with a current, in-progress project and not in a lawful storage structure or container.
- (b) Any accumulation of broken, discarded, inoperable, or neglected items or parts thereof, including, but not limited to, household furniture, furnishings, equipment, appliances, machinery, litter, salvage materials, or junk not in an approved enclosed structure, container, or waste receptacle.
- (c) Any garbage, waste, refuse, litter, debris, recyclables, rubble, or other materials, or combination thereof, not in an approved enclosed structure, container, or waste receptacle.

(18) Noxious and putrid materials. Maintaining, using, placing, depositing, leaving, or permitting to be or remain in or upon, any private or public property any of the following:

- (a) Any unsound, putrid, or unwholesome bone, meat, hides, skin, or the whole or parts of any dead animal or fish or the offal, garbage, or other offensive parts of any animals.
- (b) Any materials, garbage, waste, refuse, litter, or debris in which insects may breed or multiply; which provides harborage for rats or other vermin.
- (c) Any open drain, sewer, or septic tank that emits any noxious, foul, offensive, injurious, unpleasant, or disagreeable odor or substance.
- (d) Any noxious, foul, or putrid substance.
- (e) Harmful insects, including but not limited to tent caterpillars.

(19) Hazardous conditions.

- (a) Any refrigerator, freezer, or food-storage locker having a capacity of 1½ cubic feet or more, or any other container manufactured, custom-made or homemade designed for storage that is discarded, abandoned or left in any place accessible to children and that has not had the door, lid, or latching mechanism removed to prevent the latching or locking of the door or lid.
- (b) Any enclosure which may entrap a human or an animal, including accessible refrigeration appliances, that have not had the doors secured or removed.
- (c) Any excavated or naturally occurring hole, vault, sump, pit, well, or any other similar condition, that is not fenced or otherwise secured to prevent access.

(20) Streets and sidewalks.

- (a) Any protrusion, awning, or overhang that inhibits or obstructs use of a public walkway or sidewalk.
- (b) Any object, construction, damage, condition, or act that interferes with, inhibits, obstructs, or renders dangerous the use of a public walkway, sidewalk, street, or highway and other rights-of-way in the City.
- (c) Accumulations of dirt or debris that inhibits or obstructs the use of a public walkway or sidewalk.
- (d) All obstructions to streets, rights-of-way, or other public ways that are made without lawful permission, or that, having been made with lawful permission, are kept and maintained after the purpose thereof has been accomplished.

- (21) Fire hazards.** Any stack or accumulation of flammable material left in a manner that poses a substantial risk of combustion or the spread of fire, as determined by the Fire Marshal.
- (23) Dangerous waste.** Any dangerous wastes, hazardous household substances, hazardous waste, moderate-risk wastes, or any hazardous materials, as defined in RCWs 70.136.020 and 70A.300.010, that are not securely contained within an appropriate storage container.
- (25) Smoke, soot, dust, or odors.**
- (a) Allowing the escape or emission of any smoke, soot, fumes, gases, or odors that are offensive or harmful to a reasonable person.
 - (b) Burning or disposal of refuse, sawdust, or other materials in such a manner as to cause or permit ashes, sawdust, soot, or cinders to be cast upon the streets or alleys of the City, or to cause or permit the smoke, ashes, soot, or gases arising from such burning to become annoying or to injure or endanger the health, breathing, or comfort of persons.
 - (c) Any disturbance of any land area, or permitting the same, without taking affirmative measures to suppress and minimize the blowing and scattering of dust that unreasonably interferes with the breathing or comfort of a reasonable person.
- (26) Bodies of water.**
- (a) All stagnant, pooled water, excluding any City-approved structures related to storm drainage systems.
 - (b) The polluting of or unapproved discharge into any waterway, well, or body of water.
 - (c) Interference with, damage to, or polluting of designated habitat areas, restoration sites, streams, creeks, lakes, wetlands, or tributaries and similar areas thereto.
- (27) Graffiti.** Any unauthorized graffiti visible to a public street or alley.

i You can [access the IPMC online](#) to identify the edits below.

- (28) Violations of the International Property Maintenance Code.** The International Property Maintenance Code, 2021 Edition, published by the International Code Council, is hereby adopted by reference. The following sections of the IPMC are hereby revised:
- (a) Section 101.1. Insert City of Stanwood.
 - (b) Section 103.1. Insert Community Development Department.
 - (c) Section 107-108. Delete.
 - (d) Section 302.4. Insert 6 inches.
 - (e) Section 602.3. Insert January 1 to December 31.
- (29) Violations of other code sections.**
- (a) Any noise in violation of SMC Chapter 7.30.
 - (b) Any animal maintained in violation of SMC Title 8.
 - (c) Any litter maintained in violation of SMC Chapter 7.12.
 - (d) Any junk vehicle as defined in RCW 46.55.010.
 - (e) Any abandoned property as defined in RCW 7.100.010.

7.16.040 Agriculture Excluded

Agricultural activities, operation, facility, or appurtenances, regardless of past or future changes in the surrounding area's land use or zoning designation, when conducted or maintained for commercial purposes, and in a manner consistent with current best management practices and state and federal law, are not public nuisances under this chapter.

7.16.050 Enforcement

i Declaring nuisances to be criminal offenses means criminal search warrants are available to facilitate enforcement. Note we've already done this in existing SMC 13.10.050.

- (1) Maintaining a public nuisance is a misdemeanor.
- (2) This chapter may also be enforced per SMC Title 13.
- (3) Enforcement of junk vehicles must comply with the requirements of RCW 46.55.240.

Chapter 7.20 Smoking and Vaping

7.20.010 Purpose

The purpose of this chapter is to protect the health of the public, and especially children, from the risks of secondhand smoke and vapor.

7.20.020 Definitions

- (1) "Smoke" or "smoking" has the meaning provided in [RCW 70.160.020](#).
- (2) "Public place" has the meaning provided in RCW 70.160.020.
- (3) "Place of employment" has the meaning provided in RCW 70.160.020.
- (4) "Playground" has the meaning provided in [RCW 70.345.010](#).
- (5) "School" has the meaning provided in RCW 70.345.010.
- (6) "Vapor product" has the meaning provided in RCW 70.345.010.

7.20.030 Smoking Prohibited in Public Places

i SMC Chapter 9.18, Offenses Against Juveniles, incorporates by reference the prohibition in RCW 26.28.080 on selling or giving tobacco to a minor, which is a gross misdemeanor. We have generally tried to place criminal offenses in Title 9.

- (1) The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

RCW 70.160.030 Smoking prohibited in public places or places of employment.

RCW 70.160.075 Smoking prohibited within twenty-five feet of public places or places of employment

i RCW 70.160.070 limits the penalty to \$100; a class 3 civil infraction is \$50.

- (2) A violation of this section is a class 3 civil infraction.

7.20.040 Vaping Prohibited in Certain Places

i SMC Chapter 9.18, Offenses Against Juveniles, incorporates by reference the prohibition in RCW 70.345.140, Purchase or possession [of vapor products] by persons under 18, which it makes a civil infraction.

(1) The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

RCW 70.345.150 Use of [vapor] products in public places—When prohibited.

i Note that RCW 70.345.210 preempts the City from regulating vapor use in outdoor public places, except those where children congregate, such as schools, playgrounds, and parks.

! Shall we repeal SMC 6.40.070 Smoking and Vaping?

(2) Use of vapor products is prohibited in:

- (a) the public places identified in RCW 70.345.150;
- (b) indoor public places;
- (c) schools, playgrounds, and parks.

i RCW 70.345.140 sets the penalty for possession under age 18 as a class 3 civil infraction.

(3) A violation of this section is a class 3 civil infraction.

