



PLANNING COMMISSION AGENDA

May 12, 2025 – 6:30 PM

Stanwood Fire Station (8117 267th Pl NW)

1. Call to Order
2. Roll Call
3. Public Requests and Comments
4. Approval of Minutes
 - Approval of the April 14, 2025, Planning Commission Meeting Minutes
5. Old Business
 - Missing Middle Housing Discussion
6. New Business
 - None
7. Miscellaneous Business
 - Keller Annexation
8. Recent Council Action on Commission Items
 - Critical Areas Code Amendment
9. Upcoming Items
 - Multimodal Level of Service – Introduction Discussion (MMLoS)
10. Adjourn

Zoom Meeting Information

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82891360016>

Passcode: 502157

Telephone: 253-215-8782

Webinar ID: 830 9911 3579

April 14, 2025, Planning Commission Meeting Minutes

Call to Order: 6:30

Roll Call

Commissioners Present:

Eric Warnat, Commissioner
Melissa Toner, Commissioner
Patrick Hosterman, Commission Chair
Cody Davis, Commission Vice-Chair
Gabrielle Braley, Commissioner
Jeff Wheatley, Commissioner

Staff Present:

Patricia Love, Community Development Director
Tansy Schroeder, City Planner

Absent: None

Also known to be present: Cathy Wooten, Russell Joe (online), Emily Atkins (online)

Public Requests and Comments: None

Approval of Minutes:

The minutes from the February 10, 2025, Special Joint City Council and Planning Commission meeting were approved with the following additions: Tansy Schroeder met with residents in the hallway for further discussion after the public meeting was adjourned, and comments and concerns about parking at Viking Village Site Development project.

Old Business:

Continuation of Critical Areas Code Amendment Public Hearing

The Growth Management Act (GMA) requires all cities and counties to adopt development regulations that protect critical areas. These regulations help to preserve the natural environment, maintain fish and wildlife habitat, and protect drinking water. Protecting critical areas also helps reduce exposure to risks, such as landslides or flooding, and maintains the natural elements of our landscape.

The purpose of a public hearing is to provide a formal opportunity for the community, agencies, and stakeholders to comment on and participate in the adoption process. The Planning Commission has the option to continue the public hearing or close the public hearing and deliberate on the ordinance prior to making a recommendation to the City Council.

Commissioner Questions & Comments

- What regulations does Snohomish County have in place for buffers in the Urban Growth Area? The County Council has requested Stanwood to delay based on what the County is proposing. Their staff moved the Critical Areas Code forward to County Council. There was some opposition to the increased buffers, so the County Council sent it back to a Committee for further review. It is currently still under review. Stanwood is authorized to adopt a Code that meets Best Available Science and addresses housing counts in the City. Staff will bring more information on what the County's buffers are to the next meeting as an informational item.

- There is a concern that buffers for Cultural Resource sites are too low at 500 feet. Staff worked with the Stillaguamish Tribe on this section of the code. There is a note in the code that all projects taking place in Stanwood require a notice the Tribe. Commissioners would like to see inadvertent discovery plan language added to the procedures code to add an extra layer of protection.
- Commissioners would like to know why Habitat Score 8-9 was the only section that had a reduction of buffers. Staff is looking into this and will add an explanation in the packet for City Council.
- There is an increase in buffers in most zones, what is the impact to property owners? This is being addressed in subdivision flexibility by still meeting the density requirements but allowing different lot sizes and housing types. Homeowners have a right to request a reduction of property taxes when there are Native Growth Protection Areas on their property.
- ADU's will not be allowed in Critical Areas.
- How does the City plan to protect old growth trees and vegetation, and can staff add a section to the code describing the plans to protect old growth? The City does not currently have a tree protection ordinance, but there are standards to protect a percentage of trees on a given property. The Site-Specific Tree Height (SSTH) provides protection for stream corridors through the buffers. Trees cannot be taken down that are in buffers. A Tree Preservation Ordinance can be looked at on a recommendation from the Planning Commission. Staff is considering a proposal of allowing smaller lots housing clusters, that will allow protection of trees and create more open space within a development.
- Is there something in the code that protects slopes? Sometimes when trees are removed to improve the view, the sloped area can slide. There is a Slope Preservation section of the Critical Areas code that describes setbacks required near slopes and the preservation of vegetation.
- Stanwood has the option to adopt the Snohomish Code, but it is not required. Stanwood has had their own CA code for many years and plans to continue to use it.
- Staff will adjust the language for the Cultural Resources Inadvertent Discovery Plan in the recommendation to City Council.
- Wildlife buffers are determined by a habitat assessment performed by a biologist.
- Clarify where the science comes from that is used to determine buffers and buffer widths.
- Motion 1: Commissioner Davis motioned, and Commissioner Wheatley seconded to approve the Findings of Facts and Conclusions of the Critical Areas Code with the amended language that the Best Available Science comes from the recommendations from the Washington Department of Fish and Wildlife and the Department of Ecology, and inclusion of an Inadvertent Discovery Plan for Cultural Resources.
- Motion 2: Commissioner Wheatley motioned, and Commissioner Braley seconded the Critical Areas Code as amended.

Public Questions and Comments

Stanwood Resident:

- Thank you to staff for the level of detail put into this project.
- Buffers are important to protect wetlands and wildlife. Even with buffers, Critical Areas are still at risk.
- Continue to protect Critical Areas as the City boundaries and codes change over time.

Master Builders Association of King and Snohomish Counties (MBAKS)

- Stanwood has plans to accommodate 4,608 new units by 2044 according to the Stanwood Comprehensive Plan. A Critical Areas code is a great tool that is used to protect the environment. Wildlife guidance on SETH is from 2006, and MBAKS advises Stanwood not to use it as it may not be the Best Available Science. But if Stanwood does decide to use it, MBAKS asks the Commissioners to contemplate how the proposed Critical Areas code protects critical functions and values. MBAKS does not support the increase in buffers as they could negatively impact the cost of housing and housing supply. The Planning Commission could propose adopting the Snohomish County Critical Areas Code. Thank you to Staff for working with MBAKS.

New Business:

Subdivision Code

City staff and consultants have been actively developing the initial draft of the subdivision and housing code amendments. While the full draft is not yet ready for public review, the following bulk standards table provides an early look at how lot design flexibility is being proposed. While the concept is very preliminary and staff anticipates significant changes, the intent is to get early feedback on the code direction.

Things to consider when reviewing the preliminary code language:

- Lot density is based on existing Planned Residential Development (PRD) standards.
- Simplify the bulk standards table by eliminating the minimum lot size section: regulate by density.
- Lot width to depth requirements is based on ratios to provide lot design flexibility.

To incorporate lot design flexibility into the subdivision code, the old bulk matrix is being proposed to be changed from ridged lot size and dimension to a *Floor Area Ratio* concept. Floor Area Ratio is a zoning concept used in urban planning to control the bulk and intensity of development on a piece of land. It helps determine how much building area is allowed relative to the size of the lot.

Commissioner Questions & Comments

- With variable lot sizes, will there be variable setbacks? Yes
- Will there be a minimum lot size? Currently no, but staff is considering this.
- Staff is working to make the code flexible to move with the changing housing market.
- Try to find a medium between housing costs and having a beautiful community. Staff is not proposing to change the density but trying to figure out how to meet the density.
- Commissioners like how this gives the developers flexibility and options to build what the buyers want with different housing types.
- The market drives the cost of housing.
- The Commissioners are interested in learning more about this and seeing examples.

Miscellaneous Business:

Recent Council Action on Commission Items:

- Council Adoption of Procedures Code

Upcoming Items:

- Continued Discussion of Subdivision Code
- Missing Middle Housing Code Amendment

Adjourn: 8:20 p.m.

May 12, 2025 Staff Report



CITY OF STANWOOD
PLANNING COMMISSION

AGENDA STAFF REPORT

MEETING DATES: May 12, 2025

SUBJECT: May Agenda Items

CONTACT PERSON: Patricia Love, Community Development Director

Land Division Code / Missing Middle Housing:

Over the past several months, the City has been actively developing proposed amendments to its subdivision and permitted use codes. These updates aim to better accommodate both the protection of critical areas and the integration of "missing middle" housing types—such as duplexes, triplexes, townhomes, and cottage housing. The overarching goal is to promote development flexibility that thoughtfully balances environmental stewardship with the need to provide housing options for a range of income levels.

In April, both the Community Development Committee and the Planning Commission evaluated a new approach to land development that emphasizes flexibility over rigid standards. Specifically, the proposed amendments recommend removing traditional bulk regulations—such as strict lot sizes, width, depth, and other dimensional requirements—in favor of a more adaptable framework that encourages creative site design and responds to market demand.

Key components of the proposed amendments include:

- **Missing Middle Housing:** Update the permitted use matrix with missing middle housing types.
- **Flexible Subdivision Design:** Developers would have the option to pursue alternative subdivision layouts that are better suited to site conditions and housing needs.
- **Reduced Lot Sizes and Setbacks:** While maintaining the city's adopted residential density standards, the amendments would allow smaller lots and reduced setbacks to encourage efficient land use and more housing types.

By shifting away from rigid dimensional standards, the changes are intended to remove regulatory barriers to sustainable, inclusive development while maintaining the City's goals for livability, environmental protection, and long-term growth management.

Missing Middle Housing:

Missing middle housing refers to a range of multi-unit or clustered housing types—such as duplexes, triplexes, townhomes, and cottage courts—that are compatible in scale with single-family neighborhoods. The purpose of missing middle housing is to fill the gap between traditional single-family homes and large apartment complexes, providing more diverse, affordable, and flexible housing options for a variety of household types and income levels. This type of housing supports walkable communities, efficient land use, and helps cities meet growing demand for housing without drastically altering neighborhood character.

The proposed amendments to the permitted use matrix include:

Permitted Use Table: Residential Zones

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN-RES
<i>NOTE: This Permitted Use Table only includes the Residential and Other land use categories for ease and simplicity of review. This table excludes categories/uses/rows that are not related to missing middle housing or other amendments adopted by this ordinance, as well as abbreviated definitions and permit types. These uses are excluded for ease of review and are not intended to be deleted from this table as a result of this ordinance.</i> <i>Nonresidential uses will be allowed in the TN-RES zone per 17.47.040(1)(b) consistent with the TN-MU zone. These uses are not included in this table. For ease of reading, changes are bolded, underlined and highlighted.</i>						
Residential						
Adult Family Home	P	P	P	P	P	P
Assisted Living/Independent Living					P	
Co-living Housing					P(22)	
Congregate Care Facility					C(6)	C
Daycare, Home	AC(7)	AC(7)	AC(7)	AC(7)	AC(7)	AC(7)

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN-RES
Dwelling, Accessory	P(8)	P(8)	P(8)	P(8)		P(8)
Dwelling, Cottage	P(9)	P(9)	P(9)	P(9)	P(9)	P(9)
Dwelling, Duplex		P	P	P	P	P
Dwelling, Multifamily Development Up to 20 Units					P	
Dwelling, Multifamily Development 21 Units or Greater					P	
Dwelling, Single-Family	P	P	P	P	P	P
Dwelling, Townhouse		P(23)	P(23)	P(23)	P	P
Enhanced Service Facility Conversion Category 1 – Existing Nursing Home Conversion of Up to a 16-Bed Facility (21)					C	C
Enhanced Service Facility Conversion Category 2 – Existing Assisted Living Conversion of Up to a 16-Bed Facility (21)					P	C
Enhanced Service Facility Conversion Category 3 – Existing Adult Family Home Conversion of Up to a 6-Bed Facility (21)	P	P	P	P	P	P

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN-RES
Group Care Facilities						P
Group Home	P(11)	P(11)	P(11)	P(11)	P(11)	
Home Occupation	AC(12)	AC(12)	AC(12)	AC(12)	AC(12)	AC(12)
Manufactured/Mobile Home	P(13)	P(13)	P(13)	P(13)		
Permanent Supportive Housing	P	P	P	P	P	P
Transitional Housing	P	P	P	P	P	P
Other						
Daycare Center			P(7)	P(7)	P(7)	P(7)
Daycare, Mini				P(7)	P(7)	P(7)
Small-Scale Commercial Infill in Uptown Area		C(24)	C(24)		P(24)	P(24)
Temporary Uses	P	P	P	P	P	P

NOTE: Existing footnotes that are not referenced above are excluded for ease and simplicity of review. These footnotes are not intended to be deleted as a result of this ordinance.

(6) Limited to 30 rooms/increment of minimum land area.

(7) All daycare uses shall comply with the daycare facilities requirements provided in SMC [17.95.382](#). Family daycare shall require a home occupation permit. Daycare centers are limited to a minimum land area of 10,000 square feet in the SR 5.0 zone and 30,000 square feet in the SR 7.0 zone.

