



MUNICIPAL CODE UPDATE
PROJECT
ADVISORY GROUP

MEETING DATE: November 20, 2024

SUBJECT: November Update

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Permitted Use and Bulk Matrix Project Approach

Work continues on the Municipal Code Update project by merging Title 16, Subdivisions and Title 17, Zoning into a new Title 18 titled Unified Development Code. A major component of a UDC includes evaluating what uses should be allowed in each zone and the building site dimensional standards. Prior to preparing the first draft of permitted use matrix and site dimensional standards, it is important to identify key issues of importance to the community and state mandates that need to be addressed. Responses to the following topics will set the foundation for the first draft.

1. Zoning District Purpose and Intent:

The City’s zoning districts are based on the land use designations adopted in the Comprehensive Plan and the uses within each of these districts need to be consistent with the purpose and intent of the Comprehensive Plan. These definitions can be simplified so long as the intent is consistent with the Comprehensive Plan.

Comprehensive Plan Designation	Zoning District	Definition
Low Density Residential	SFR 12.4	This designation shall provide for primarily for single-family residential and accessory dwelling units at a density of 3.5 units per acre.
	SFR 9.6	This zoning district is intended to provide opportunities for moderate density residential development with larger lot sizes, and provide standards that encourage reasonable integration of new and existing residential areas, active and passive recreational facilities and activities that support these residential communities. The zone also supports public/quasi-public facilities such as secondary schools, community centers and parks that draw from and support the regional community. This zone implements the residential

Comprehensive Plan Designation	Zoning District	Definition
		medium density land use designation in the Comprehensive Plan. This designation shall provide for primarily for single-family residential, townhouses, duplexes, triplexes and accessory dwelling units at a density of 4.5 units per acre.
Medium Density Residential	SFR 7.0	This zoning district is intended to accommodate medium density residential development as infill on smaller lots than in moderate density designations but platted at a standard that is consistent with the density of the existing residential area, and to provide standards and uses to encourage reinvestment in and maintenance of existing properties and provide supportive active and passive recreational facilities. The zone also allows public/quasi-public uses such as elementary schools, community centers, parks and community-based recreation facilities that support those uses and serve more than one residential area. This zone implements the residential medium density land use designation in the Comprehensive Plan and provides for primarily for single-family residential, townhouses, duplexes, triplexes, quadplexes and accessory dwelling units at a density of 6-7 units per acre.
	SFR 5.0	This zoning district is intended to provide standards to maintain the smaller lot plat pattern of the pre-1940 subdivisions that predominate the areas in this designation; promote infill, redevelopment and maintenance of property consistent with the historic smaller lot pattern and older housing stock; provide infill housing at higher density on larger parcels, encourage active and passive recreational facilities such as community centers, parks and community-based recreation that support the neighborhood; and allow for public and quasi-public uses that are part of these areas due to this historic settlement pattern, such as elementary schools that may serve more than one neighborhood. This zone implements the residential medium density land use designation in the Comprehensive Plan and provides for primarily for single-family residential, townhouses, duplexes, triplexes, quadplexes and accessory dwelling units at a density of 9-10 units per acre.