Chapter 7.30 Noise Control

i This chapter was recently adopted (during 2023). The only changes here are some reorganization to exempt legal firework noises and to add a process to receive authorization to exceed the noise limits.

7.30.010 Purpose

i This is a new section.

This chapter is intended to regulate noise that constitutes a public nuisance and implement the provisions of Chapter 173-60 WAC.

7.30.020 Definitions

"Director" means the Director of Planning and Community Development or the Director's designee.

7.30.030 Public nuisance and disturbance noise violations.

i The following line is existing section 7.30.020.

(1) It is unlawful for any person to cause or allow to originate, or for any person in possession of property to allow to originate from said property, sound that is a public nuisance.

i The following subsection is existing 7.30.010.

- (2) The following sources of sound are hereby declared to be public nuisances, except to the extent that they may be specifically exempted by other provisions of this chapter:
- (a) Noise levels in excess of the standards established by the Department of Ecology pursuant to Chapter 70A.20 RCW and contained in Chapter 173-60 WAC, which are hereby incorporated by reference;
 - (b) Noise levels in excess of the permitted standards in Chapter 173-62 WAC, Motor Vehicle Noise Performance Standards, which are hereby incorporated by reference;
 - (c) Frequent, repetitive, or continuous noise made by any animal which unreasonably disturbs or interferes with peace, comfort and repose of property owners or possessors, except that such sounds are exempt when originating from lawfully operated animal shelters, kennels, pet shops, and veterinary clinics;
 - (d) The frequent, repetitive, or continuous sounding of any horn or siren attached to a motor vehicle, except as a warning of danger or as specifically permitted or required by law;
 - (e) The creation of frequent, repetitive or continuous noise in connection with the starting, operation, repair, rebuilding, or testing of any motor vehicle, motorcycle, off-highway vehicle, or internal combustion engine within Class A EDNA, so as to unreasonably disturb or interfere with the peace, comfort and repose of owners or possessors of real property;
 - (f) Yelling, shouting, hooting, whistling or singing on or near the public streets, particularly between the hours of 10:00 p.m. and 7:00 a.m., or at any time and place so as to unreasonably disturb or interfere with peace, comfort and repose of owners or possessors of real property;
 - (g) The use of a sound amplifier or other device capable of producing or reproducing amplified sound on public streets for the purpose of commercial advertising or sales or for attracting the attention of the public to any vehicle, structure or property of the contents therein;
 - (h) The making of any loud and raucous noise which unreasonably interferes with the use of any school, church, hospital, sanitarium, nursing, or convalescent facility;
 - (i) The creation of frequent, repetitive, or continuous sounds which emanate from any building, structure, or property which can be heard at a distance greater than 50 feet from the source or which unreasonably interferes with the peace, comfort and repose of owners or possessors of real property, such as sounds from musical instruments, audio sound systems, band sessions, or social gatherings;
 - (j) Sound from audio equipment, including but not limited to tape players, radios, and compact disc players, operated at a volume so as to be audible greater than 50 feet from the source, and if not operated upon the property of the operator;
 - (k) The use of unmuffled engine compression brakes.

i The following is existing 7.30.030, with updated cross-reference.

- (3) Additional provisions.
- (a) For the purpose of enforcing subsection (2)(a), all lands zoned MR, SR 5.0, SR 7.0, SR 9.6, SR 12.4, or TN are declared to be Class A EDNAs.
 - (b) Between the hours of 10:00 p.m. Friday and 9:00 a.m. Saturday, and 10:00 p.m. Saturday and 9:00 a.m. Sunday, the noise limitations of the table in WAC 173-60-040 are reduced by 10 dBA for receiving property within Class A EDNAs.

7.30.040 Noises exempt at all times.

i Existing section, with one change proposed below.

The following noises are exempt from the provisions of this chapter at all times; except that nothing in these exemptions is intended to preclude the city from requiring installation of the best available noise abatement technology consistent with economic feasibility:

- (1) Noise originating from aircraft in flight;
- (2) Noise created by safety and protective devices, such as relief valves where noise suppression would defeat the safety release intent of the device;
- (3) Noise created by fire alarms;
- (4) Noise created by emergency equipment, including, but not limited to, emergency standby or backup equipment, and emergency work necessary in the interests of law enforcement or of the health, safety or welfare of the community; and including, but not limited to, any emergency work necessary to replace or repair essential utility services;
- (5) Noise created by auxiliary equipment on motor vehicles used for highway maintenance;

i Note the next line changes the existing "public event" to "special event" for consistency with our proposed new chapter on special events (that includes both public and private events).

- (6) Noise originating from an officially sanctioned parade, sporting event, or other special event authorized by SMC Chapter 5.06 Special Events;
- (7) Noise created by warning devices not operated continuously for more than 30 minutes per incident;
- (8) Noise originating from existing natural gas transmission facilities, subject to any requirements that may be established by appropriate state or federal agencies;
- (9) Noise created by existing stationary equipment used in the conveyance of water by a utility and noise created by existing electrical substations;
- (10) Noise created by the operation of equipment or facilities by a railroad in interstate commerce;
- (11) Noise emanating from temporary construction sites except between the hours of 10:00 p.m. and 7:00 a.m., on weekdays, and except between the hours of 6:00 p.m. and 8:00 a.m. on Saturdays, Sundays, and state recognized holidays;
- (12) Noise emanating from marine-oriented construction sites except between the hours of 10:00 p.m. and 7:00 a.m. on weekdays and weekends;
- (13) Noise created by aircraft-engine testing and maintenance not related to flight operations, except between the hours of 10:00 p.m. and 7:00 a.m.;
- (14) Noise created by existing stationary equipment used in the conveyance of water by a utility and noise created by existing electrical substations.

7.30.050 Noises exempt during daytime hours.

i No changes proposed to this existing section.

The following noises are exempt from the provisions of this chapter between the hours of 7:00 a.m. and 10:00 p.m. on weekdays and 9:00 a.m. and 10:00 p.m. on weekends:

- (1) Noise created by powered equipment used in temporary or periodic maintenance or repair of residential property, including but not limited to grounds and appurtenances, such as lawnmowers, powered hand tools, and composters;
- (2) Noise created by the discharge of firearms on city police department authorized shooting ranges;
- (3) Noise created by the installation or repair of essential utility services;
- (4) Noise created by blasting;
- (5) Noise created by bells, chimes, or carillons not operating for more than five minutes in any one hour;
- (6) Noise originating from forest harvesting.

7.30.055 Noises exempt at other times.

i This is a new section to exempt the noise from legally discharged fireworks. Our original Title 7 scoping memo recommended exemption of legal fireworks noise but that exemption didn't make it into the new noise chapter.

The following noises are exempt from the provisions of this chapter:

- (1) Fireworks discharged consistent with SMC Chapter 9.42.
- (2) A public display of fireworks properly licensed per SMC Chapter 5.04.

7.30.060 Permitted noises.

i This is a new section to add a process to authorize exceedance of the noise limits.

i This section is constructed to be consistent with WAC 173-60-080.

- (1) A variance from the requirements of this chapter may be authorized consistent with this section.
- (2) An application for a variance must be submitted to the Director on forms provided by the Department.
- (3) A variance may be granted if the Director finds that immediate compliance with requirement of this chapter cannot be achieved because of:
 - (a) special circumstances rendering immediate compliance unreasonable in light of economic or physical factors;
 - (b) encroachment upon an existing noise source; or
 - (c) because of nonavailability of feasible technology or control methods.
- (4) A variance must include all of the following:
 - (a) An identification of the persons authorized to vary from the provisions of this chapter.
 - (b) An identification of the location or locations to which the variance applies.
 - (c) An identification of the provisions of this chapter for which the variance is authorized.
 - (d) One or more of the findings described in subsection (3).
 - (e) A schedule for achieving compliance with this chapter. A variance may not be granted for a period longer than 30 days unless the Department provides at least a two-week opportunity for public comment on the application.