(8) Accessory dwelling units shall comply with the design and development standards set forth in chapter 18.604.

(9) Cottage housing units shall comply with the requirements in SMC [17.95.450](#).

(10) Minimum land area of 7,000 square feet required unless the requirements of SMC 17.100.085 are met.

(11) This use shall comply with the special residential use requirements provided in SMC [17.95.375](#). Group homes are limited to six rooms in the SR 7.0, SR 5.0, RM and GC zones.

(12) A home occupation permit and business license are required. Home occupations shall comply with the requirements in SMC [17.95.380](#).

(13) This use shall comply with the manufactured housing requirements of SMC [17.95.385](#). Manufactured housing use is limited to Type A homes certified as meeting U.S. HUD standards. Manufactured home park use may accommodate both Type A and Type B HUD certified units and requires a minimum land area of three acres in SR 7.0 and two acres in SR 5.0 zones.

(22) Permitted on any lot that allows at least six multifamily dwelling units.

(23) Townhouses are permitted on minor arterials and collectors as identified in the comprehensive plan, and corner lots created within new subdivisions. Each individual townhouse building must have four or fewer townhouse dwelling units.

(24) Subject to SMC 17.100.085 Supplemental standards for small-scale commercial infill in the Uptown Area.

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	TN-MU	DMU	NB	GC
<i>NOTE: This Permitted Use Table only includes the Residential and Other land use categories for ease and simplicity of review. This table excludes categories/uses/rows that are not related to missing middle housing or other amendments adopted by this ordinance. These uses are excluded for ease of review and are not intended to be deleted from this table as a result of this ordinance.</i> <i>For ease of reading, changes are bolded, underlined and highlighted.</i>				
Residential				
Adult Family Home	P	P	P	P
Assisted Living/Independent Living				P
<u>Co-living Housing</u>	<u>P(16)</u>	<u>P(16)</u>		<u>P(16)</u>
Congregate Care Facility	C	P/C(7) (17)		P(17)
Daycare, Family	P	P(13)	P	

Land Use	TN-MU	DMU	NB	GC
Dwelling, Accessory	P(18)	P(18)		
Dwelling, Cottage	P(20)	P(20)(39)		P(20) (39)
Dwelling, Duplex	P	P(39)		P(21)(39)
Dwelling, Multifamily	P(7)(41)	P(39)(41)		P(39)(41)
Dwelling, Single-Family	P			
Dwelling, Townhouse	P	P(39)		P(21)(39)
Emergency Housing		P		P
Emergency Shelters		P		P
Enhanced Service Facility Conversion Category 1 – Existing Nursing Home Conversion of Up to a 16-Bed Facility (21)	C	P		P
Enhanced Service Facility Conversion Category 2 – Existing Assisted Living Conversion of Up to a 16-Bed Facility (21)	C	P		P
Enhanced Service Facility Conversion Category 3 – Existing Adult Family Home Conversion of Up to a 6-Bed Facility (21)	P			
Group Care Facilities	P	P		
Group Home		P(19)		P(19)
Home Occupation	AC(22)	AC(22)		AC
Live/Work Units	P(38)(39)	P(38)(39)		P(21)(38) (39)
Mixed-Use	P	P(39)		P(39)
Permanent Supportive Housing	P	P		P

Land Use	TN-MU	DMU	NB	GC
Transitional Housing	P	P		P
Other				
Small-Scale Commercial Infill in Uptown Area	P(42)			
Temporary Uses	P	P	P	P

Commercial and Mixed-Use Zoning Use Conditions:

NOTE: Existing footnotes that are not referenced above are excluded for ease and simplicity of review. These footnotes are not intended to be deleted as a result of this ordinance.

- (7) Minimum land area of 20,000 square feet is required. This standard may be modified through the conditional use permit process.
- (13) All daycare uses shall comply with the daycare facilities requirements provided in SMC [17.95.382](#). Family daycare shall require a home occupation permit.
- (16) Permitted on any lot that allows at least six multifamily dwelling units.(17) Limited to 30 rooms/increment of minimum land area.
- (18) Accessory dwelling units shall comply with the design and development standards set forth in chapter 18.604.
- (19) This use shall comply with the special residential use requirements provided in SMC [17.95.375](#). Group homes are limited to six rooms in the GC zone.
- (20) Cottage housing units shall comply with the requirements in SMC [17.95.450](#).
- (21) Permitted when part of a mixed-use development.
- (22) A home occupation permit and business license are required. Home occupations shall comply with the requirements in SMC [17.95.380](#).
- (38) Live/work units are allowed as part of a mixed-use development.
- (39) Only mixed-use commercial/residential developments are allowed on properties with street frontage on 271st Street, 88th Avenue, 92nd Avenue, 102nd Avenue and 270th Street between 99th Avenue and 102nd Drive, 72nd Avenue and 265th Street. The commercial mixed-use building(s) shall be the dominant use along the street frontage. All other properties may be developed with residential in-fill developments without associated commercial uses.

(41) See SMC 17.25.165 for modified requirements for conversion to residential use in an existing building that meets the requirements of SMC 17.25.165(1).

(42) Subject to SMC 17.100.085 Supplemental standards for small-scale commercial infill in the Uptown Area.

Aligning Bulk Standards with Comprehensive Plan Density Goals:

The bulk standards of the zoning code govern the physical dimensions of lots—such as lot width, depth, setbacks, and building coverage. While density standards determine the number of housing units allowed per acre, bulk standards shape how those units can be configured on the land. When these two sets of regulations are misaligned, it becomes difficult—or even impossible—for property owners and developers to achieve the intended density set forth in the City’s Comprehensive Plan.

This misalignment is currently a challenge in Stanwood. While the Comprehensive Plan designates specific density ranges for residential growth, the restrictive nature of existing bulk standards—such as large minimum lot sizes and wide setbacks—effectively prevents developments from reaching those targets. As a result, even when a parcel is zoned to accommodate a higher number of units, the physical design constraints hinder full utilization of the site.

To resolve this conflict and create more flexible design options, City staff presented a Floor to Area Ratio (FAR) option in which lots sizes are based on building area. In June, the Planning Commission reviewed the suggestion and recommended moving forward with a matrix with significantly reduced the lot size and setback requirements, citing its clarity, simplicity, and the desire to have a base standard for all lots.

This approach establishes clear and more compact minimum lot sizes—specifically, 3,000 square feet for detached units (such as single-family homes or cottages) and 1,500 square feet for attached housing units (such as townhomes or duplexes). This would allow for smaller, more affordable lots while maintaining consistency with zoning and density requirements.

	Residential Zones					Residential/ Commercial Zones		Commercial/Industrial Zones				Public Facilities Zones
	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN	DMU	NB	GC	PI	GI	PF
Maximum Density Dwelling units per gross acre	5	6	8	10	20	20	20	N/A	No limit	35%	N/A	N/A
Minimum Lot Area Square feet	3,000 for detached units, or 1,500 for attached units						3,000	6,000	10,000	20,000	1 acre	5,000
Minimum Lot Width Feet	1:1	1:1.2	1:1.2	1:1.2	1:1.5	1:1.5	1:1.5	None	None	None	None	None
Minimum Lot Depth Feet	1:3	1:3	1:3	1:3	1:4	1:3	1:5	None	None	None	None	None

Where: Lot Width to Depth Ratio: Maintains Lot Proportionality

Density: Ensuring Zoning is Consistent with Comp Plan
 Setbacks, Lot Coverage, and Height: Controls Development Form

Width to Depth Ratio Notes:

- 1:1 – 1:3: Provides Proportional SFR Lots
- 1:1.2-1:3: Allows Flexibility to Townhomes / Duplexes
- 1:1.5-1:4: Supports Multifamily Development
- 1:1.5-1:5: Supports Mixed Use Development

Setbacks and Lot Coverage Standards:

When altering lot size and configuration standards, it is critical to simultaneously revise setback and lot coverage requirements. These development regulations are closely interconnected, and failing to adjust them in tandem can result in impractical or unusable lots.

For example, reducing minimum lot size without adjusting setbacks may leave too little buildable area. Similarly, lot coverage standards must be revisited to ensure that property owners have sufficient flexibility to construct appropriately sized homes. If these changes are not made concurrently, it can lead to a greater reliance on variances to allow development.

To minimize confusion surrounding the different lot types and their corresponding development standards, the information has been separated into two distinct tables. The first table outlines the base bulk standards that apply universally to all lots, providing a clear and consistent foundation.

The second table presents alternative standards that apply only to specific uses or lot types, such as accessory dwelling units, cottage or townhouse developments. This two-table format is designed to be more user-friendly and intuitive, replacing the previous reliance on numerous footnotes, cross-references, and exceptions that often-caused misunderstandings. By simplifying the structure, users can more easily identify which standards apply to their particular project type without needing to navigate complex footnotes.

Residential Zones:

	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN-RES
<i>NOTE: Development standards pertaining to density, lot area, lot width, and lot depth and associated footnotes 1, 2 and 10 are removed from this table for ease of review; however, these standards are not intended to be deleted by this ordinance.</i> <i>IBC=International Building Code</i>						
Front Setback	25'	10'	10'	10'	20'	10'
Rear Setback	25'	20'	15'	15'	5'	15'

	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN-RES
Side Setback, Internal	15'	10'	10'	5'	25'	5'
Side Setback, Corner	15'	15'	15'	15'	25'	15'
Maximum Height	30'	30'	30'	30'	40'	30'
Percent of Lot Coverage	40%	40%	40%	50%	40%	50%
Minimum Driveway Length	None	20'	20'	20'	N/A	20'

Alternative Bulk Standards by Lot Type or Use:

	Accesso y Dwelling Unit	Accesso y Building	Cottage Lot	Cluster Lot Subdivisio n	Unit Lot Subdivisi on	Zero Lot Subdivisio n
Front Setback	Underlyin g Zoning	Underlying Zoning	10'	10'	10'	10'
Rear Setback	5'	5'	10'	10'	10'	5'
Rear Setback, Alley	0'	0'	5'	5'	5'	0'
Side Setback, Internal	5'	5'	5'	3'	IBC	IBC
Side Setback, Corner	10' or Sight Distance Triangle (Whichev er Greater)	10' or Sight Distance Triangle (Whicheve r Greater)	10' or Sight Distance Triangle (Whicheve r Greater)	10' or Sight Distance Triangle (Whichever Greater)	10' or Sight Distance Triangle (Whicheve r Greater)	10' or Sight Distance Triangle (Whichever Greater)
Lot Coverage	20% Per Building	10% Per Building	60%	60%	80%	80%
Maximum Building Size	1,000 sf	20% of Principle Building	1,200 sf	N/A	N/A	N/A

Commercial Zones:

	TN-MU	DMU
<i>NOTE: Development standards pertaining to density, lot area, lot width, and lot depth and associated footnotes 5 and 10 are removed from this table for ease of review; however, these standards are not intended to be deleted by this ordinance.</i>		
Front Standard	0	0
Rear Setback	25'	25'
Side Setback, Internal	IBC	IBC
Side Setback, Corner	10' Or Site Distance Triangle (Which Greater)	10' Or Site Distance Triangle (Which Greater)
Building Height	55'	45'
Maximum Building Coverage	60%	90%

Alternative Bulk Standards by Lot Type or Use:

	Attached Dwelling Unit	Accessory Dwelling Unit	Accessory Building
Front Setback	0'	10'	10'
Rear Setback	5'	15'	15'
Rear Setback, Alley	5'	0'	5'
Side Setback, Internal	IBC	IBC	5'
Side Setback, Corner	Sight Distance Triangle	Sight Distance Triangle	10' or Sight Distance Triangle (Whichever Greater)
Building Height	Underlying Zoning	24'	20'

Presentation:

The attached presentation was developed to illustrate how the City of Stanwood's current development regulations can unintentionally prevent properties from achieving the full residential density envisioned in the Comprehensive Plan and permitted by existing zoning designations.

Focusing on a real-world example—an existing infill lot within Stanwood—the presentation walks through a step-by-step analysis of how multiple layers of development regulations collectively reduce the achievable number of housing units on a site. While the zoning designation allows for a maximum of 22 residential units, the analysis shows that only approximately 50% of that potential density can actually be realized due to:

- Minimum lot sizes
- Lot width and depth standards
- Roadway layout and access requirements
- Open space and recreation area provisions
- Environmental constraints, such as wetland buffers

These combined regulations significantly reduce the developable area of the site and, in turn, the number of units that can be built—despite the property being zoned for higher density. By visualizing these impacts, the presentation aims to clearly demonstrate the gap between the City's policy goals to promote infill and missing middle housing and actual development outcomes. The intent is to inform and support future policy discussions by identifying specific regulatory barriers that may need to be revisited or refined to better align development regulations with the City's broader housing objectives.