Comprehensive Plan Designation	Zoning District	Definition
High Density Residential	MFR	This designation shall provide for small lot single family and multi-family residential development at a range of densities between 10 and 20 dwelling units per acre. Small amounts of commercial uses such as schools, churches, daycare centers, live-work units, or small office where a full range of public facilities and services to support urban development exists should be allowed. Generally, this designation is appropriate for land which is located convenient to principal arterials and to business and commercial activity centers.
Traditional Neighborhood	TN – Res TN – MU	The purpose of the Traditional Neighborhood land use designation is to provide an alternative to typical residential developments. Developments in the Traditional Neighborhood designation are intended to develop in a higher density, mixed-use fashion more typical of older neighborhoods. It features requirements for common open space, through streets and a mix of housing types. This designation shall provide for residential development at densities of 10-20 dwelling units per acre. An allowance for commercial development shall also be allowed.
Mixed Use	DMU	The intent of the Downtown Mixed-Use land use designation is to create a dense, mixed use, pedestrian-friendly shopping environment reminiscent in design and uses to a turn-of-the-century downtown. This designation generally applies to downtown Stanwood. The purpose of the Downtown Mixed-Use zoning is to permit a complementary mix of residential and commercial uses in a single district creating a walkable community. This district allows a combination vertical mixed-use and horizontal mixed-use, thus creating an area containing mixed-use buildings as well as distinct single-use buildings in close proximity to each other. Mixed-use buildings, with residential above or behind commercial/retail space, shall be allowed along the City’s primary streets in downtown (270th Street, 271st Street, 92nd Avenue, and 88th Avenue). Whereas standalone residential buildings may be permitted on the secondary streets with no direct access to the primary streets. Developments should be designed so that shoppers are less dependent on the automobile. In general, zero lot line development shall be maintained with store fronts and common walls. Parking shall be located on the street or to the rear of buildings. On-

Comprehensive Plan Designation	Zoning District	Definition
		<p>street parking will be on both sides of the street, and diagonal in the east end. Public parking areas may be necessary to assist people in leaving their cars and traveling on foot. Within the historic downtown commercial areas, the City will allow flexible interpretations of standards to encourage re-investment in, re-use and maintenance of structures that display historic period architectural character and scale. The architectural styles representative of commercial and residential buildings that existed from 1890 through the 1920s should be maintained.</p>
Commercial	General Commercial	<p>This designation comprises more intensive retail and service uses than described in the Downtown Mixed-Use zone. General commercial uses typically require outdoor display and/or storage of merchandise that tend to generate noise as part of the operation. Such uses include, but are not limited to grocery stores, pet stores, drug stores, medical clinics, recreational facilities vehicle sale lots, tire and muffler shops, and equipment rental. Many of the businesses allowed in the DMU district are also allowed in this district. This designation is also meant to include the development of high-density multi-family housing including both: 1) vertical mixed use with commercial / retail space on the bottom floor and residential above; or 2) horizontal mixed-use buildings where commercial building(s) face the street frontage and standalone multifamily buildings are located behind and setback from the commercial / retail buildings.</p>
	Neighborhood Business	<p>This designation shall comprise retail and service businesses which serve the limited convenience shopping and personal service needs of the immediate surrounding neighborhood.</p>
Industrial	Planned Industrial	<p>The intent of the Planned Industrial land use designation is to create a district that permits activities involved in the manufacture, repair, or service of goods, or products that are conducted with minimal adverse impact on the environment and the general community, as well as retail and office uses. The PI zone is intended to accommodate a variety of commercial and industrial uses that complement typical light industrial complexes. Industrial, commercial, commercial or retail business</p>

Comprehensive Plan Designation	Zoning District	Definition
		uses desiring to locate in the PI zone must meet the architectural and performance standards for this district. The PI uses shall not adversely affect the health and safety of adjacent non-industrial and residential neighborhoods.
	General Industrial	This designation comprises more intensive industrial type uses than those permitted in the Planned Industrial zone. Uses in the GI zone require equipment, devices or technology for the control of odors, dust, fumes, smoke, noise, or other wastes and/or by-products from affecting adjacent properties. The GI uses shall not adversely affect the health and safety of adjacent non-industrial and residential neighborhoods. Examples of General Industrial uses include large indoor manufacturing facilities, automotive repair, construction yards or material storage and the water and wastewater treatment plant.
Public Facility	Parks and Open Space	The parks and open space zoning designation is applied to lands which are to be maintained as park space or natural open spaces in perpetuity by the city. Many of these lands have underlying contractual agreements with either the Washington State Recreation and Conservation Office, conservation futures easements, or critical area easements. The POS designation should be applied to public park properties identified in the city's parks, recreation and open space plan.
	Public Facilities	This designation is applied to lands that are used as public lands and facilities, including utilities, schools, railroad, and the wastewater treatment plant.