7.30.070 Enforcement – Penalties.

i This section is existing SMC 7.30.070. No change proposed to this section.

- (1) Except as otherwise provided, a violation of this chapter may be punished by a class 3 civil infraction.
- (2) A second violation of this chapter within 30 days may be punished by a class 2 civil infraction.
- (3) A third violation of this chapter within 30 days may be punished by a class 1 civil infraction.
- (4) A fourth violation of this chapter within a six-month period may be punished by a misdemeanor.
- (5) A property owner who permits an activity on their property that violates this chapter is jointly and severally liable for the violation.
- (6) This chapter may also be enforced pursuant to SMC Title 13.

7.30.075 Enforcement – Complaints.

i This section is existing SMC 7.30.060, renumbered to make room for the permitting procedure in .060.

The city of Stanwood will generally enforce this chapter only in response to complaints; however, nothing herein may be interpreted to prohibit proactive enforcement.

7.30.080 Provisions not exclusive.

i This section is existing SMC 7.30.080. No change proposed to this section.

The provisions of this chapter are cumulative and nonexclusive, and do not affect any other claim, cause of action or remedy, nor, unless specifically provided, may this chapter be deemed to repeal, amend or modify any law, ordinance or regulation relating to noise, but must be deemed additional to existing legislation and common law on noise.

7.30.090 Severability.

i This section is existing SMC 7.30.090. No change proposed to this section.

! We could delete this section since the title will now have a general severability provision in chapter 7.01.

If any section, subsection, paragraph, sentence, clause, or phrase of this chapter or its application to any person or situation be declared unconstitutional or invalid for any reason, that decision must not affect the validity of the remaining portions of this chapter or its application to any other person or situation. The city council of the city of Stanwood hereby declares that it would have adopted this chapter and each section, subsection, sentence, clause, phrase, or a portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

7.30.100 No third-party rights.

i This section is existing SMC 7.30.100. No change proposed to this section.

- (1) It is expressly the purpose of this chapter to provide for and promote the health, safety, and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this chapter.
- (2) It is the specific intent of this chapter that no provisions nor any term used in this chapter is intended to impose any duty whatsoever upon the city or any of its officers or employees, for whom the implementation and enforcement of this chapter is discretionary and not mandatory.
- (3) Nothing contained in this chapter is intended nor may be construed to create or form the basis of any liability on the part of the city, or its officers, employees or agents, for any injury or damage resulting from any action or inaction on the part of the city related in any manner to the enforcement of this chapter by its officers, employees, or agents.

SMC Title 8
Animals Draft Text

**CITY OF STANWOOD
WASHINGTON**

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, AMENDING
STANWOOD MUNICIPAL CODE (SMC) TITLE 8, ANIMALS, AND ESTABLISHING
SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the City of Stanwood has begun a process to comprehensively update its municipal code to conform to current law and practice; and

WHEREAS, the purpose of this code amendment is to eliminate conflicts, improve clarity and overall function of the municipal code, and reflect current city and best practices; and

WHEREAS, Title 8 adopts the City's animal regulations; and

WHEREAS, the amendments were reviewed for consistency with the state model ordinance and city's review procedures; and

WHEREAS, the amendments update the city's permitting procedures for firework stands, special events, and merchants without a fixed location; and

WHEREAS, the City of Stanwood SEPA Responsible Official has reviewed the proposed amendments to the Stanwood Municipal Code, determined that the amendments are categorically exempt from SEPA, and memorialized those conclusions under file number ____; and

WHEREAS, the Stanwood Advisory Group reviewed the draft ordinance at their ____ meeting, and has recommended that the City Council adopt the ordinance as presented; and

WHEREAS, the Stanwood Planning Commission reviewed the draft ordinance at their ____ meeting and has recommended that the City Council adopt the ordinance as presented; and

WHEREAS, the City Council held a public meeting and first reading of the draft code amendment on ____, a second reading on ____, and accepted public comment; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANWOOD,
WASHINGTON, DOES ORDAIN AS FOLLOWS:**

Section 1. Stanwood Municipal Code Title 8, Animals, is repealed in its entirety and replaced with the new Title 8 provided in Exhibit "A" attached to this ordinance and incorporated herein by reference as if set forth in full.

Section 2. Severability. The various parts, sections and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is

adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 3. Authority to Make Necessary Corrections. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener’s clerical errors, references, ordinance numbers, section/subsection numbers and any references thereto.

Section 4. Effective Date. This Ordinance shall take effect five days after its passage and publication as required by law.

PASSED and APPROVED this ____ day of _____, 2023.

CITY OF STANWOOD:

Sid Roberts, Mayor

Attest:

Lisa Sokolik, City Clerk

Approved as to Form:

Nikki Thompson, City Attorney

Date of Publication: _____

Effective Date: _____

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Title 8 Animals

i The existing SMC Title 8 includes only a single chapter, 8.02. The proposed revision of this title breaks that chapter up into logical components.

Chapter 8.01 General Provisions

i This is a new chapter.

8.01.010 Purpose

i Based on existing SMC 8.02.030.

The purpose of this title is to encourage, secure, and enforce animal control measures that are desirable and necessary for the protection of human health and safety, and to the greatest degree practicable to prevent injury to property and cruelty to animal life.

8.01.020 Administration

! Is this right? Does the animal control officers report to the police chief?

The police chief is principally responsible for administration of this title.

8.01.030 Definitions

i Definitions based on existing SMC 8.02.260 except where noted.

- (1) "Animal control officer" means any individual employed, contracted with or appointed by the city of Stanwood for the purpose of aiding in the enforcement of this chapter or any other law or ordinance in the city of Stanwood relating to the licensure of animals, control of animals, or seizure and impoundment of animals, and includes any state or local law enforcement officer or other employee whose duties in whole or in part include the seizure and impoundment of any animal. This term has the same meaning as in RCW 16.08.070.
- (2) "Livestock" means domestic or farm animals including but not limited to horses, cattle, sheep, donkeys, emus, ostriches, buffaloes, llamas, goats, and swine. Livestock does not include poultry.
- (3) "Poultry" means chickens, turkeys, geese, ducks, pigeons, peahens, or other domestic fowl.
- (4) "Owner" means any person or legal entity having a possessory property right in an animal or who harbors, cares for, exercises control over, or knowingly permits any animal to remain on premises occupied by them.

8.01.040 Owner Responsibility

i This is a new section.

The owner, as defined in this SMC 8.01.030, of an animal is responsible for compliance with this title.

8.01.050 Third-Party Liability

i This section is based on existing SMC 8.02.520.

- (1) It is expressly the purpose of this chapter to provide for and promote the health, safety and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this chapter.
- (2) It is the specific intent of this chapter to place the obligation of complying with its requirements upon the owner and possessors of animals and no provisions nor any term used in this chapter is intended to impose any duty whatsoever upon the city or any of its officers or employees, for whom the implementation and enforcement of this chapter is discretionary and not mandatory.
- (3) Nothing contained in this chapter is intended nor may be construed to create or form the basis of any liability on the part of the city, or its officer, employees or agents, for any injury or damage resulting from the failure to comply with the provisions of this chapter, or by reason or in consequence of any inspection, notice, order, certificate, permission or approval authorized or issued or done in connection with the implementation or enforcement of this chapter, or by reason of any action or inaction on the part of the city related in any manner to the enforcement of this chapter by its officers, employees or agents.

8.01.060 Savings

i Based on existing SMC 8.02.540.