Attachments:

Attached are preliminary draft versions of the proposed ordinances related to land division and missing middle housing code updates. These draft codes are still under development and will require further refinement and amendments. However, they are being shared at this stage to provide the Planning Commission with an early opportunity to review the proposed direction, identify key issues, and offer initial feedback to help guide the next phase of revisions.

Also included is a comparison table outlining the proposed lot and dimensional standards alongside the corresponding provisions in the existing code. This side-by-side format is intended to provide Planning Commissioners with a clear and accessible overview of the key changes being proposed, eliminating the need to cross-reference multiple documents or search through the municipal code.

Keller Annexation

Attached is a copy of the staff report that was provided to both the Community Development Committee and the Public Works Committee regarding the potential Keller Annexation.

While annexation requests fall under the sole authority of the City Council and are not typically reviewed by the Planning Commission, this particular proposal may involve additional components—specifically, a Comprehensive Plan Amendment and a concurrent rezone. These elements *do* fall within the Planning Commission’s purview, as the Commission is responsible for reviewing and providing recommendations to the City Council on such matters.

Should the City Council accept the initial 10% Notice of Intent to Annex submitted by the applicant, the next steps would include the preparation and submittal of a Comprehensive Plan Amendment and rezone application. At that point, the Planning Commission would formally be tasked with reviewing the proposed land use changes and making a recommendation to the City Council.

Staff anticipates that, if the annexation request proceeds, the associated Comprehensive Plan Amendment and rezone materials would be ready for the Planning Commission’s consideration in the fall. Further updates will be provided as the process develops and timelines are confirmed.

Exhibit A

Land Division Flexibility Discussion

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CITY OF STANWOOD

STANWOOD MUNICIPAL CODE UPDATE

Land Division Flexibility Discussion

Planning Commission

May 12, 2025



Land Development Flexibility Discussion



Proposal: Ground Truthing

- Test Existing Land Division Standards to:
 - Compare Adopted Comp Plan Densities Against Subdivision Regulations
 - Actual parcel within Stanwood
- Step-by-Step Analysis:
 - Apply Adopted Zoning
 - Apply Street Standards
 - Apply Development Standards
- Results Comparison: Allowed Gross Density Vs. Actual Density



Land Development Flexibility Discussion



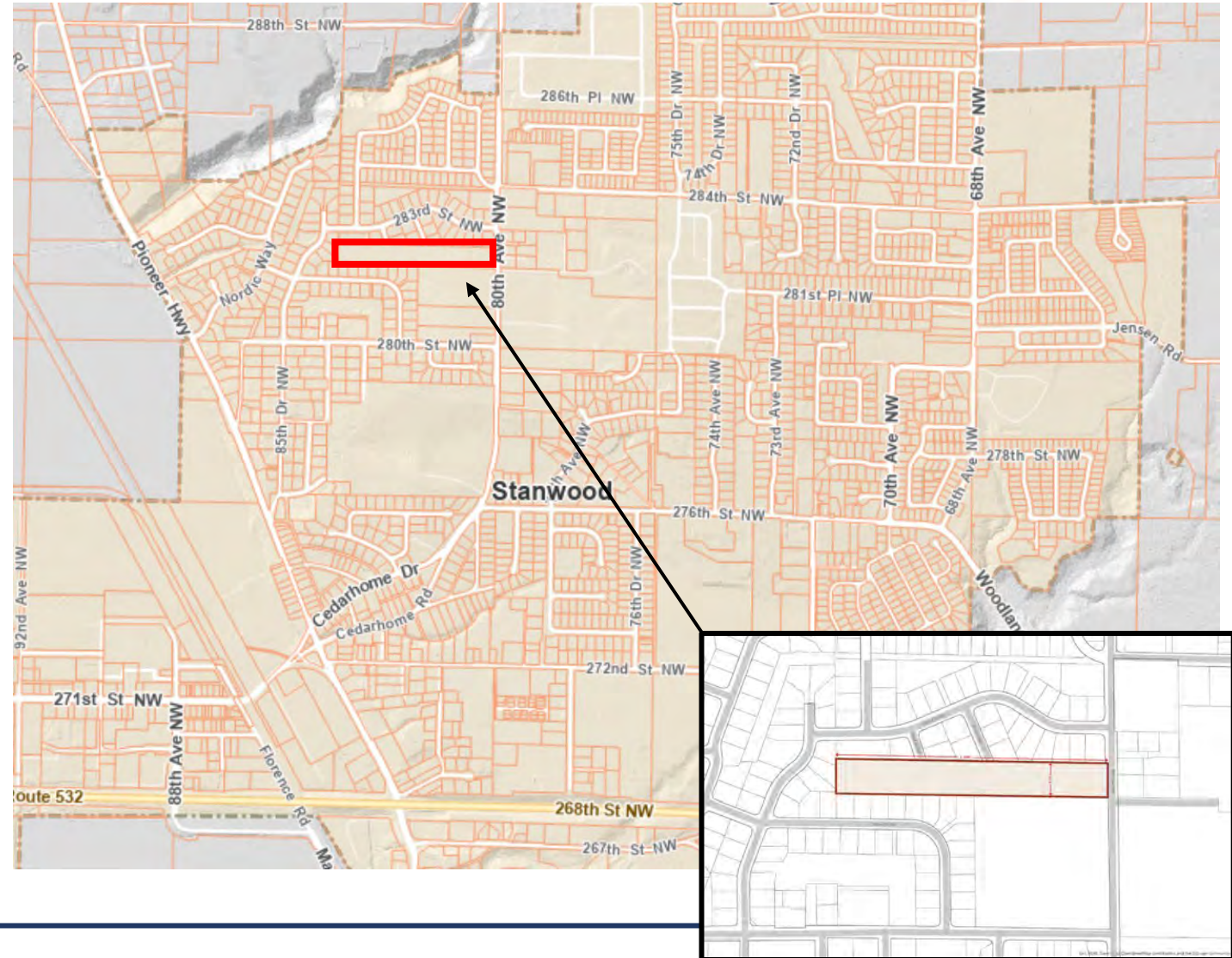
Test Parcel

Lot Area: 4.88 Acres

Zoning: SR 9.6

Allowed Density:
22 Units

Lot Dimensions:
Width: 175'
Length: 1,302'



Land Development Flexibility Discussion



Step 1: Apply Base Zoning Standards

Base Density: 22 Lots
Lot Yield: 17 Lots
Difference: **-5 Lots**



Land Development Flexibility Discussion



Step 3: Applying Open Space Requirement

Revised Lot Yield: 15 Lots
OS Impact: -0 Lots
New Lot Yield: **15 Lots**

Lot Yield Did Not Change;
A Few Lots Got Smaller,
But Still Met Minimum Lot Size



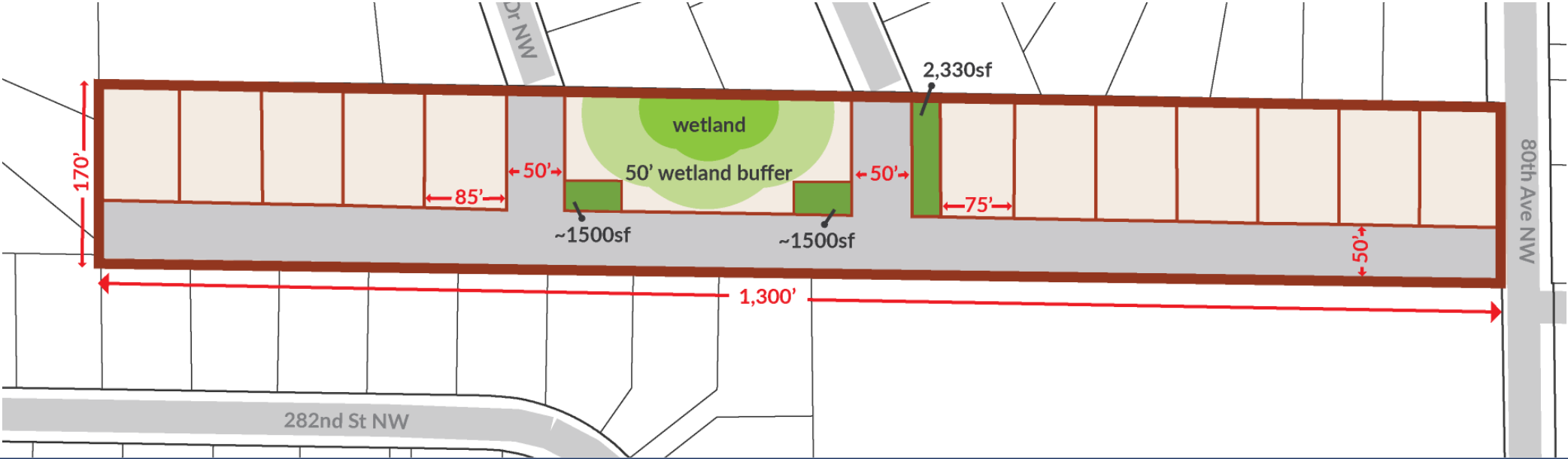
Land Development Flexibility Discussion



Step 4A: Applying Wetland Regulations

Revised Lot Yield: 15 Lots
Wetland Impact: -3 Lots
New Lot Yield: **12 Lots**

Low Category Wetland
Same Required Amount of Open
Space – However OS Is Separated &
Potentially Unusable



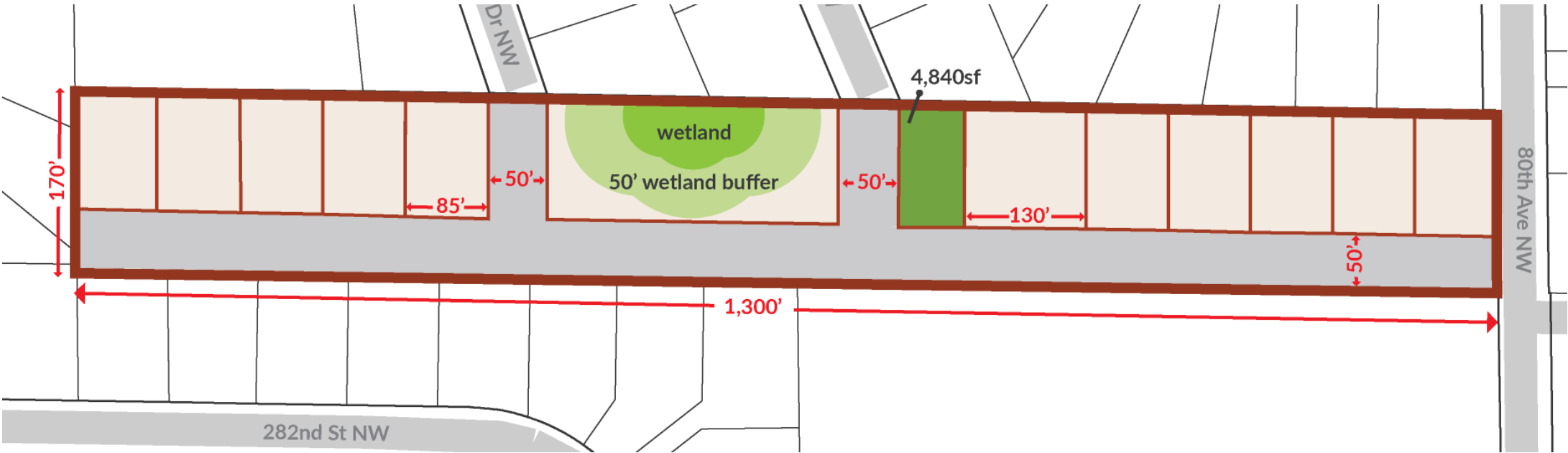
Land Development Flexibility Discussion



Step 4B: Applying Wetland Regulations

Revised Lot Yield: 15 Lots
Wetland Impact: -4 Lots
New Lot Yield: **11 Lots**

Low Category Wetland
Same Required Amount of Open
Space – Consolidated Open Space



Land Development Flexibility Discussion



Results

Adopted Density:	22 Lots
Lot Size, Width, Depth:	-5 Lots
Road Connections:	-2 Lots
Open Space:	-0 Lots
Wetland, Buffers, & Open Space:	<u>-4 Lots</u>
New Lot Yield:	11 Lots