2. Organizational Structure:

In 2022 the city restructured its permitted use tables into its current format that groups uses by category and zone: residential, commercial, Industrial, public facilities. This change was intended to bring consistency to how codes are presented, aligning use tables with bulk and dimensional standards for each zone. Consistency between chapters makes the regulations clearer and easier to interpret, reduces the risk of misinterpretation and prevents incompatible land uses from being placed adjacent to each other.

Since the community is already familiar with the current format, staff recommends maintaining it. Keeping this structure would likely support ongoing clarity and minimize confusion, ensuring residents and developers can continue to understand and apply zoning regulations without additional adjustments. This approach could also reinforce the initial goal of reducing misinterpretations and inconsistent applications of city codes.

Currently the matrixes are set up as follows based on use category: residential, commercial, industrial, and public facilities. Unique land use regulations that apply to a specific use are noted by footnotes at the end of the matrix. Staff is recommending that the “definitions” in the matrix be replaced by the specific code citations that apply a particular use.

Originally, the abbreviated definition was added to the matrix for ease of use by both staff and the community. It eliminated the need to flip back and forth between the permitted use chapter and the definition chapter. New features in the electronic version of the Municipal Code allows someone to hover over a use category and the definition will pop up next to it, eliminating the need for the definition to be included in the matrix.

Existing Format:

Land Use	Permit Type	Zoning Designation	Zoning Designation	Zoning Designation	Zoning Designation	Abbreviated Definition
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Proposed New Format:

Land Use	Permit Type	Zoning Designation	Zoning Designation	Zoning Designation	Zoning Designation	Zoning Standards Cross Reference
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Next to the land use column, uses are then identified as one of the following. This structure will remain the same.

Key:	
Blank = Not Permitted	C = Conditional Use
P = Out Right Permitted	AC = Accessory Use

3. Permitted Use Issues:

The primary focus of this segment of the Unified Development Code (UDC) update will involve reassessing land uses to ensure alignment with the Comprehensive Plan's vision for Stanwood, adherence to state requirements, and responsiveness to community needs. These amendments aim to establish a framework that will guide development for the next 10 to 20 years. In amending the City's permitted land uses chapter, staff is proposing the following updates:

- Consolidate uses into broader, more generalized use categories;
- Review the prohibited uses in regard to new zoning categories and land use compatibility;
- Include missing middle housing types in residential, multifamily, and commercial zones;
- Update Accessory Dwelling Unit requirements consistent with state law;

- Adopt Essential Public Facilities standards;
- Update family and commercial day care location and development standards;
- Move Adult Entertainment standards into UDC;
- Evaluate small commercial uses that may be appropriate to be located in the uptown area;
- Review definitions against changes; and
- Other hot topics identified by Committee and Board members.

Attached are the existing permitted use matrixes to start the conversation on future land uses and guide the development of the first draft.

4. Bulk and Dimensional Standards:

The associated bulk standards play a crucial role in shaping Stanwood's development by setting clear parameters for density, lot size, building setbacks, building height, and lot coverage. These standards are designed to ensure that new development aligns with the community's vision, while the City builds out its remaining vacant land supply. The aim of these project amendments is to strike a balance between allowing flexibility in lot development while preserving existing density standards. This approach helps maintain a consistent character across the city as it grows while simultaneously providing development flexibility for efficient use of land and preservation of critical areas.

Bulk standards address two issues: lot dimensions and lot development.

Lot Dimensions: This includes requirements for minimum lot sizes, lot width, and lot depth, ensuring that lots are appropriately sized for the intended land use and align with the Comprehensive Plan for density and character.

Lot Development: This includes building setbacks, building height, lot coverage, building area. These standards manage how structures are placed and sized on individual lots.

Together, these standards regulate the physical form and layout of development. In amending the City's bulk and dimensions chapter, staff is proposing the following updates:

- Move the lot dimension standards to the land development (subdivisions) chapter;
- Create flexibility in lot dimensions standards to accommodate subdivision layout, critical areas, and road design;
- Consider amending lot development standards to provide flexibility for smaller lots, accessory dwelling units, cottage housing, and accessory buildings; and
- Reevaluate the structure of the matrixes and footnotes for better readability.