Nothing contained in this chapter may be construed as abating any action now pending under or by virtue of any ordinance of the city herein superseded; or as discontinuing, abating, modifying or altering any penalty accrued or to accrue, or as affecting the liability of any person, firm or corporation, or as waiving any right of the city under any ordinance or provision thereof in force at the time of passage of the ordinance codified in this title.

8.01.070 Severability

The various chapters, sections, and clauses of the ordinances codified in this title are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the title must not be affected.

Chapter 8.10 Animal Regulations

8.10.020 Leash requirement for dogs

i This section is based on existing SMC 8.02.310, and also implements the definition of "animal at large" in SMC 8.02.020. This language based on AMC 6.04.100. Existing code limited leash length to 8 ft, but with many standard retractable leashes exceeding that length, that limit was deleted.

- (1) It is unlawful to allow any dog to roam, stray, or be away from the premises of the owner or keeper, or to be in or on any public place or property unless such animal is physically controlled by the owner or keeper or other competent and authorized person by means of a physical control device; except while the animal is present within the boundaries of a city-owned or sanctioned off-leash dog park or while participating in an organized exhibition or training session.
- (2) The control device requirements of this section do not apply to a police dog while in the performance of a law enforcement function.

(3) A violation of this section is a class 3 civil infraction.

8.10.040 Limit on number of dogs

i Existing SMC 8.02.105

(1) It is unlawful to keep more than four adult dogs on any premises in the city except as provided for in SMC Chapter 8.20.

(2) A violation of this section is a class 3 civil infraction.

8.10.060 Noisy dogs and cats prohibited

i Based on existing SMC 8.02.230 with revisions based on PTMC 9.09.030.C.8.

(1) It is unlawful to allow a dog or cat to unreasonably disturb persons with frequent, repetitive, or intermittently continuous sounds including but not limited to, barking, howling, yelping, or whining.

(2) It is an affirmative defense under this section that the animal was intentionally provoked to bark or make any other noise by any person.

(3) A violation of this section is a class 2 civil infraction.

8.10.080 Trespassing dogs and cats prohibited

i Based on existing SMC 8.02.210.

(1) It is unlawful to permit any dog or cat to trespass on private or public property without the permission or consent of the property owner.

(2) A violation of this section is a class 3 civil infraction.

8.10.100 Animal waste

i Subsections (1) and (2) are based on existing SMC 8.02.210 (2)-(3). Subsection (3) is new.

(1) It is unlawful to fail to remove fecal matter deposited by an animal on the property of another before the owner and the animal leave the immediate area in which the fecal matter was deposited.

(2) It is unlawful for a person to fail to have in his or possession the equipment necessary to remove fecal matter deposited by an animal when on public property or a public right-of-way.

(3) It is unlawful for any owner or keeper to allow waste to accumulate on the owner's property to the extent that neighbors are adversely affected by odor or runoff.

(4) A violation of this section is a class 3 civil infraction and may also be enforced per SMC Title 13.

8.10.120 Nuisance or destructive behavior

i Based on AMC 6.04.140.

(1) It is unlawful for an owner to:

(a) permit a dog to chase, run after, or jump at vehicles lawfully using the public streets, alleys, and ways;

- (b) permit any dog to trespass on public or private property so as to damage or destroy any lawn, garden, or other property or thing of value;
- (2) It is a defense to a charge of violation of this section that the dog had been intentionally provoked to perform the nuisance or destructive behavior by a person other than the owner.
- (3) A violation of this section is a class 3 civil infraction.

8.10.140 Disposal of diseased animals

i Based on existing SMC 8.02.330.

- (1) If an animal dies or has been killed due to disease, the owner must immediately notify a veterinarian and dispose of the carcass per veterinarian instructions.
- (2) No person may sell, offer to sell, or give away the carcass of any animal, which died or was killed on account of disease.
- (3) The city has the authority to seize the carcass for public health and safety purposes.
- (4) A violation of this section is a class 1 civil infraction.

Chapter 8.12 Dogs—Licensing

8.12.020 License—Required

i Existing SMC 8.02.110

- (1) It is unlawful to own, possess, harbor, or otherwise be the custodian of any dog over the age of six months within the city unless the dog is licensed per this chapter.

i The following is based on part of existing SMC 8.02.150.

- (2) A license is required within 30 days of acquisition of a dog.

i The following is based on part of existing SMC 8.02.120.

- (3) A licensed dog must display its city-issued license tag, securely affixed to a substantial collar or harness, at all times except when the animal is securely confined within a residence or enclosure or is being displayed in an exhibition.
- (4) An electronic identification device is not a substitute for the city-issued license tag.
- (5) A violation of this section is a class 2 civil infraction.

8.12.040 License—Exemptions

i Existing SMC 8.02.160 Dog license exemptions.

- (1) The following dogs are exempt from the requirement for a dog license in SMC 8.10.100:
 - (a) a dog in the custody of a veterinarian, or animal shelter or animal rescuer; or
 - (b) a dog whose owners are nonresidents temporarily within the city for a period not exceeding 30 days.

(2) A service dog is exempt from payment of dog license fees.

8.12.060 License—Application

i Existing SMC 8.02.120 plus additional requirements for application information, existing SMC 8.02.140

! Staff please verify this is consistent with your current practice.

- (1) An application for a dog license or renewal of a dog license must be made to the Finance Director on forms provided by the Finance Department.
- (2) An application for a license for a dog must include the following:
 - (a) The name, address and telephone number of the legal owner of the animal;
 - (b) The name, address and telephone number of the person having custody of the animal, if other than the legal owner;
 - (c) The name, age, breed, color, sex, distinguishing features, markings or tattoos of the animal, and, in the case of dogs, whether the animal has been neutered;
 - (d) The address of the property at which the animal is ordinarily kept or maintained;
 - (e) A certificate of a veterinarian indicating the dog has current rabies immunization;
 - (f) A certificate of a veterinarian indicating the dog has been neutered, if claiming so;
 - (g) EID microchip transponder information, if applicable;
 - (h) Any applicable fees as set by City Council resolution.

8.12.080 License—Renewal

i The following is based on part of existing SMC 8.02.150.

! Staff please verify this is consistent with your current practice.

- (1) Except as provided in (2), a dog license expires on December 31 of each year and must be renewed within 45 days of expiration.
- (2) A lifetime license purchased before May 3, 2015, is valid for the lifetime of the dog, but updated rabies certificates must be submitted when vaccinations expire.

Chapter 8.14 Dogs—Dangerous and Potentially Dangerous

i This chapter is mostly a complete rewrite of the applicable provisions in the existing animals title.

8.14.010 Purpose

The purpose of this chapter is to regulate dogs that may be dangerous to people or other domestic animals.

8.14.020 Applicability

- (1) This chapter applies to all domestic dogs *Canis lupus familiaris*.

(2) For wild animals and wolf hybrids, see SMC Chapter 8.50.

8.14.030 Definitions

i These definitions are taken directly from RCW 16.08.070, and are replicated here instead of incorporated by reference in case the city wishes to expand or otherwise modify them.

- (1) "Dangerous dog" means any dog that (a) inflicts severe injury on a human being without provocation on public or private property, (b) kills a domestic animal without provocation while the dog is off the owner's property, or (c) has been previously found to be potentially dangerous because of injury inflicted on a human, the owner having received notice of such and the dog again aggressively bites, attacks, or endangers the safety of humans.
- (2) "Potentially dangerous dog" means any dog that when unprovoked: (a) Inflicts bites on a human or a domestic animal either on public or private property, or (b) chases or approaches a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, or any dog with a known propensity, tendency, or disposition to attack unprovoked, to cause injury, or to cause injury or otherwise to threaten the safety of humans or domestic animals.
- (3) "Severe injury" means any physical injury that results in broken bones or disfiguring lacerations requiring multiple sutures or cosmetic surgery.