Gross vs Net Density: 50% Reduction



Land Development Flexibility Discussion

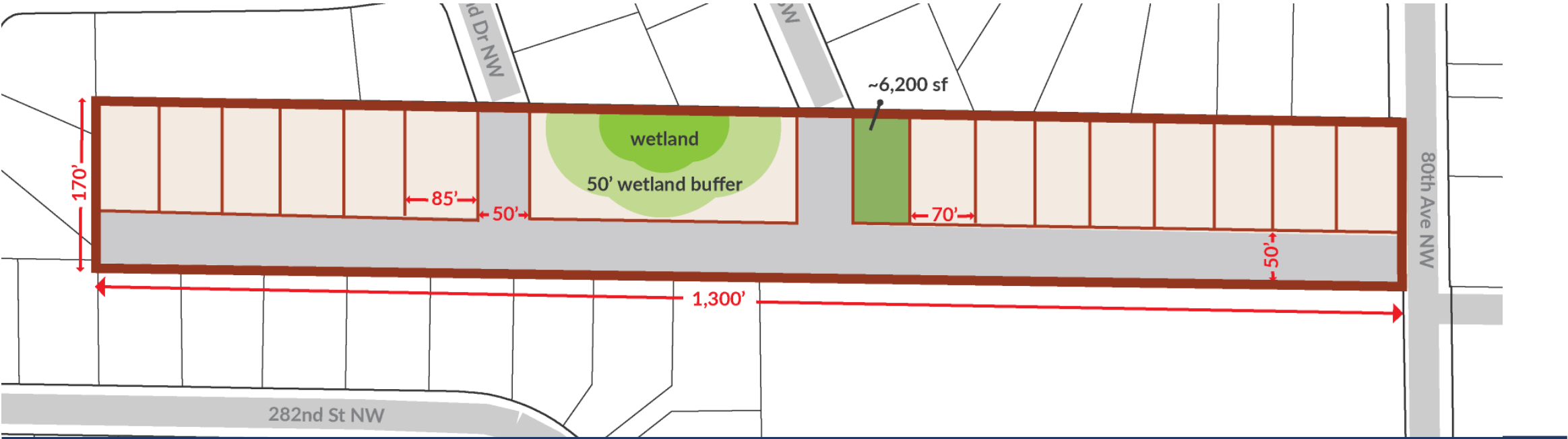


PRD Option: Applying Same Parameters

Applying Same Street,
Open Space and Wetland
Parameters

Maximum Lot Yield:	30 Lots
Regulation Requirements:	<u>-16 Lots</u>
New Lot Yield:	14 Lots

47% of PRD Zoning Allowance



Land Development Flexibility Discussion

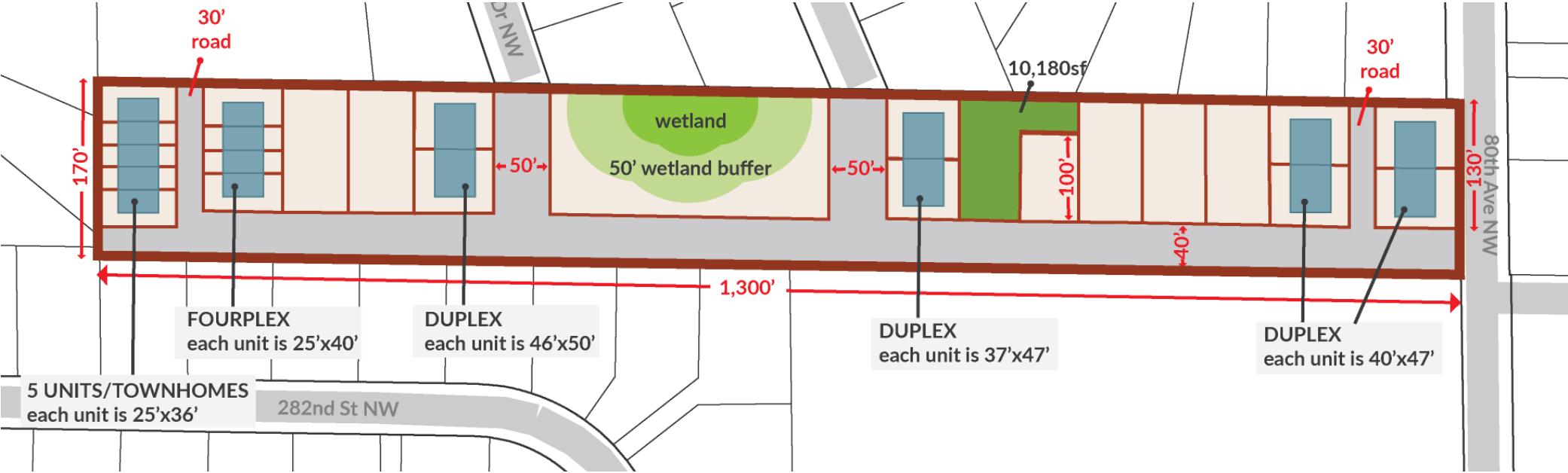


Base Option: With Missing Middle Housing

Applying Same Street,
Open Space and Wetland
Parameters

Maximum Lot Yield:	22 Lots
Flexible Requirements:	<u>23 Lots</u>
New Lot Yield:	+1 Lot

100% of PRD Zoning Allowance



Land Development Flexibility Discussion

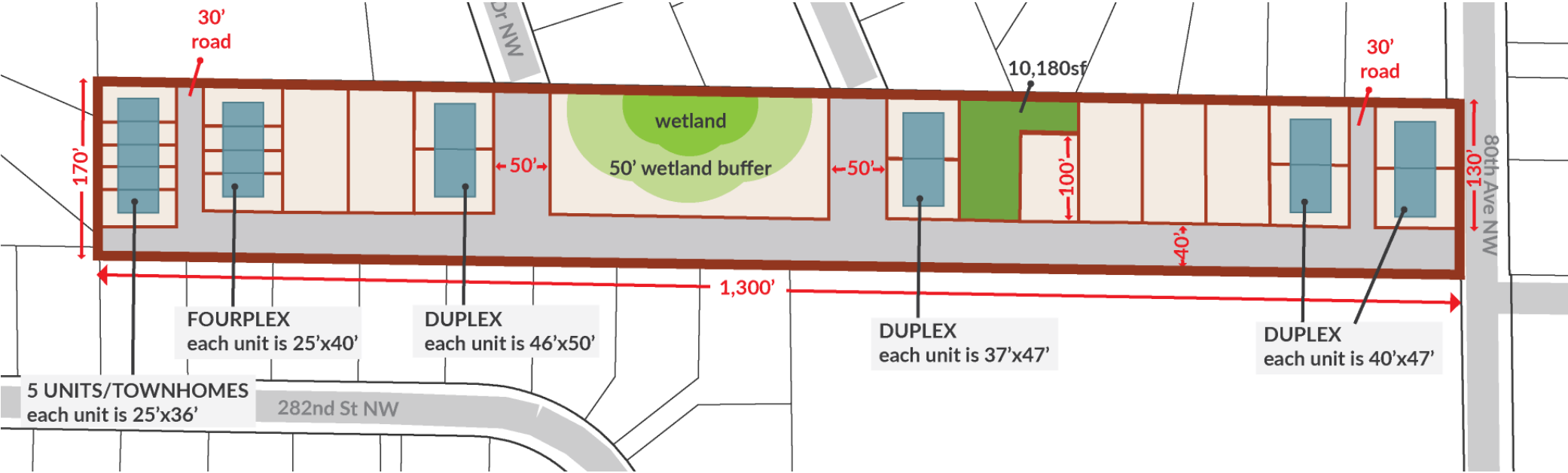


PRD Option: With Missing Middle Housing

Applying Same Street,
Open Space and Wetland
Parameters

Maximum Lot Yield:	30 Lots
Flexible Requirements:	<u>23 Lots</u>
New Lot Yield:	-7 Lots

76% of PRD Zoning Allowance



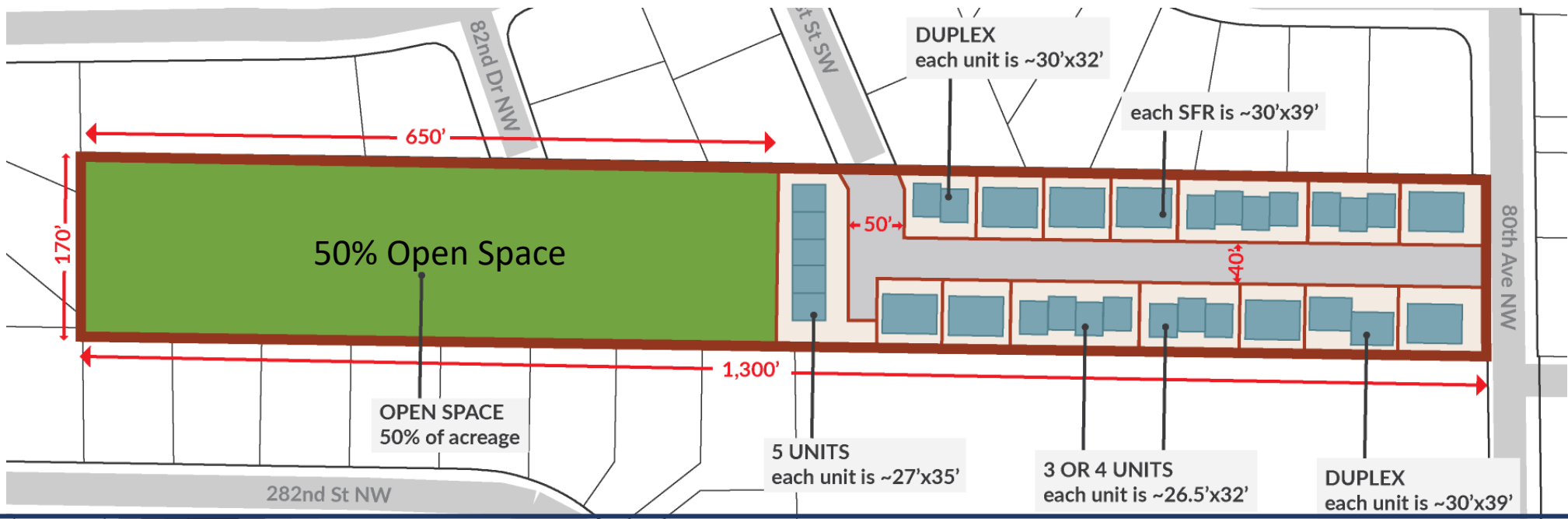
Land Development Flexibility Discussion



PRD Option: Cluster Housing Option

Maximum Lot Yield:	30 Lots
Flexible Requirements:	<u>32 Lots</u>
New Lot Yield:	+2 Lots

107% of PRD Zoning Allowance



Note: Max Site Buildout; Following Underlying PRD Zoning Would Maintain 30 Units



Land Development Flexibility Discussion



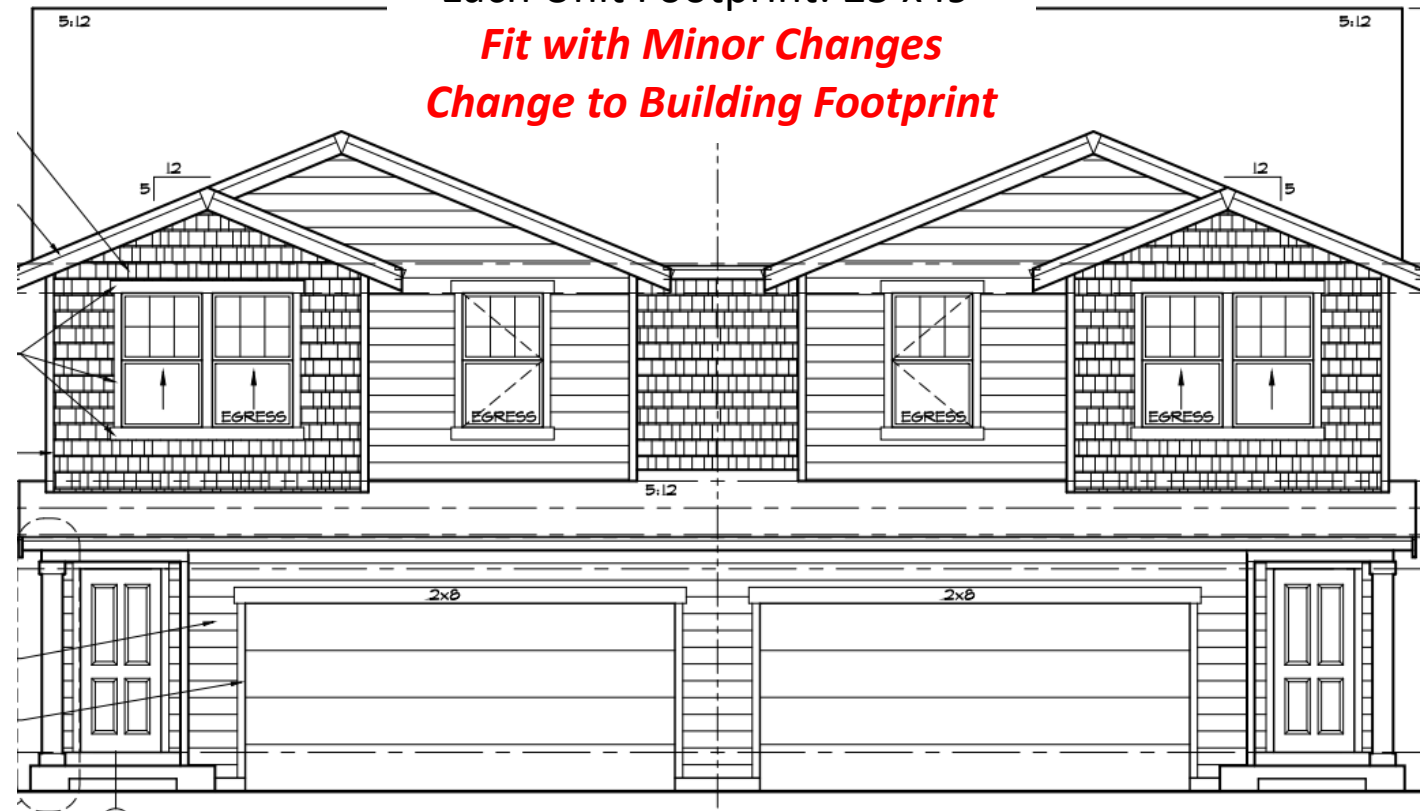
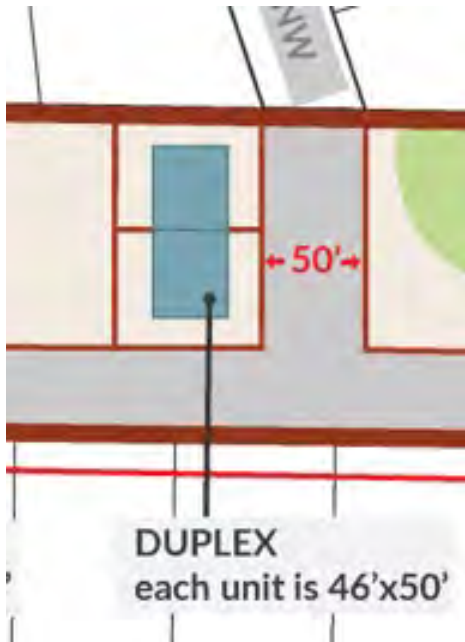
Duplex: Lot Area to Building Design Test