Attached are copies of the existing bulk standards to help identify necessary updates to ensure the new code balances development flexibility with the preservation of Stanwood's character. Staff will also be reaching out to our development community, including the Master Builders Association, to get a better understanding of issues they

feel are barriers to development. Their feedback will provide insight into real-world challenges and perceived barriers with the City's current code.

Subdivision Code Amendment Project Approach

Staff and the consultants are in the process of preparing the outline and approach for the land division portion of Title 18, Unified Development Code. The land division portion of the UDC covers the different ways land can be subdivided and alteration of lot lines can occur, including:

Land Division	Lots	Approval Process
Long Subdivision	10 or More Lots	Public Hearing with Hearing Examiner
Short Subdivision	9 or Fewer Lots	Staff Administrative Approval
Binding Site Plan	Subdivision of Multifamily, Commercial, and Industrial Lands	Staff Administrative Approval
Condominiums	Common Wall Projects (Multifamily, Duplex or Townhouses)	Private Property Actions with Survey and Covenants.
Boundary Line Adjustment	Revision to Lot Lines without Creating New Lots	Staff Administrative Approval

Public agencies regulate the creation of new lots through the land division process to ensure the protection of the public health, welfare, and safety by ensuring newly developed lots are safe, functional, and compatible with surrounding neighborhood. When agencies review and approve the creation of new lots, they enforce adopted Comprehensive Plan policies and development standards that address:

- Utilities and Infrastructure: Requirement that each new lot has access to essential services, including water, sewer, drainage, and other utilities, to support both current and future residents.
- Roads and Traffic Safety: Safe road networks that meet traffic design standards for traffic flow, emergency services, and pedestrian safety.
- Access to Schools: Provisions for safe walking access to schools.
- Protection of Critical and Natural Areas: Protection of wetlands, rivers and streams, floodplains, geologic hazard areas, aquifer recharge areas, and other ecologically sensitive areas from development impacts.
- Neighborhood Compatibility and Aesthetics: Lot and project design standards that establish lot size, setback requirements, park space requirements, parking, landscaping, and other requirements aimed to enhance community cohesion.

Types of subdivisions can vary based on the type of housing planned for the property. For Stanwood, staff is proposing that the following subdivision types be allowed for the purpose of providing a variety of housing types consistent with the newly adopted Comprehensive Plan.

Subdivision Type	Description
Standard Subdivision	Traditional detached single family residential subdivisions based on defined density, lot size and dimensions, and building setbacks.
Zero Lot Line	Residential subdivisions where duplexes or townhouses are constructed directly on one side lot line, or "zero lot line," of the property boundary. This style of subdivision reduces or eliminates the setback on one side of the property.
Cluster Subdivision	Typically, a detached single family residential development that groups homes closer together on smaller lots than allowed per the zoning district, but in exchange for smaller lots, open space and natural features are preserved by "clustering" the housing units on part of the property while setting aside the remaining area for shared open space, recreation, or natural habitats.
Cottage Housing	Small, detached homes grouped around shared common spaces, often designed to create a sense of community. Cottage housing developments typically feature clusters of 4-12 compact cottages, each with a small footprint, oriented around a central, landscaped courtyard or green space.
Unit Lot Subdivisions	A type of subdivision that divides a property into smaller "unit lots" to facilitate the sale of individual housing units, while still keeping shared spaces and infrastructure jointly managed by a homeowners' association. This is most likely the subdivision type that will be used to implement the state Accessory Dwelling Unit (ADU) law allowing up to 2 ADU's per lot.
Binding Site Plans	Subdivision process multifamily residential projects, like apartments, condos, and townhomes, without needing to create separate lots for each unit. Instead, it creates a master plan that delineates how the entire property will be organized, including buildings, parking, open spaces, and shared amenities.

Subdivision of land occurs in three distinct phases: preliminary plat, plat construction, and final plat. The land use law associated with each phase is also very distinct regarding a city’s legal authority to regulate that process.