8.14.040 Declaration as Potentially Dangerous or Dangerous Dog

- (1) An animal control officer may issue a notice of intent to declare a dog either "potentially dangerous" or "dangerous" if there is probable cause to believe that the dog meets the term of either definition.
- (2) Basis.
 - (a) The animal control officer's determination must be based on:
 - (i) the written complaint of a person who is willing to testify that the animal has acted in a manner which causes it to fall within the definition;
 - (ii) one or more dog bite reports filed with the police department;
 - (iii) actions of the dog witnessed by any animal control officer or law enforcement officer; or
 - (iv) other substantial evidence, including hearsay if it is of a nature that a reasonable and prudent person would rely upon.
 - (b) Per RCW 16.08.090(3), a dog may not be declared dangerous if the threat, injury, or damage was sustained by a person who, at the time, was committing a willful trespass or other tort upon the premises occupied by the owner of the dog, or was tormenting, abusing, or assaulting the dog or has, in the past, been observed or reported to have tormented, abused, or assaulted the dog or was committing or attempting to commit a crime.
- (3) Contents. The notice of intent to declare a dog potentially dangerous or dangerous must include all of the following:
 - (a) a description of the animal;
 - (b) the name and address of the owner or keeper of the animal, if known;
 - (c) the whereabouts of the animal if it is not in the custody of the owner;
 - (d) the facts upon which the declaration is to be based;
 - (e) the restrictions that will be placed on the animal as a result of the declaration;

- (f) a reference to the penalties for violation of the restrictions, including the possibility of destruction of the animal, and imprisonment or fining of the owner;
- (g) a statement that the owner is entitled to an opportunity to meet with the police chief to give any reasons or information as to why the dog should not be declared potentially dangerous or dangerous;
- (h) a proposed date, time, and place for such a meeting, and that the owner may propose an alternative meeting date and time, but that such meeting must occur within 15 days of the date the notice was served.

(4) Service.

- (a) The notice of intent issued pursuant to this section must be in writing and served on the owner in one of the following methods:
 - (i) Personally;
 - (ii) By certified mail, with return receipt requested, and ordinary first class mail to the owner's or keeper's last known address; or
 - (iii) If the owner cannot be located by one of the first two methods, by publication in a newspaper of general circulation.
- (b) Service is effective on the date the notice is received; or, in the case of certified mail, three days after the notice is mailed; or, in the case of service by publication, 15 days after publication.
- (c) The owner of any dog found to be a potentially dangerous or dangerous dog under this Chapter may be assessed all service costs expended under this subsection.

i Existing SMC 8.02.410 provides an appeal opportunity to the hearing examiner, but a formal appeal is not required, and review by police chief is substantially more expeditious.

(5) Review by police chief.

- (a) If the owner does not attend the scheduled meeting with the police chief, the police chief may issue an order declaring that the dog is potentially dangerous or dangerous.
- (b) If the owner attends the scheduled meeting with the police chief, the owner may offer, orally or in writing, any reason or information as to why the dog should not be found potentially dangerous or dangerous.
- (c) After review of the record and the owner's reasons and information, the police chief must determine whether a preponderance of the evidence weighs in favor of finding the dog potentially dangerous or dangerous.
- (d) If the police chief determines that the dog is potentially dangerous or dangerous, the police chief must issue a declaration that includes:
 - (i) a recital of the authority for the declaration;
 - (ii) a concise statement of the facts that support the determination; and
 - (iii) the signature of the person who made the determination.
- (e) The Sheriff's determination is final and may be appealed to District Court, which will review the record made at the meeting to determine whether the declaration is supported by a preponderance of the evidence. Any such appeal must be filed within 20 days of service of the order. Upon notice that an appeal has been filed, the police chief must file a certified copy of the record from any such meeting with the District Court. A recording of the meeting will be made available to the person appealing the ruling, who will have the responsibility of transcribing the meeting for the appeal.

- (6) A dog that has been declared "potentially dangerous" or "dangerous" in another jurisdiction under substantially similar definitions is considered the same as if it had been declared by the city.

8.14.050 Registration Requirement for Potentially Dangerous and Dangerous Dogs

- (1) An owner of a potentially dangerous or dangerous dog must maintain a current certificate registration for the dog with the police department, including maintaining the current address of the dog with the city at all times. The owner must notify the police department if the dog dies, is removed from the city, or has its ownership transferred to another person.
- (2) The police department may not issue a certificate of registration to the owner of a potentially dangerous or dangerous dog unless the owner presents sufficient evidence of compliance with the signage and secure enclosure requirements of SMC 8.14.070.
- (3) No violation of the registration requirements occur until ten days after the initial declaration of a dog as potentially dangerous or dangerous.

8.14.060 Requirements for Potentially Dangerous Dogs

i State law creates requirements for dangerous dogs, but not potentially dangerous dogs, which it leaves up to local jurisdictions.

- (1) An owner of a potentially dangerous dog must:
 - (a) Register the dog with the police department per SMC 8.14.050;
 - (b) Conspicuously display a sign with a warning symbol on any premises where the dog is kept that informs children of the presence of a potentially dangerous dog;
 - (c) While on the owner's property, ensure the dog is restrained by chain, leash, or other confinement suitable to prevent the animal from leaving the owner's property;
 - (d) While off the owner's property, ensure the dog is under physical restraint by the owner or other responsible person;
 - (e) Ensure the dog wears a bright orange collar bearing the warning "potentially dangerous dog"; and
 - (f) Ensure the dog has a microchip implant for permanent identification.
- (2) A violation of this section is a misdemeanor.

8.14.070 Requirements for Dangerous Dogs

i Note a municipality also has the ability to simply prohibit dangerous dogs within its jurisdiction.

- (1) An owner of a dangerous dog must:
 - (a) Register the dog with the police department per SMC 8.14.050;
 - (b) Conspicuously display a sign with a warning symbol on any premises where the dog is kept that informs children of the presence of a dangerous dog;

i The following requirement is based on the statutory definition of "proper enclosure of a dangerous dog."

- (c) Ensure the dog is securely confined indoors, or inside a locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping, with secure sides and a secure top, that also provides protection from the elements for the dog;

- (d) Whenever not confined, ensure the dog is securely muzzled, on a leash that is not longer than six feet in length, and under the control of a person 15 years of age or older who is physically able to control the dog;
- (e) Ensure the dog wears a bright orange collar bearing the warning “dangerous dog”;
- (f) Ensure the dog has a microchip implant for permanent identification; and

 Note these amounts are set by RCW 16.08.080(6), but may be set higher.

- (g) Maintain either:
 - (i) A surety bond issued by a surety insurer qualified under RCW Chapter 48.28 in a form acceptable to the city in the sum of at least \$250,000, payable to any person injured by the dangerous dog; or
 - (ii) A policy of liability insurance, such as homeowner’s insurance, issued by an insurer qualified under RCW Title 48 in the amount of at least \$250,000, insuring the owner for any personal injuries inflicted by the dangerous dog.


(2) A violation of this section is a gross misdemeanor.


8.14.080 Requirement to Provide Notice to City.

- (1) The owner of a dangerous dog or potentially dangerous dog must immediately notify the police department when the animal:
 - (a) is loose or unconfined off the property; or
 - (b) has bitten or injured a human being or other domestic animal; or
 - (c) is sold, given away, or dies; or
 - (d) is moved to another address;
 - (e) is declared potentially dangerous or dangerous by another jurisdiction.


(2) A violation of this section is a misdemeanor.

Chapter 8.20 Kennels and Catteries

 This chapter includes existing kennel provisions (e.g., SMC 8.02.440-450, and 470). This section is based on SMC 8.02.440. The terms "license" and "permit" have been consolidated to "permit." This chapter deletes special licenses for shelters and kennels, which are subject to standard business licenses.