Actual Stanwood Development

DR Horton Design

Each Unit Footprint: 25'x49'

*Fit with Minor Changes
Change to Building Footprint*

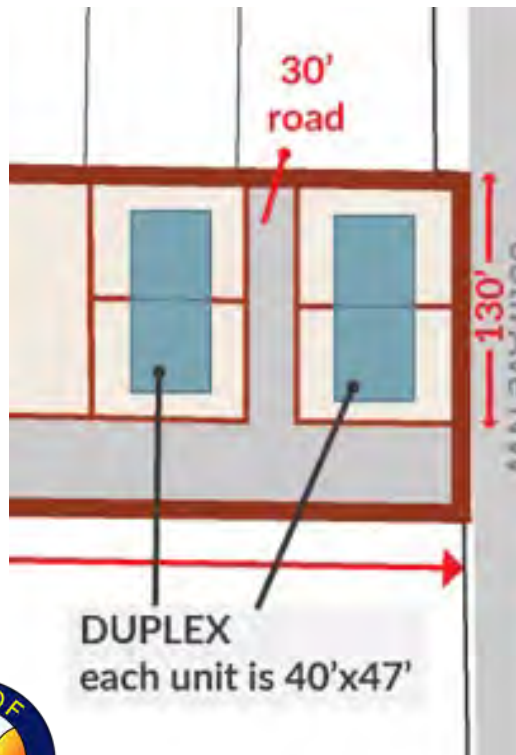


Each Unit: 1,829 sf of Living Space; 395 sf of Garage Space



Land Development Flexibility Discussion

Duplex: Lot Area to Building Design Test



Actual Stanwood
Development
Robinett Design
Each Unit Footprint: 20'x49'

1,672 sf of Living Space
912 sf of garage

***Fit with Minor Changes
Setback Reduction***



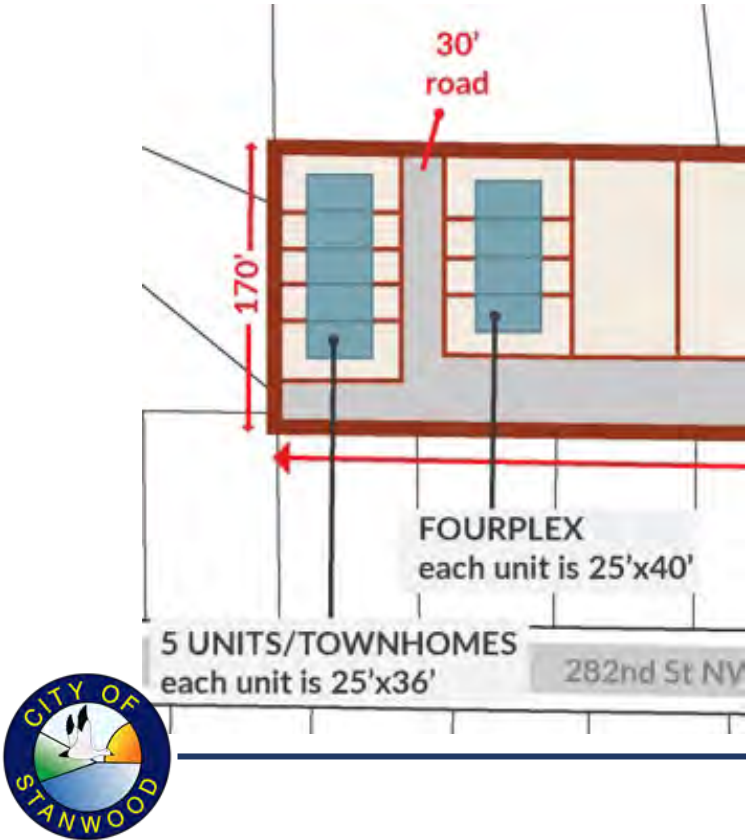
Land Development Flexibility Discussion



Townhouse: Lot Area to Building Design Test

Actual Stanwood Development
Hennings Design
Each Unit Footprint: 20'x44'

Fit with Minor Changes – Setback or Lot Loss



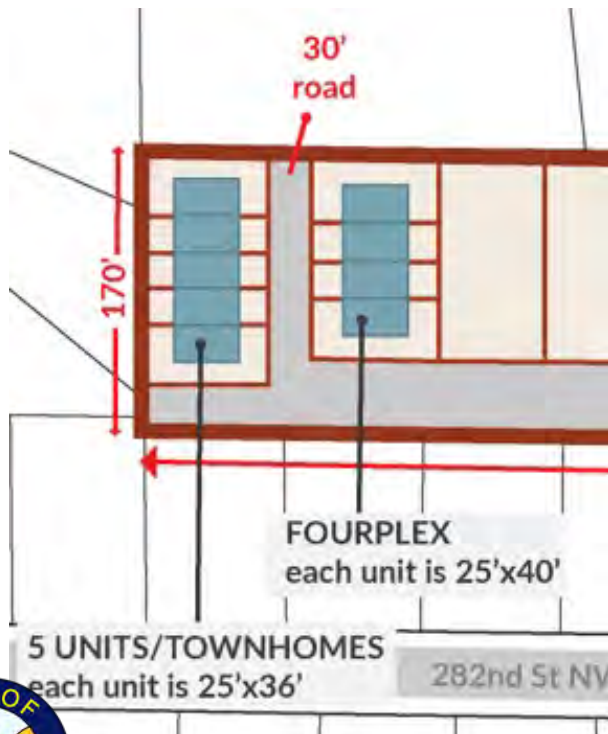
FRONT ELEVATION

SCALE: 1/4" = 1' - 0"

Each Unit: 1,422 sf of Living Space; 217 sf of Garage Space

Land Development Flexibility Discussion

Townhouse: Lot Area to Building Design Test



Actual Stanwood
Development
Brunner Design
Each Unit Footprint:
30'x36'

***Fit with Minor Changes –
Setback Reduction or
Lose a Lot***

Each Unit:
1,620 sf of Living Space;
689 sf of Garage Space



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Exhibit B

Missing Middle Housing Ordinance

CITY OF STANWOOD
WASHINGTON

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, AMENDING STANWOOD MUNICIPAL CODE (SMC) TITLE 17, ZONING REGARDING ALLOWING MISSING MIDDLE HOUSING TYPES IN THE CITY OF STANWOOD 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 Washington State Legislature found that the state is facing an unprecedented housing crisis for its current population and lacks affordable housing choices; and

WHEREAS, the State Legislature further found that in order to meet the goal of 1,000,000 new homes statewide by 2044, innovative housing policies will need to be adopted to increase housing options that are more affordable to various income levels;

WHEREAS, missing middle and infill housing can provide a wider variety of housing options and configurations to allow Washingtonians to live near where they work; and

WHEREAS, by allowing a variety of housing options in Stanwood, the city can lower the risk of displacement lower income or senior residents; and

WHEREAS, on September 26, 2024, the City Council adopted Ordinance No. 1537, incorporating supportive middle housing policies into the Housing Element of the Comprehensive Plan

WHEREAS, the amendments in this ordinance adopt missing middle housing options and associated land development provisions; and

WHEREAS, this code amendment also eliminates conflicts, improves clarity and overall function of the municipal code, and reflects current city and best practices; and

WHEREAS, pursuant to RCW 36.70A.106, the City submitted the proposed code amendment for the 60-day review to the Washington State Department of Commerce on _____, 2025. The 60-day review period was completed on _____, 2025; and

WHEREAS, the code amendment was circulated for public review on _____ through _____, 2025; and

WHEREAS, the City received comments on the draft amendments from _____; and

WHEREAS, their comments have been incorporated into the amendments; and

WHEREAS, a SEPA determination of non-significance for the draft ordinance was issued on _____, 2025, and the comment / appeal period ended on _____, 2025; and

WHEREAS, the Stanwood Community Development Committee reviewed the draft ordinance at their _____, 2025, meeting and has recommended that the City Council adopt the ordinance; and

WHEREAS, the Stanwood Planning Commission held their first reading of the ordinance on _____, 2025, held a public hearing on ordinance on _____, 2025, and forwarded their findings of fact and conclusions recommending to approve the ordinance on _____, 2025; and

WHEREAS, all persons desiring to either provide written testimony or speak for or against the ordinance were given the opportunity to do so before both the Planning Commission and City Council; and

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

WHEREAS, the City Council of Stanwood has authority under RCW 36.70A to adopt plans and regulations related to development and operations within the City of Stanwood; and

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

Section 1. Chapter 17.20 Construction of Language – Definitions of the Stanwood Municipal Code is amended as shown in Exhibit A.

Section 2. Chapter 17.25 General Provisions of the Stanwood Municipal Code is amended as shown in Exhibit B.

Section 3. Chapter 17.30 Permitted Land Uses of the Stanwood Municipal Code is amended as shown in Exhibit C.

Section 4. Chapter 17.60 Zoning Standards Tables of the Stanwood Municipal Code is amended as shown in Exhibit D.

Section 5. Chapter 17.95 Residential Performance Standards of the Stanwood Municipal Code is amended as shown in Exhibit E.

Section 6. Chapter 17.100 Nonresidential Performance Standards of the Stanwood Municipal Code is amended as shown in Exhibit F.

Section 7. Chapter 17.105 Off-street Parking and Loading Standards of the Stanwood Municipal Code is amended as shown in Exhibit G.

Section 8. Section 17.148.040 Transportation Concurrency of the Stanwood Municipal Code is amended as shown in Exhibit H.

Section 9. Section 12.04.020 Sewer System Rates of the Stanwood Municipal Code is amended as shown in Exhibit I.

Section 10. Findings of Fact and Conclusions. In support of the amendment approved in this Ordinance the Stanwood City Council adopts the Findings of Fact and Conclusions attached hereto as Attachment J and incorporated herein by reference and the analysis contained in the Staff Report on the amendments.

Section 10. 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 11. 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 12. Effective Date. This Ordinance shall take effect five days after its passage and publication as required by law.

PASSED and APPROVED this ____ day of _____, 2025.

CITY OF STANWOOD:

Sid Roberts, Mayor

Attest:

Lisa Sokolik, City Clerk

Approved as to Form:

Nikki Thompson, City Attorney

Date of Publication:

Effective Date:

EXHIBIT A

Chapter 17.20 Construction Of Language – Definitions.

i Sections from chapter 17.20 that have been amended are included below. Sections or definitions that are not proposed to be amended are not included in this document.