Platting Phase:	Process & Legal Authority
Preliminary Plat	<p>Applications for preliminary plat are reviewed against the City’s adopted subdivision, zoning, environmental, and development standards for compliance with land use regulations as well as for overall life, health, welfare requirements. Projects are circulated for public comment and in the case of long subdivisions, a public hearing is held. A formal decision to either approve, approve with conditions, or deny the preliminary plat application at the conclusion of the public review process.</p> <p>Conditions may be attached to the approval which have a direct relationship to the projects impacts; this is called “nexus”, and to the size of that impact, which is commonly referred to as “proportionality”. Upon approval, the applicant now has a legal right to build without any further requirements imposed by the City.</p>
Plat Construction	<p>Applicants have five years to construct the required plat improvements per their approval. During this phase of the development, the applicant submits for final construction plan approval and builds out the plat per the approved plans and conditions of approval. At critical milestones in the development process, city and special district staff inspect the site improvements to ensure compliance with the approved plans and conditions. Typical site improvements include roads, utilities, storm water, environmental enhancements, and park improvements.</p>
Final Plat	<p>Once all of the site improvements have been constructed and inspected per the approved plan, the applicant can apply for final plat approval. At the final plat approval stage, the process is essentially administrative: the city verifies all conditions of preliminary plat have been met and site improvements are installed per plan approval. If the City finds that the plat conforms to the preliminary approval, the City must approve the final plat.</p> <p>Once the final plat has been approved, the developer can begin building houses on the lots or sell the property.</p>

Land Division Design and Development Flexibility:

Stanwood's current land division code is very rigid, leaving little room for lot layout or design flexibility. This creates difficulty when working with land contours, road standards, preservation of critical areas, and now the new state requirement to provide missing middle housing. Staff is proposing that the new code provide some flexibility in design while preserving underlying density requirements. The following have been identified as potential options to include in the new UDC provisions.

- ***Lot Layout Flexibility:*** Delete minimum lot width and depth standards and allow the developer to create lots that meet the proposed housing type. There is little risk to eliminating minimum standards as developers typically will not create lots that cannot accommodate their housing product.
- ***Critical Area On-Site Density Transfer:*** Allow smaller lot sizes without an increase in overall density to accommodate on-site critical area protection.
- ***Plat Design Flexibility:*** Establish a minimum lot size less than the underlying zoning standard to accommodate plat design flexibility through the use of lot size averaging. No increase in density would be allowed. Flexibility in lot design helps to facilitate good plan designs that work with land contours, critical areas, and open space requirements.
- ***Fee In Lieu for Parks Program:*** Consider adopting a Fee-In-Lieu program to provide funding for public parks, open spaces, and recreational amenities in lieu of requiring developers to set aside land within a new development for these purposes. In cases where the available land within a development is insufficient for a usable park or when it would be more effective to create or improve an existing park nearby, developers can opt to pay a fee instead of dedicating space within the project. This fee is often determined based on the development size, type, and projected impact on local infrastructure. This would be in addition to payment of park impact fees, not in replacement of fees.
- ***Adopt Incentives for Affordable Housing:*** Consider adopting incentives for affordable housing projects managed by an agency or non-profit specializing in housing. Incentives could include density bonuses, parking reductions, land use fee and utility reductions, or other options.

Design Issues Raised by Community Members:

Another issue raised by community members regarding subdivisions is the quality of materials used in a project and how the design affects neighboring property owners. Issues raised include:

- ***Materials:*** Adopt material standards for developments so that new owners are not responsible for short term replacement cost such as landscaping, fencing, signage.

- Fences: Require fencing between subdivisions / neighborhoods. This is a common request by neighbors, but because the current code does not address fencing, it is usually up to the developer if they want to provide it.
- Grading: Consider how grades affect neighboring plats. Limit wall heights or require higher fences between houses to maintain some sense of privacy.
- Landscape Buffers: Increase buffers and/or landscaping between subdivisions. To accommodate buffers, consider reducing lot sizes. \