 This chapter is still a bit confused, mixing various kennel types, licenses/permits, and land use approvals.

8.20.020 Permit Required.

 This section is based on SMC 8.02.450.

- (1) It is unlawful to keep dogs over six months of age in numbers that exceed the maximums identified in SMC 8.10.040 or 8.20.040 without a permit from the city for that purpose under this chapter.

- (2) Exception. A veterinarian must obtain the required permit for any service other than the one which by law may be performed only by a veterinarian; provided, that no such permit is required for his or her possession of animals solely for the purposes of veterinary care.
- (3) A violation of this section is a class 1 civil infraction.

8.20.040 Hobby Kennel Permit

i This section is based on SMC 8.02.470 except where noted.

(1) Limitation on Number of Dogs Allowed. The city may limit the number of dogs or cats allowed by a hobby kennel permit based on the following guidelines:

- (a) The amount of lot area, except that:
 - (i) the maximum number may not exceed 25 where the lot area contains five acres or more;
 - (ii) the maximum number may not exceed five per acre where the lot area contains one acre but less than five acres; and
 - (iii) the maximum number may not exceed four where the lot is less than one acre;
- (b) The facility specifications or dimensions in which the dogs are to be maintained;
- (c) The zoning classification in which the hobby kennel would be maintained.

i Next paragraph is based on SMC 8.02.450.

! Do we need to retain these ways to exceed the standard limits?

(2) Exceeding the limitation.

- (a) The animal control officer may allow up to six dogs more than the maximum number of dogs referred to in (1) for a hobby kennel or for a commercial kennel.
- (b) Administrative conditional use permit from the community development director may allow six or more dogs more than the maximums referred to in (1). The factors to be considered in granting or denying such additional animals must be the same as set forth in (3)(d).
- (c) Any aggrieved party may appeal the decision of the animal control officer or the community development director to the hearing examiner, who is authorized to hear such appeals and make a decision.

(3) Requirements for Hobby Kennels.

- (a) Housing for animals must comply with the standards in SMC 8.30.030 for pet shops.
- (b) All open run areas must be completely surrounded by a six-foot fence set back at least 20 feet from all property lines; for purposes of this section "open run area" means that area, within the property lines of the premises on which the hobby kennel is to be maintained, where the dogs are sheltered and maintained.
- (c) No commercial signs or other appearances advertising the hobby kennel are permitted on the property except for the sale of the allowable offspring set forth in this section, or otherwise allowable under the city sign code as codified in Chapter 17.110 SMC.
- (d) The animal control officer may require setback, additional setback, fencing, screening or soundproofing pursuant to SMC Title 17, Zoning, as she or he deems necessary to ensure the compatibility of the hobby

kennel with the surrounding neighborhood. Factors to be considered in determining such compatibility are:

- (i) Statement regarding approval or disapproval of surrounding neighbors relative to maintenance of a hobby kennel at the address applied for;
 - (ii) Past history of animal control complaints relating to the dogs and cats of the applicant at the address for which the hobby kennel is applied for;
 - (iii) Facility specifications and dimensions in which the dogs are to be maintained;
 - (iv) Animal size, type, and characteristics of breed;
 - (v) The zoning classification of the premises on which the hobby kennel is maintained.
- (e) The hobby kennel may limit dog reproduction to no more than one litter per license year per female dog and two litters per license year per female cat;
- (f) Each dog in the hobby kennel must have current and proper immunization from disease according to the dog's species and age, including DHLPP inoculation for dogs over three months of age and rabies inoculations for all dogs over six months of age.
- (4) Permit Issuance and Maintenance. Only when the animal control officer is satisfied that the requirements of this chapter have been met may a hobby kennel permit be issued. The license will continue in full force throughout the license year unless, at any time, the hobby kennel is maintained in such a manner as to:
- (a) Exceed the number of dogs allowed at the hobby kennel by the animal control section; or
 - (b) Fail to comply with any of the requirements of this chapter.

8.20.060 Special Hobby Kennel Permit.

i Based on existing SMC. Renamed "license" to "permit."

- (1) An owner of up to four dogs who does not meet the requirements for a hobby kennel permit may be eligible for a special hobby kennel permit to be issued at no cost by the animal control authority which will allow them to retain the specific animals in their possession if the following conditions are met:
 - (a) The applicant must apply for the special hobby kennel permit and individual licenses for each dog within 30 days of the enactment of the ordinance codified in this chapter or at the time they are contacted by an animal control officer.
 - (b) The applicant is keeping the dogs for the enjoyment of the species, and not as a commercial enterprise.
- (2) The special hobby kennel permit is only valid for those specific dogs in the possession of the applicant at the time of issuance, and is intended to allow pet owners to possess animals beyond the limits imposed by code until such time as the death or transfer of such animals reduces the number possessed to the legal limit set forth by code.
- (3) The animal control officer may deny an application or revoke a special hobby kennel permit based on past animal control code violations by the applicant's dogs, or complaints from neighbors regarding the applicant's dogs; or if the animal(s) is maintained in inhumane conditions.

Chapter 8.30 Pet Shops and Grooming Parlors

i This chapter includes existing SMC 8.02.460 and .480.

8.30.030 Standards for Pet Shops

i The following is based on existing SMC 8.02.460.

(1) Provisions.

- (a) An animal housed in any animal shelter, commercial kennel, or pet shop must be provided housing facilities that are structurally sound, maintained in good repair, and designed so as to protect the animals from injury and restrict the entrance of other animals.
- (b) An animal housed in any animal shelter, commercial kennel or pet shop or enclosure therein must be provided with adequate floor space to allow each animal to turn about freely and to easily stand, sit, and lie in a comfortable normal position.
- (c) Electrical power must be supplied in conformance with applicable electrical codes adequate to supply heating and lighting as may be required by this chapter.
- (d) Water must be supplied at sufficient pressure and quantity to clean indoor housing facilities and enclosures of debris and excreta.
- (e) Suitable food and bedding must be provided and stored in facilities adequate to provide protection against infestation or contamination by insects or rodents.
- (f) Refrigeration must be provided for the protection of perishable foods.
- (g) Facilities for the removal and disposal of animal and food wastes, bedding, dead animals and debris must be provided and operated as to minimize vermin infestation, odors, and disease hazards.
- (h) Washroom facilities, including sinks and toilets, with hot and cold water, must be conveniently available to maintain cleanliness among animal caretakers and for the purpose of washing utensils and equipment.

(2) Operation.

- (a) Sick, diseased or injured animals must be separated from those appearing healthy and normal and, if for sale, shall be removed from display and sale and kept in isolation quarters with adequate ventilation to keep from contaminating well animals.
- (b) An employee responsible for the care and supervision of the animals must be on duty at all times during the hours a store is open.
- (c) An employee, keeper or owner must feed, water, and do the necessary cleaning of animals on days the store or establishment is closed.
- (d) No person may misrepresent an animal to a consumer in any way.
- (e) No person may knowingly sell a sick or injured animal.
- (f) An animals that is caged, closely confined, or restrained must be permitted daily, and for an appropriate length of time, as determined by their size, age and species, to exercise in a yard or area suitable for that purpose.

8.30.040 Standards for Grooming Parlors

i The following is based on existing SMC 8.02.480. Deleted subsection (5) about prescribing medicine, which is regulated by state law.

- (1) A grooming parlor must:
 - (a) Keep each animal in an individual cage;
 - (b) Not permit animals therein kept for the direct purpose of grooming to have contact with other animals kept therein;
 - (c) Sanitize all equipment after each animal has been groomed;
 - (d) Take reasonable precautions to prevent injury from occurring to any animals while in the custody of said parlor;
 - (e) Not leave animals unattended during the drying process;
 - (f) Remove animal waste.
- (2) A grooming parlor may not board animals, but may keep said animals for a reasonable time in order to perform the business of grooming.