17.20.020 “A” definitions.

i Repealed definition of “accessory dwelling”. Replaced by new definitions for “accessory dwelling unit”, “accessory dwelling unit, attached”, and “accessory dwelling unit, detached.”

“Accessory dwelling unit” or “ADU” means a dwelling unit located on the same lot as a single-family dwelling unit.

Accessory dwelling unit, attached. See “attached accessory dwelling unit”.

Accessory dwelling unit, detached. See “detached accessory dwelling unit”.

“Attached accessory dwelling unit” or “AADU” means an accessory dwelling unit located within or attached to the principal unit.

17.20.030 “B” definitions.

i Removed the definition of “boarding house” because it is included in the definition of “co-living housing” per RCW 36.70A.535 Co-living Housing.

17.20.040 “C” definitions.

i Added the definition of “co-living housing” for compliance with RCW 36.70A.535 Co-living Housing. RCW definition does not address shared or private bathrooms.

“Co-living housing” means a residential development with sleeping units that are independently rented and lockable and that provide living and sleeping space, as well as kitchen facilities that may be shared with other sleeping units in the building.

17.20.050 “D” definitions.

“Detached accessory dwelling unit” or “DADU” means an accessory dwelling unit that consists partly or entirely of a building that is separate and detached from the principal unit.

i Updated for consistency with State middle housing guidance and to exclude reference to number of families.

“Duplex” means a residential building with two attached dwelling units.

i Updating “multiple-family” to “multifamily” throughout this chapter for consistency with State middle housing guidance, as well as internal consistency.

“Dwelling” means a building or a portion of a building, occupied or intended to be occupied for residential purposes, but not including hotels. (See also “dwelling, multifamily” and “family.”)

Dwelling, Multifamily. See “Multifamily dwelling.”

17.20.060 “E” definitions.

i Added the definition of “emergency housing” and updated the definition of “emergency shelter” for compliance with RCW 35A.21.430. Definitions are consistent with RCW 36.70A.030.

“Emergency housing” means temporary indoor accommodations for persons or families who are homeless or at imminent risk of becoming homeless. Emergency housing is intended to address the basic health, food, clothing, and personal hygiene needs of persons or families and may or may not require occupants to enter into a lease or an occupancy agreement.

“Emergency shelter” means a facility that provides a temporary shelter for persons or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

17.20.070 “F” definitions.

i Updated the term “floor area” to “gross floor area”. Moved to SMC 17.20.080. “Gross floor area” is the term used throughout the code.

i Removing the term “floor area, usable” because it is not used in the code.

17.20.080 “G” definitions.

- i** Updated the existing term “floor area” to “gross floor area”. “Gross floor area” is the term used throughout the code. This promotes consistency with RCW 36.70A.696(7) for ADUs since GFA needed to be defined and avoids duplicate definitions.

“Gross floor area” means the sum of the gross horizontal areas of all floors of all buildings on a lot, measured from the exterior faces of exterior walls or from the centerline of walls separating two buildings. Floor area must include the area of basements if used for residential, commercial or industrial purposes, but need not include a basement or portion of a basement used for storage or housing of mechanical equipment, or the basement apartment of a custodian in a multifamily dwelling, except that portion of said custodian’s dwelling unit that is in excess of 50% of the total basement area.

17.20.090 “H” definitions.

- i** Removed the definition of “homeless housing” since it is a redundant/umbrella term inclusive of “transitional housing” and “permanent support housing”. Added definitions of “transitional housing” and “permanent support housing” consistent with State law.

17.20.100 “I” definitions.

- i** Removed the definition of “indoor emergency shelters or housing” since it is redundant with definitions for “emergency housing” and “emergency shelters”. Furthermore, “indoor emergency shelters or housing” is not included in any permitted land use table.

17.20.130 “L” definitions.

- i** Removed the definition of “lodging house” because it is included in the definition of “co-living housing” per RCW 36.70A.535 Co-living Housing. Furthermore, “lodging house” is not included in any permitted land use table.

17.20.140 “M” definitions.

- i** Added definition of “major transit stop” for compliance with RCW 36.70A.540 Co-Living Housing. Definition of “major transit stop” does not include Amtrak station.

"Major transit stop" means:

- (1) A stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW;
- (2) Commuter rail stops;
- (3) Stops on rail or fixed guideway systems, including transitways, not including Stanwood Station;
- (4) Stops on bus rapid transit routes or routes that run on high occupancy vehicle lanes; or
- (5) Stops for a bus or other transit mode providing actual fixed route service at intervals of at least 15 minutes for at least five hours during the peak hours of operation on weekdays.

i Updated “multiple-family” to “multifamily” throughout this chapter for consistency with State middle housing guidance, as well as internal consistency. Removed reference to families.

i Defined as 3 or more single households. This may include a triplex, fourplex, etc., but not duplexes or townhouses (attached residential).

“Multifamily dwelling” means a building or a portion of a building used or designed as a residence for three or more single households living independently of each other and each with facilities for living, sleeping, and cooking. This definition includes apartment houses but does not include hotels, trailers, or mobile/manufactured homes.

17.20.150 “N” definitions.

i Removing definition because it is not a term used throughout the code.

17.20.170 “P” definitions.

i Added definition of “permanent supportive housing” for compliance with RCW 35A.21.430. Definitions are consistent with RCW 36.70A.030.

“Permanent supportive housing” means subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy. Permanent supportive housing uses admissions practices designed to lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing. Permanent supportive housing is subject to all of the rights and responsibilities defined in Chapter 59.18 RCW.

i The following definition is new for compliance with ADU legislation (RCW 36.70A.696(7))

“Principal unit” means the single-family dwelling unit located on the same lot as an accessory dwelling unit. Also referred to as the “primary unit.”

17.20.200 “S” definitions.

i This definition is from RCW 64.37.010(9). It was added to more clearly regulate short-term rentals when it comes to accessory dwelling units.

“Short-term rental” means a dwelling, or part of a dwelling, rented to guests for fewer than 30 consecutive nights. Short-term rentals do not include:

- (1) Hotels, motels, or bed and breakfasts;
- (2) A home or apartment where the owner lives for at least six months per year and rents out fewer than three rooms at a time;
- (3) A rental unit where the same guest stays for 30 or more consecutive nights;
- (4) Temporary housing provided by a registered charitable organization or government entity for persons or their families receiving treatment for trauma, injury, or disease;
- (5) Emergency housing or transitional housing.

i Updated definition to remove reference to number of families per best practice.

“Single-family dwelling” means a detached residential building containing no more than one principal dwelling unit designed for occupancy by a single household.

i Added definition of “sleeping unit” to better implement RCW 36.70A.535 Co-living Housing.

“Sleeping unit” means an independently rented and lockable space used for living and sleeping within a co-living residential development.

17.20.210 “T” definitions.

i Updated for compliance with RCW 36.70A.622 (Residential parking regulations). New provisions are included in SMC 17.105.140 for tandem parking spaces.

“Tandem parking” means having two or more vehicles, one in front of or behind the other, with a means of ingress and egress.

i Amended definition of “townhouse or rowhouse” for consistency with middle housing guidance. Removed “rowhouse” from definition since the term is not used in the code.

“Townhouse” means a building that contains two or more attached residential dwelling units that extend from foundation to roof and that have a yard or public way on not less than two sides. Each dwelling unit is designed for occupancy by a single household.

i Added definition of “transitional housing” for compliance with RCW 35A.21.430. Definitions are consistent with RCW 36.70A.030.

"Transitional housing" means a facility that provides housing and supportive services to homeless persons or families for up to two years and then facilitates the movement of homeless persons and families into independent living.

17.20.220 “U” definitions.

i Removing the term “usable floor area” because it is not used in the code. This definition is captured by “gross floor area”.

EXHIBIT B

Chapter 17.25 General Provisions

i Sections from chapter 17.25 that have been amended are included below. Sections that are not proposed to be amended are not included in this document.

17.25.160 Building conversions.

i Updated to provide an exception for when dwelling units are added to an existing building since a site development permit may be required. Furthermore, created two subsections from the existing text. Confirmed there are no existing internal references to SMC 17.25.160 that would also need to be updated. Added subsection 3, noting when a building permit is required.

- (1) No land use development review process is required for existing building converted from one use to another if:
 - (a) The proposed use is permitted in the zone the building is located in;
 - (b) All off-street parking requirements can be met; and
 - (c) There is no alteration to or expansion of the building footprint or commercial use area except if the proposed use is subject to the requirements of SMC 17.25.165.
- (2) No land use development review process is required for an existing building containing rental apartments if:
 - (a) The rental units are converted to condominiums (or vice versa);
 - (b) Either the total number of dwelling units within the building does not increase or, if they do increase, they do not exceed the density limits permitted in the zone the building is located in; and
 - (c) All off-street parking requirements can be met.
- (3) Where physical alterations to a building are proposed as part of a conversion, a building permit may be required.

17.25.165 Conversion to residential use in an existing building.

i This section is added for compliance with RCW 35A.21.440 – new housing in existing buildings.

- (1) Building conversions that add dwelling units to an existing building must meet the following criteria:
 - (a) The existing building is located in a commercial or mixed-use zone that allows multifamily dwelling units; and
 - (b) The existing building received a certificate of occupancy at least three years prior to the permit application to add dwelling units; and

- (c) The proposed development does not increase the floor area of nonresidential uses in the existing building.

i Per RCW 35A.21.440(2)(c), the City may not “...impose permitting requirements on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone.”

- (2) The Director may determine whether the proposed development qualifies as a conversion to residential use in an existing building subject to the requirements of this section, and any related land use approvals, pursuant to Table 18.230.020-1, Types of Review.
- (3) For building conversions meeting the requirements of subsection 1 of this section, the requirements of this Title apply except as modified below:
- (a) Density of 50% more than what is allowed in the underlying zone is allowed if:
- (i) New dwelling units are located entirely within the existing building envelope;
 - (ii) Compliance with Title 14 Adopted Building and Construction Codes; and
 - (iii) Connection to water, sewer and drainage systems.

i Per RCW 35A.21.440(2)(f), the City may not “prohibit the addition of housing units in any specific part of a building except ground floor commercial or retail that is along a major pedestrian corridor as defined by the code city...” The proposed language preserves existing commercial uses at the ground floor when located along a “major pedestrian corridor”

- (b) Commercial or retail use must be provided on the ground floor if the existing building is located along a “major pedestrian corridor”, which is defined as minor arterials and collectors identified in the city’s comprehensive plan, and 270th Street NW from 102nd Avenue NW to Camano Street for the purpose of this section.
- (c) No new off-street parking is required for the addition of dwelling units in an existing building; however, existing parking must be retained that is required to satisfy the minimum off-street parking requirements for the proposed use.

i Per RCW 35A.21.440(2)(e), cities may not, “Impose exterior design or architectural requirements on the residential use of an existing building beyond those necessary for health and safety of the use of the interior of the building or to preserve character-defining streetscapes, unless the building is a designated landmark or is within a historic district established through a local preservation ordinance.” Section (e) below establishes these requirements with the exception of standards pertaining to solid waste storage and lighting as these pertain to health and safety.

- (d) No exterior design standards or architectural requirements apply to the residential use of the existing building, unless:
- (i) The building is a designated landmark or within a historic district; or
 - (ii) The standards pertain to solid waste disposal and storage areas, and lighting.
- (4) New units must meet the requirements of the current Washington State Energy Code, as adopted by reference in SMC 14.04.010. Unchanged portions of an existing building are not required to meet the current Energy Code.

- (5) If the proposed building meets the requirements of SMC 17.25.165(1) and is nonconforming with parking, height, setbacks, elevator size for gurney transport, or modulation, then the permit may be issued unless the Director provides written findings that the nonconformity is causing a significant detriment to the surrounding area by not meeting life and health safety standards.

EXHIBIT C

Chapter 17.30 Permitted Land Uses

i Sections from chapter 17.30 that have been amended are included below. Sections that are not proposed to be amended are not included in this document.

17.30.060 Residential use zoning table established.

- i** For ease and simplicity of review, the Permitted Use Table below only includes the Residential and Other land use categories. The table excludes uses/rows that are not related to missing middle housing or other amendments adopted by this ordinance. They are excluded for ease of review and are not intended to be deleted from this table as a result of this ordinance.
- i** Updated the Permitted Use Table to allow “co-living housing” in the MR zone for compliance with RCW 36.70a.535, which requires the City to allow co-living housing on any lot that allows at least six multifamily units and in mixed-used zones. Added footnote 22.
- i** Changed “AC” to “P” to allow ADUs as a permitted use in all SR zones. This reduces ambiguity in the dimensional standards table. The base standard will apply to ADUs rather than standards for accessory structures. Footnote 8 was also updated to refer to ADU standards in chapter 18.604.
- i** Updated in response to middle housing guidance and Policy Direction Guidance document to allow cottages in the MR zone, duplexes in the SR 7.0 and SR 9.6 zones, and townhouses in the SR 5.0, SR 7.0 and SR 9.6 zones. Added footnote 23 stating townhouses are limited main streets and corner lots; and to no more than 4 units in a single building in SR zones.
- i** Removed the reference to footnote 10 from “dwelling, duplex” in the SR 5.0 zone. Footnote regulated lot size, which is redundant with standards in the density table in Title 18 Land Divisions. Footnote 10 is not repealed in full because it applies to other uses.
- i** Changed “dwelling, multiple-family” to “dwelling, multifamily” for consistency with middle housing guidance, and internal consistency.
- i** Removed “homeless housing” as a permitted use because it is an umbrella term that includes transitional housing and permanent supportive housing. Separate lines are included for these individual uses.
- i** Added “permanent supportive housing” as a separate use in the Residential land use category. Note, “permanent supportive housing” was already allowed outright in residential zones under “homeless housing”.

- i** Removed “emergency shelters” and “emergency housing” as a permitted use in residential zones. RCW 35A.21.430 requires these uses to be permitted in any zone that allows hotels. These residential zones do not allow hotels.
- i** Moved “transitional housing” from Other to Residential land use category.
- i** Added small scale commercial infill as a permitted use in residential zones when subject to SMC 17.100.085, which includes floor area limits.
- i** Added TN-Residential to the table; applies SR 5.0 use standards.

Table 17.30.060 Permitted Use Table: Residential Zones

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN-RES
<i>NOTE: This Permitted Use Table only includes the Residential and Other land use categories for ease and simplicity of review. This table excludes categories/uses/rows that are not related to missing middle housing or other amendments adopted by this ordinance, as well as abbreviated definitions and permit types. These uses are excluded for ease of review and are not intended to be deleted from this table as a result of this ordinance.</i> <i>Nonresidential uses will be allowed in the TN-RES zone per 17.47.040(1)(b) consistent with the TN-MU zone. These uses are not included in this table.</i> <i>For ease of reading, changes are bolded, underlined and highlighted.</i>						
Residential						
Adult Family Home	P	P	P	P	P	<u>P</u>
Assisted Living/Independent Living					P	
<u>Co-living Housing</u>					<u>P(22)</u>	
Congregate Care Facility					C(6)	<u>C</u>
Daycare, Home	AC(7)	AC(7)	AC(7)	AC(7)	AC(7)	<u>AC(7)</u>
<u>Dwelling, Accessory</u>	<u>P(8)</u>	<u>P(8)</u>	<u>P(8)</u>	<u>P(8)</u>		<u>P(8)</u>
<u>Dwelling, Cottage</u>	P(9)	P(9)	P(9)	P(9)	<u>P(9)</u>	<u>P(9)</u>

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN-RES
Dwelling, Duplex		<u>P</u>	<u>P</u>	P	P	<u>P</u>
Dwelling, Multifamily Development Up to 20 Units					P	
Dwelling, Multifamily Development 21 Units or Greater					P	
Dwelling, Single-Family	P	P	P	P	P	<u>P</u>
<u>Dwelling, Townhouse</u>		<u>P(23)</u>	<u>P(23)</u>	<u>P(23)</u>	P	<u>P</u>
Enhanced Service Facility Conversion Category 1 – Existing Nursing Home Conversion of Up to a 16-Bed Facility (21)					C	<u>C</u>
Enhanced Service Facility Conversion Category 2 – Existing Assisted Living Conversion of Up to a 16-Bed Facility (21)					P	<u>C</u>
Enhanced Service Facility Conversion Category 3 – Existing Adult Family Home Conversion of Up to a 6-Bed Facility (21)	P	P	P	P	P	<u>P</u>
Group Care Facilities						<u>P</u>
Group Home	P(11)	P(11)	P(11)	P(11)	P(11)	
Home Occupation	AC(12)	AC(12)	AC(12)	AC(12)	AC(12)	<u>AC(12)</u>

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN-RES
Manufactured/Mobile Home	P(13)	P(13)	P(13)	P(13)		
Permanent Supportive Housing	P	P	P	P	P	P
Transitional Housing	P	P	P	P	P	P
Other						
Daycare Center			P(7)	P(7)	P(7)	P(7)
Daycare, Mini				P(7)	P(7)	P(7)
Small-Scale Commercial Infill in Uptown Area		C(24)	C(24)		P(24)	P(24)
Temporary Uses	P	P	P	P	P	P

Residential Zoning Use Conditions:

NOTE: Existing footnotes that are not referenced above are excluded for ease and simplicity of review. These footnotes are not intended to be deleted as a result of this ordinance.

(6) Limited to 30 rooms/increment of minimum land area.

(7) All daycare uses must comply with the daycare facilities requirements provided in SMC [17.95.382](#). Family daycare requires a home occupation permit. Daycare centers are limited to a minimum land area of 10,000 square feet in the SR 5.0 zone and 30,000 square feet in the SR 7.0 zone.

(8) Accessory dwelling units must comply with the design and development standards set forth in SMC 17.95.480.

(9) Cottage housing units must comply with the requirements in SMC [17.95.450](#).

(10) Minimum land area of 7,000 square feet required unless the requirements of SMC 17.100.085 are met.

(11) This use must comply with the special residential use requirements provided in SMC [17.95.375](#). Group homes are limited to six rooms in the SR 7.0, SR 5.0, RM and GC zones.

(12) A home occupation permit and business license are required. Home occupations must comply with the requirements in SMC [17.95.380](#).

(13) This use must comply with the manufactured housing requirements of SMC [17.95.385](#). Manufactured housing use is limited to Type A homes certified as meeting U.S. HUD standards. Manufactured home park use may accommodate both Type A and Type B HUD certified units and requires a minimum land area of three acres in SR 7.0 and two acres in SR 5.0 zones.

(22) Permitted on any lot that allows at least six multifamily dwelling units.

(23) Townhouses are permitted on minor arterials and collectors as identified in the comprehensive plan, and corner lots created within new subdivisions. Each townhouse building must have four or fewer townhouse dwelling units.

(24) Subject to SMC 17.100.085, Supplemental standards for small-scale commercial infill in the Uptown Area.

17.30.070 Commercial and mixed-use zoning table established.

- i** For ease and simplicity of review, the Permitted Use Table below only includes the Residential and Other land use categories. The table excludes uses/rows that are not related to missing middle housing or other amendments adopted by this ordinance. They are excluded for ease of review and are not intended to be deleted from this table as a result of this ordinance.
- i** Removed “boarding house” because it is included in the definition of “co-living housing” per RCW 36.70A.535 Co-living Housing. State law also allows co-living housing in the DMU zone so “boarding house” does not need to be permitted as a separate use.
- i** Changed “AC” to “P” to allow ADUs as a permitted use in TN zone. This is consistent with the DMU zone. This reduces ambiguity in the dimensional standards table. The base standard will apply to ADUs rather than standards for accessory structures. Footnote 18 was also updated to refer to ADU standards in chapter 18.604.
- i** Updated to allow “co-living housing” in the TN and DMU zones for compliance with RCW 36.70a.535, which requires the City to allow co-living housing on any lot that allows at least six multifamily units and in mixed-used zones. Updated footnote 16.
- i** Updated to allow cottages in the DMU and GC zones per the Policy Direction Guidance document.
- i** Updated to remove “triplexes” as a permitted residential use. Triplexes are regulated as 3 attached townhouses.
- i** Updated to allow multifamily dwellings in the GC zone per the Policy Direction Guidance document. Added footnote 41 to “dwelling, multifamily” in the TN, DMU and GC zones, which directs the user to section SMC 17.25.165 for modified requirements for conversion to residential use in an existing building in a commercial or mixed-use zone.
- i** Moved “transitional housing”, “permanent supportive housing” and “emergency shelters” from Other to Residential land use category. Note, “emergency housing” and “emergency shelters” are

allowed outright in the DMU and GC zones, where hotels are allowed, per State law. These uses are not required to be allowed in the NB zone.

- i** Added “permanent supportive housing” as a permitted use in the TN, DMU and GC zones, where residential dwelling units and hotels are allowed outright, in compliance with RCW 35A.21.430.
- i** “Transitional housing” is currently allowed in the TN and GC zones. Updated “transitional housing” to also allow as a permitted use in the DMU zone, where residential dwelling units and hotels are allowed outright, in compliance with RCW 35A.21.430.
- i** Added small scale commercial infill as a permitted use in residential zones when subject to SMC 17.100.085, which includes floor area limits.

Table 17.30.070 Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	TN-MU	DMU	NB	GC
<i>NOTE: This Permitted Use Table only includes the Residential and Other land use categories for ease and simplicity of review. This table excludes categories/uses/rows that are not related to missing middle housing or other amendments adopted by this ordinance. These uses are excluded for ease of review and are not intended to be deleted from this table as a result of this ordinance.</i> <i>For ease of reading, changes are bolded, underlined and highlighted.</i>				
Residential				
Adult Family Home	P	P	P	P
Assisted Living/Independent Living				P
Co-living Housing	P(16)	P(16)		P(16)
Congregate Care Facility	C	P/C(7) (17)		P(17)
Daycare, Family	P	P(13)	P	
Dwelling, Accessory	P(18)	P(18)		
Dwelling, Cottage	P(20)	P(20)(39)		P(20) (39)
Dwelling, Duplex	P	P(39)		P(21)(39)
Dwelling, Multifamily	P(7) (41)	P(39) (41)		P(39)(41)

Land Use	TN-MU	DMU	NB	GC
Dwelling, Single-Family	P			
Dwelling, Townhouse	P	P(39)		P(21)(39)
Emergency Housing		P		P
Emergency Shelters		P		P
Enhanced Service Facility Conversion Category 1 – Existing Nursing Home Conversion of Up to a 16-Bed Facility (21)	C	P		P
Enhanced Service Facility Conversion Category 2 – Existing Assisted Living Conversion of Up to a 16-Bed Facility (21)	C	P		P
Enhanced Service Facility Conversion Category 3 – Existing Adult Family Home Conversion of Up to a 6-Bed Facility (21)	P			
Group Care Facilities	P	P		
Group Home		P(19)		P(19)
Home Occupation	AC(22)	AC(22)		AC
Live/Work Units	P(38)(39)	P(38)(39)		P(21)(38) (39)
Mixed-Use	P	P(39)		P(39)
Permanent Supportive Housing	P	P		P
Transitional Housing	P	P		P
Other				

Land Use	TN-MU	DMU	NB	GC
Small-Scale Commercial Infill in Uptown Area	P(42)			
Temporary Uses	P	P	P	P

Commercial and Mixed-Use Zoning Use Conditions:

NOTE: Existing footnotes that are not referenced above are excluded for ease and simplicity of review. These footnotes are not intended to be deleted as a result of this ordinance.

(7) Minimum land area of 20,000 square feet is required. This standard may be modified through the conditional use permit process.

(13) All daycare uses must comply with the daycare facilities requirements provided in SMC [17.95.382](#). Family daycare requires a home occupation permit.

(16) Permitted on any lot that allows at least six multifamily dwelling units.

(17) Limited to 30 rooms/increment of minimum land area.

(18) Accessory dwelling units must comply with the design and development standards set forth in SMC 17.95.480.

(19) This use must comply with the special residential use requirements provided in SMC [17.95.375](#). Group homes are limited to six rooms in the GC zone.

(20) Cottage housing units must comply with the requirements in SMC [17.95.450](#).

(21) Permitted if part of a mixed-use development.

(22) A home occupation permit and business license are required. Home occupations must comply with the requirements in SMC [17.95.380](#).

(38) Live/work units are allowed as part of a mixed-use development.

(39) Only mixed-use commercial/residential developments are allowed on properties with street frontage on 271st Street, 88th Avenue, 92nd Avenue, 102nd Avenue and 270th Street between 99th Avenue and 102nd Drive, 72nd Avenue and 265th Street. The commercial mixed-use building(s) must be the dominant use along the street frontage. All other properties may be developed with residential in-fill developments without associated commercial uses.

(41) See SMC 17.25.165 for modified requirements for conversion to residential use in an existing building that meets the requirements of SMC 17.25.165(1).

(42) Subject to SMC 17.100.085, Supplemental standards for small-scale commercial infill in the Uptown Area.

17.30.080 Industrial use zoning table established.

- i** For ease and simplicity of review, the Permitted Use Table below only includes the Residential and Other land use categories. The table excludes uses/rows that are not related to missing middle housing or other amendments adopted by this ordinance. They are excluded for ease of review and are not intended to be deleted from this table as a result of this ordinance.
- i** “Emergency housing” is listed in two categories. Removed “emergency housing” from the Residential category, where it was allowed as a conditional use in the PI zone. Changed “indoor emergency housing” to “emergency housing” in the Other category for consistency with RCW 35A.21.430, as well as internal organizational consistency. Note, “emergency housing” is allowed outright in the GI zone, where hotels are allowed outright, per State law.
- i** Changed “indoor emergency shelters” to “emergency shelters” consistent with RCW 35A.21.430.
- i** Added “permanent supportive housing” as a permitted use in the PI zone, where residential dwelling units and hotels are allowed outright, in compliance with RCW 35A.21.430.