8.30.050 Violations

A violation of this chapter is a class 3 civil infraction for each animal affected, for each day it occurs, and may also be enforced per SMC Title 13..

Chapter 8.40 Livestock and Poultry

i This chapter incorporates existing provisions in SMC 8.02 concerning livestock. Existing 8.02.060 and 070 is not addressed here.

8.40.020 Hitching of horses prohibited in business districts

! Shall we keep existing SMC 8.02.090 just for olde tyme's sake?

It is unlawful to leave a horse tied, fastened, or hitched to any object in a business, commercial, or industrial zone within the city limits, except for special events approved by the city.

8.40.030 Driving or riding animals so as to endanger person or property

i Existing SMC 8.02.100

It is unlawful to drive, herd, or ride a horse or other livestock in the city in such a manner as to endanger or to be likely to endanger any person or property, or to drive or ride a horse or other livestock upon any sidewalk in the city; provided, that this section shall not prohibit any person from driving or herding livestock in a safe manner consistent with reasonable farming or ranching practices.

8.40.040 Livestock not to run at large

i Based on existing SMC 8.02.040.

No livestock or poultry of any kind shall be allowed to run at large, during any hour of the day or night upon any unenclosed land public or private, within the city limits.

8.40.050 Required area for certain livestock

i Based on existing SMC 8.02.320. New exclusion for small animals.

- (1) This section applies to livestock but not pigs, pigmy goats, and miniature ponies.
- (2) All persons owning or having control or possession of any livestock within the city of Stanwood must keep the livestock safely and appropriately enclosed at all times on the premises owned and occupied by such person.
- (3) The entire roaming area enclosing the livestock must be fenced. Fences must be of such a size and type to prevent encroachment on adjacent property, defined as reaching over, under, or through, as well as trespassing or intruding upon, the property of another.

i Based on existing SMC 8.02.050. Note existing language had an exemption for small farms or ongoing agricultural activity, which were not defined.

- (4) A livestock enclosure must encompass at least one-half acre or 21,280 square feet per animal.

i The following is new material.

- (5) If a livestock animal gives birth, thereby exceeding the number of livestock animals allowed by the minimums set forth in this section, the owner must conform the number of the animals or the dimensional requirements within one year of the birth of the animals.

8.40.060 Standards for buildings and enclosures

i Based on existing 8.02.350 and 380.

- (1) Any building containing livestock other than pigs, pigmy goats, and miniature ponies must be located at a minimum distance of 100 feet of any adjoining residence.
- (2) An accessory building used for housing poultry or rabbits must be provided and must be a minimum of four square feet per animal.
- (3) A maximum of two accessory buildings for housing poultry or rabbits must be permitted on a lot. Each building must be located a minimum distance of five feet from any property line and 20 feet from any neighboring residence or business. Such accessory buildings may not be located in the required front yard.
- (4) A house, pen, or enclosure where livestock, poultry, or rabbits are kept must be kept clean and free from disagreeable odors. No organic materials furnishing food for flies or rodents may be allowed to accumulate on the premises. All manure and other refuse must be kept in tightly covered fly-proof receptacles and disposed of at least once each week in a manner approved by the animal control officer.
- (5) All premises where livestock or fowl are kept must be free from rats and rat and mice harborages.

8.40.070 Swine

i Based on existing SMC 8.02.360 and 370.

- (1) No pigsty, piggery, or other place where swine are kept may be built or maintained on marshy ground or land subject to overflow, nor within 200 feet of any stream or other source of water supply, nor within 300 feet of any inhabited house or public meeting house on adjoining property.
- (2) When garbage is fed to pigs, all unconsumed garbage must be removed daily and disposed of by burial or incineration. No organic material furnishing feed for flies may be allowed to accumulate on the premises. All garbage must be handled and fed upon platforms of concrete or other impervious material. Unslaked lime, hypochlorite of lime, borax or mineral oil must be used daily in sufficient quantities to prevent offensive odors and the breeding of flies.

8.40.080 Violations

A violation of this chapter is a class 2 civil infraction and may also be enforced per SMC Title 13.

Chapter 8.50 Dangerous Animals

i This chapter is based on existing SMC 8.02.035, with corrections.

i Definition is expanded to include wolf hybrids and all cougars.

8.50.020 Definitions

i The state law definition excludes wolf hybrids and wild-bred cougars, so this definition adds them back in.

- (1) "Potentially dangerous wild animal" means:
 - (a) All the animals listed in the definition of "potentially dangerous wild animal" in RCW 16.30.010;
 - (b) All animals of the family *Canidae* (as dogs, wolves, jackals, or foxes) and their hybrids, except for the domestic dog *Canis lupus familiaris*; and
 - (c) All cougars.

8.50.030 Prohibition

- (1) It is unlawful to own, possess, breed, import, export, barter, have custody or control over, buy, sell, or attempt to buy or sell any potentially dangerous wild animal.
- (2) It is unlawful to display or sponsor a display of potentially dangerous wild animals within the City of Stanwood.
- (3) This prohibition is not subject to the exceptions provided in RCW 16.30.020.

8.50.040 Confiscation

i This language mostly mirrors RCW 16.30.040.

- (1) The Animal Control Authority or a law enforcement officer may immediately confiscate a potentially dangerous wild animal held in contravention of this chapter.

- (2) An Animal Control Authority or law enforcement officer who confiscates an animal prohibited by this chapter must serve notice upon the possessor in person or by regular and certified mail, return receipt requested, notifying the possessor of the confiscation, that the possessor is responsible for payment of reasonable costs for caring and providing for the animal during the confiscation, and that the possessor must demonstrate a plan to immediately remove the animal from the city in order for the animal to be returned to the possessor.
- (3) If a potentially dangerous wild animal confiscated under this section is not returned to the possessor, the Animal Control Authority or law enforcement officer may release the animal to a facility outside the city, such as a wildlife sanctuary, where the animal is legal to possess. If the animal control authority or law enforcement officer is unable to relocate the animal within a reasonable period of time, it may euthanize the animal.

8.50.050 Violations

- (1) A violation of this chapter is a misdemeanor punishable by up to 90 days in jail, a \$1000 fine, or both.
- (2) A violation of this chapter occurs with respect to each animal that is possessed in violation of this chapter.

Chapter 8.80 Animal Cruelty

i This chapter includes existing SMC 8.02.390, with updates.

8.80.010 Adoption by reference

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

RCW [9.08.030](#) False certificate of registration of animals—False representation as to breed.

RCW [9.08.065](#) Definitions

RCW [9.08.070](#) Pet animals—Taking, concealing, injuring, killing, etc.—Penalty.

RCW [9.91.170](#) Interfering with dog guide or service animal.

RCW [16.52.011](#) Definitions

RCW [16.52.015](#) Enforcement Powers

RCW [16.52.080](#) Transporting or Confining Animals in an Unsafe Manner

RCW [16.52.085](#) Removal of Neglected Animals for Feeding and Restoration to Health – Examination – Notice – Return – Non-Liability

RCW [16.52.090](#) Docking Horses – Misdemeanor

RCW [16.52.095](#) Cutting Ears – Misdemeanor

RCW [16.52.100](#) Confinement Without Food and Water

RCW [16.52.110](#) Old or Diseased Animals at Large

RCW [16.52.117](#) Animal Fighting – Owner, Trainers, Spectators – Exceptions

RCW [16.52.180](#) Limitations on Application of Chapter

RCW [16.52.185](#) Exclusions from Chapter

RCW [16.52.190](#) Poisoning Animals--Penalty

RCW [16.52.193](#) Poisoning Animals – Strychnine Sales

RCW [16.52.200](#) Sentences – Forfeiture of Animals – Liability for Costs – Civil Penalty

RCW [16.52.207](#) Animal cruelty in the second degree

RCW [16.52.210](#) Destruction of Animal by Law Enforcement Officer – Immunity from Liability

RCW 16.52.225—Nonambulatory livestock—Transporting or accepting delivery—Gross misdemeanor—Definition.

RCW 16.52.230—Remedies not impaired.

RCW [16.52.300](#) Dogs or Cats Used as Bait – Penalties

RCW [16.52.305](#) Unlawful use of hook – Gross misdemeanor

RCW 16.52.310—Dog breeding—Limit on the number of dogs—Required conditions—Penalty—Limitation of section—Definitions.

RCW [16.52.340](#) Leave or confine any animal in unattended motor vehicle or enclosed space—Class 2 civil infraction—Officers' authority to reasonably remove animal.

RCW [46.61.660](#) Carrying Animal on Outside of Vehicle

Chapter 8.90 Enforcement and Impoundment

i Existing provisions in SMC 8.02 regarding impoundment and other actions required for enforcement are reorganized in this new chapter. Existing SMC 8.02.190 regarding stray animals is incorporated here.

8.90.010 Authority

This title may be enforced by the police chief, Animal Control Officer, or any law enforcement officer.

8.90.020 Animal Control Shelter

i Based on existing SMC 8.02.270 Animal control shelter.

(1) The city may maintain and operate, or contract to maintain and operate an animal control shelter, which may be used as the public pound for any animal impounded pursuant to this chapter.

i Based on existing SMC 8.02.170(4).

(2) A resident of the city of Stanwood may, for a fee equal to the costs associated with the current agreement, deliver and relinquish ownership of unwanted dogs or cats owned by them to the animal control shelter, providing that service pursuant to a contract with the city exists. The fee must be paid directly to the animal shelter by the person relinquishing the animal at the time of release.

8.90.030 Impoundment Authorized.

i This section based on existing SMC 8.02.170.

(1) The City may impound any of the following animals:

(a) Dogs maintained in violation of SMC Chapter 8.10;

- (b) Dogs that are not licensed or do not exhibit the identification tag per SMC Chapter 8.12;
 - (c) An animal left in an unattended motor vehicle or enclosed space per RCW 16.52.340;
 - (d) Livestock in violation of SMC 8.40.020 or 8.40.040;
 - (e) Trespassing dogs and cats in violation of SMC 8.10.080;
 - (f) Potentially dangerous or dangerous dogs in violation of SMC Chapter 8.14, as authorized by RCW 16.08.100(1);
 - (g) Animal carcasses maintained in violation of SMC 8.10.140.
- (2) Notwithstanding other time limits in this chapter, an impounded animal that has bitten a person or another animal must be made available for testing for rabies or other disease and maintained in quarantine for the requisite length of time.

i The following is based on SMC 8.02.300 except for subsection (7), which seems to require a warrant anyway.

- (3) Entry. An animal control officer or law enforcement officer may enter private property:
- (a) with consent of the owner or any adult occupant of any premises where the animal lives to determine compliance with the provisions of this chapter;
 - (b) in the absence of the owner or occupant, using reasonable force when, in the officer's judgment, an animal on such premises needs emergency assistance to prevent an animal's death or serious injury;
 - (c) with a search warrant or when authorized by law;
 - (d) to remove and impound any animal left in an unattended motor vehicle or enclosed space per RCW 16.52.340, leaving notice of the impounding and disposition of the animal in plain view with the vehicle;
 - (e) when in hot pursuit, with or without a warrant, to take possession of an animal observed to be at large in violation of this title.

8.90.040 Required Notice

i Based on existing SMC 8.02.070 Notice of impoundment.

- (1) When the city impounds an animal pursuant to SMC 8.90.030, the city must give the owner thereof written notice of the impoundment as soon as possible, but not more than three days after impoundment.
- (2) Notice should be provided by personal service or by regular and certified mail with return receipt requested. If the owner is not known, such notice must be given by posting the same in a conspicuous place at the entrance of City Hall and the city police department.
- (3) The notice must state that the animal or animals described therein have been taken up and impounded and will be sold at public auction to the highest bidder for cash at the time therein named. That time may not be less than 10 days from the time of service or posting of the notice.
- (4) For a potentially dangerous or dangerous dog, the notice must specify the reason for the confiscation of the dog, that the owner is responsible for payment of the costs of confinement and control, and that the dog will be destroyed in an expeditious and humane manner if the deficiencies for which the dog was confiscated are not corrected within 20 days, and that redemption is not available until sufficient evidence of such corrections is provided.

8.90.050 Redemption

i Based on existing SMC 8.02.080.

- (1) If the owner claims an impounded animal before the scheduled sale of the animal, the owner is entitled to possession thereof by paying to the city the fees established by Council resolution for:
 - (a) Transportation and impoundment expenses. The fee shall progressively double for each impoundment of the same animal during any one-year period.
 - (b) Actual cost per day for room and board during the period of impoundment.
 - (c) Any and all delinquent court fines imposed with respect to the animal.
- (2) At the time named in the notice of impoundment, if the impounded animal has not been claimed and redeemed, the city may sell such animal per SMC 8.90.070.
- (3) Within one year from the date of sale, if the owner of an animal sold per this section provides satisfactory proof of ownership, the owner is entitled to receive the net proceeds of such sale so paid into the city treasury, after deducting all legal charges, administrative costs and expenses. If those funds have not been claimed after one year, such proceeds shall be deemed forfeited and deposited in the general fund.

8.90.060 Impoundment Costs

i Based on existing SMC 8.02.170(4).

- (1) The owner of an animal impounded under this title must pay the city assessed penalties and all fees and costs associated with apprehension, transportation, impoundment, care, boarding, and any veterinary care incurred, including euthanasia and disposal if applicable, as a result of the confiscation or impoundment, whether or not the animal is redeemed.
- (2) Relinquishment of the animal by its owner does not constitute a waiver of fees or costs incurred under this section or fines otherwise imposed.
- (3) The net proceeds of the sale of an impounded animal may not offset any delinquent court fines.
- (4) The city may collect the penalties, fees, and expenses by use of appropriate legal remedies.

8.90.070 Destruction and Sale

i Based on existing SMC 8.02.170 and 180.

! SMC 8.02.170(5) was not included. Is it still needed?

- (1) The city may sell or destroy, by humane means, an impounded animal pursuant to this chapter, when such animal has not been redeemed by its owners within ten working days after the animal is impounded.
- (2) The city may immediately destroy an impounded animal immediately if it would be humane to destroy an injured or diseased animal and the animal is unlicensed or the owner cannot be located. Determination of whether the animal should be destroyed must be made by a veterinarian, animal control officer, or police officer.
- (3) To sell an impounded animal, the city must sell at public auction to the highest bidder for cash and give a receipt to the purchaser. The net proceeds of such sale must be paid into the city treasury, after deducting

legal charges, administrative costs, and expenses. The city may contract for auctioneer services and pay expenses thereof from the proceeds from the sale of said animals.

8.90.080 Obstruction of Impoundment

i Based on existing SMC 8.02.290.

- (1) It is unlawful for any person to prevent or hinder or to attempt to prevent or hinder the lawful impounding of any animal, or by force or otherwise remove or attempt to remove any animal from the public pound without the authority of the animal control officer, or other person in charge of the pound, or to aid in any attempt to remove any animal or animals from the pound.
- (2) A violation of this section is a misdemeanor, which upon conviction thereof, may be punished by a fine of up to 90 days in jail or \$1,000 fine, or both, plus costs.