Table 17.30.080 Permitted Use Table: Industrial Zones

Land Use	PI	GI
<i>NOTE: This Permitted Use Table only includes the Residential and Other land use categories for ease and simplicity of review. This table excludes categories/uses/rows that are not related to missing middle housing or other amendments adopted by this ordinance. These uses are excluded for ease of review and are not intended to be deleted from this table as a result of this ordinance.</i> <i>For ease of reading, changes are bolded, underlined and highlighted.</i>		
Residential		
Caretaker’s House	P(11)	P(11)
Emergency Housing	P	
Emergency Shelter	P	
Mixed-Use	P(5)	
<u>Permanent Supportive Housing</u>	<u>P</u>	
Transitional Housing	P	

Land Use	PI	GI
Other		
Temporary Uses	P	P

Industrial Zoning Use Conditions:

NOTE: Existing footnotes that are not referenced above are excluded for ease and simplicity of review. These footnotes are not intended to be deleted as a result of this ordinance.

(5) Permitted in conjunction with a planned industrial park development under SMC [17.50.010](#); no more than 35% of the total industrial park floor area may be devoted to residential uses and all residential uses must be located above commercial or industrial uses. A minimum of five acres of land is needed to apply the mixed-use allowances.

(11) Caretaker units are limited to one per business.

EXHIBIT D

Chapter 17.60 Zoning Standards Tables

i Sections from chapter 17.60 that have been amended are included below. Sections that are not proposed to be amended are not included in this document.

17.60.020 Residential development standards.

- i** Development standards pertaining to density, lot area, lot width, and lot depth and associated footnotes 1, 2 and 10 are removed from this table for ease of review. These standards will be reviewed and adopted with the Part 4 Land Division UDC; however, these standards are not intended to be deleted by this ordinance.
- i** Simplified table by splitting into two: based standards table and exceptions.
- i** Added TN-RES zone.
- i** Bulk standards are set at the smaller amount of the old “PRD” or “Base” standard. Where PRD was not listed, the “Base” standard was applied.
- i** Restructuring the table resulted in elimination of many footnotes providing exceptions.
- i** Amended references and content of footnote 5 pertaining to ADUs for clarity.

(1) Development Standards Table – Residential Zones.

Table 17.60.020(1) Development Standards – Residential Zones

	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN-RES
<i>NOTE: Development standards pertaining to density, lot area, lot width, and lot depth are removed from this table for ease of review; however, these standards are not intended to be deleted by this ordinance.</i> <i>IBC=International Building Code</i>						
Front Lot Line Setback (Feet)	25	10	10	10	20	10
Rear Lot Line Setback (Feet)	25	20	15	15	5	15
Side Lot Line Setback, Internal (Feet)	5	5	5	5	25	5

	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN-RES
Side Lot Line Setback, Corner (Feet)	15	15	15	15	25	15
Building Height ¹ (Feet)	30	30	30	30	40 ²	30
Lot Coverage (Percent)	40% ³	40%	40%	50%	40%	50%
Minimum Driveway Length (Feet)	None	20	20	20	N/A	20

(2) Development Conditions – Residential Zones. The following subsections correspond to footnotes referenced in Table 17.60.020(1).

i NOTE: With new table style many footnotes were not needed. Remaining footnotes were kept and renumbered.

1. Heights may be increased to 60 feet for high school facilities.
2. Maximum of three stories. The building must have a pitched roof and comply with the architectural elements of Chapter [17.112](#) SMC, Architectural Design Standards.
3. Greenhouses on farms within the SR 12.4 zone are excluded from maximum coverage calculations.

(3) Alternative Bulk Standards by Lot Type or Use in Residential zones.

Table 17.60.020(3) Alternative Bulk Standards by Lot Type or Use – Residential Zones

	Accessory Dwelling Unit	Accessory Building	Cottage Lot	Cluster Lot Subdivision	Unit Lot Subdivision	Attached Units or Zero Lot Line
Front Lot Line Setback (Feet)	Underlying Zoning	Underlying Zoning	10	10	10	10
Rear Lot Line Setback (Feet)	5	5	10	10	10	5
Rear Lot Line Setback, Alley (Feet)	0	0	5	5	5	0
Side Lot Line Setback, Internal (Feet)	5	5	5	3	IBC	IBC

	Accessory Dwelling Unit	Accessory Building	Cottage Lot	Cluster Lot Subdivision	Unit Lot Subdivision	Attached Units or Zero Lot Line
Side Lot Line Setback, Corner (Feet)	10 or Sight Distance Triangle (Whichever Greater)	10 or Sight Distance Triangle (Whichever Greater)	10 or Sight Distance Triangle (Whichever Greater)	10 or Sight Distance Triangle (Whichever Greater)	10 or Sight Distance Triangle (Whichever Greater)	10 or Sight Distance Triangle (Whichever Greater)
Lot Coverage (Percent)	65%	10%	60%	60%	80%	80%
Maximum Building Size	1,000 square feet	20% of Principle Building	1,200 square feet	N/A	N/A	N/A

17.60.030 Residential/commercial zone development standards.

i Development standards pertaining to density, lot area, lot width, and lot depth and associated footnotes 5 and 10 are removed from this table for ease of review. These standards will be reviewed and adopted with the Part 4 Land Division UDC; however, these standards are not intended to be deleted by this ordinance.

(1) Development Standards Table – Residential/Commercial Zones.

Table 17.60.030(1) Development Standards – Residential/Commercial Zones

	TN-MU	DMU
<i>NOTE: Development standards pertaining to density, lot area, lot width, and lot depth are removed from this table for ease of review; however, these standards are not intended to be deleted by this ordinance.</i>		
Density (Existing Lot) ¹	20 dwelling units per acre	20 dwelling units per acre
Front Lot Line Standard (Feet)	0	0

	TN-MU	DMU
Rear Lot Line Setback ² (Feet)	25	25
Side Lot Line Setback, Internal	IBC	IBC
Side Lot Line Setback, Corner ² (Feet)	10 Or Site Distance Triangle (Which Greater)	10 Or Site Distance Triangle (Which Greater)
Building Height ³ (Feet)	30	45
Maximum Building Coverage ² (Percent)	60%	90%

(2) Development Conditions – Residential/Commercial Zones. The following subsections correspond to footnotes referenced in Table 17.60.030(1).

1. Density may be increased to 30 dwelling units per acre for mixed-use developments if 100% of the required residential parking is provided on the ground floor and the building is at least LEED silver certified.
2. For automobile service stations, the cross-section areas of service station canopy supports where they meet the ground must be measured as coverage for the purposes of determining maximum lot coverage, and also must be used for measurement of setback requirements.
3. Height may be increased to 55 feet for hotels/motels in the DMU zone. Heights may be increased to 40 feet for multifamily, and mixed-uses in the TN residential designation and to 55 feet for multifamily, hotel/motels, and mixed-use buildings in the TN mixed-use designation if the structure has a pitched roof (not a shed roof).

(3) Alternative Bulk Standards by Lot Type or Use in Residential/Commercial zones.

Table 17.60.030(3) Alternative Bulk Standards by Lot Type or Use – Residential/Commercial Zones (in Feet)

	Attached Units or Zero Lot Line	Accessory Dwelling Unit	Accessory Building
Front Lot Line Setback	0	10	10
Rear Lot Line Setback	5	15	15

	Attached Units or Zero Lot Line	Accessory Dwelling Unit	Accessory Building
Rear Lot Line Setback, Alley	0	5	5
Side Lot Line Setback, Internal	IBC	IBC	5
Side Lot Line Setback, Corner	Sight Distance Triangle	Sight Distance Triangle	10 or Sight Distance Triangle (Whichever Greater)
Building Height	Underlying Zoning	24	20

17.60.040 Commercial and industrial development standards.

- i** Development standards pertaining to density, lot area, lot width, and lot depth and associated footnotes 11 and 13 are removed from this table for ease of review. These standards will be reviewed and adopted with the Part 4 Land Division UDC; however, these standards are not intended to be deleted by this ordinance.
- i** Included reference to footnote 12 in height standards because it pertains to height limits for mixed-use projects. Footnote 12 previously was referenced by density standards, which was moved to Title 18 Land Division.

(1) Development Standards Table – Commercial and Industrial Zones.

Table 17.60.040(1) Development Standards – Commercial and Industrial Zones

	NB	GC ⁶	PI	GI
<i>NOTE: Development standards pertaining to density, lot area, lot width, and lot depth and associated footnotes 11 and 13 are removed from this table for ease of review; however, these standards are not intended to be deleted by this ordinance.</i>				
Front Lot Line Setback ³ (Feet)	10	25	25	25

	NB	GC⁶	PI	GI
Rear Lot Line Setback ³ (Feet)	25	25	5 ¹	35 ¹
Side and Corner Lot Line Setback ³ (Feet)	10	10	5 ¹	25 ¹
Building Height (Feet)	30	35 ^{5,7,8}	35 ⁵	35 ^{2,4}
Lot Coverage ³ (Percent)	40%	70%	90%	90%

(2) Development Conditions – Commercial and Industrial Zones. The following subsections correspond to footnotes referenced in Table 17.60.040(1).

1. Where an industrial or manufacturing use abuts a residential zone, a 25 foot setback is required in the PI zone and a 50 foot setback is required in the GI zone.
2. Height may be increased to 50 feet for food processing plants, wholesale operations, warehousing operations, and freight distribution centers.
3. For automobile service stations, the cross-section areas of service station canopy supports where they meet the ground must be measured as coverage for the purposes of determining maximum lot coverage, and also must be used for measurement of setback requirements.
4. Height may be increased to 80 feet for feed and fertilizer operations abutting railroad corridors for silos and grain elevator structures only.
5. Height may be increased to 55 feet for hotels/motels.
6. General commercial mixed-use projects must comply with the specific standards of Chapter 17.65 SMC, Additional Standards – Downtown Mixed-Use Zoning Standards.
7. Maximum height of four stories for mixed-use projects. The building must have pitched roof or parapet roof design and comply with the architectural elements of Chapter 17.112 SMC, Architectural Design Standards.
8. The base height in the general commercial zone is 35 feet. Mixed-use buildings in the general commercial zone may be increased to 45 feet so long as the additional building height is stepped back 10 feet from the face of the building along the street frontage(s).

(3) Development Standards Table – Alternative Bulk Standards by Lot Type or Use in Commercial and Industrial zones.

**Table 17.60.040(3) Alternative Bulk Standards by Lot Type or Use – Commercial and Industrial Zones
(in Feet)**

	Accessory Building
Front Lot Line Setback	Underlying Zoning

	Accessory Building
Rear Lot Line Setback	5
Rear Lot Line Setback, Alley	5
Side Lot Line Setback, Internal	5
Side Lot Line Setback, Corner	Sight Distance Triangle
Building Height	20

17.60.045 Public facility development standards.

i Development standards pertaining to density, lot area, and lot width are removed from this table for ease of review. These standards will be reviewed and adopted with the Part 4 Land Division UDC; however, these standards are not intended to be deleted by this ordinance.

(1) Development Standards for the Public Facilities Zone.

Table 17.60.045(1) Development Standards – Public Facilities Zone

	PF ^{1,2}
<i>NOTE: Development standards pertaining to density, lot area, and lot width are removed from this table for ease of review; however, these standards are not intended to be deleted by this ordinance.</i>	
Front Lot Line Setback (Feet)	25
Side Lot Line Setback (Feet)	25
Rear Lot Line Setback (Feet)	25
Building Height (Feet)	40
Maximum Building Coverage (Percent)	60%

EXHIBIT E

Chapter 17.95 Residential Performance Standards

i Sections from chapter 17.95 that have been amended are included below. Sections that are not proposed to be amended are not included in this document.

Article IX. Accessory Dwelling Units

i Article IX is updated to comply with HB 1337.

17.95.470 Purpose

The purpose of this article is to establish standards on the design and incorporation of accessory dwelling units (ADUs) in existing residential neighborhoods.

17.95.475 Applicability

i Replaced by sections 1-2 below for consistency with HB 1337. Former subsection 4 was moved to 17.95.480 design and development standards – see new subsection 9.

- (1) Accessory dwelling units are allowed in zones as established in the permitted use tables in Chapter 17.30 SMC.
- (2) Applications for accessory dwelling units must follow the procedure established in Title 18 Part 2 Applications.

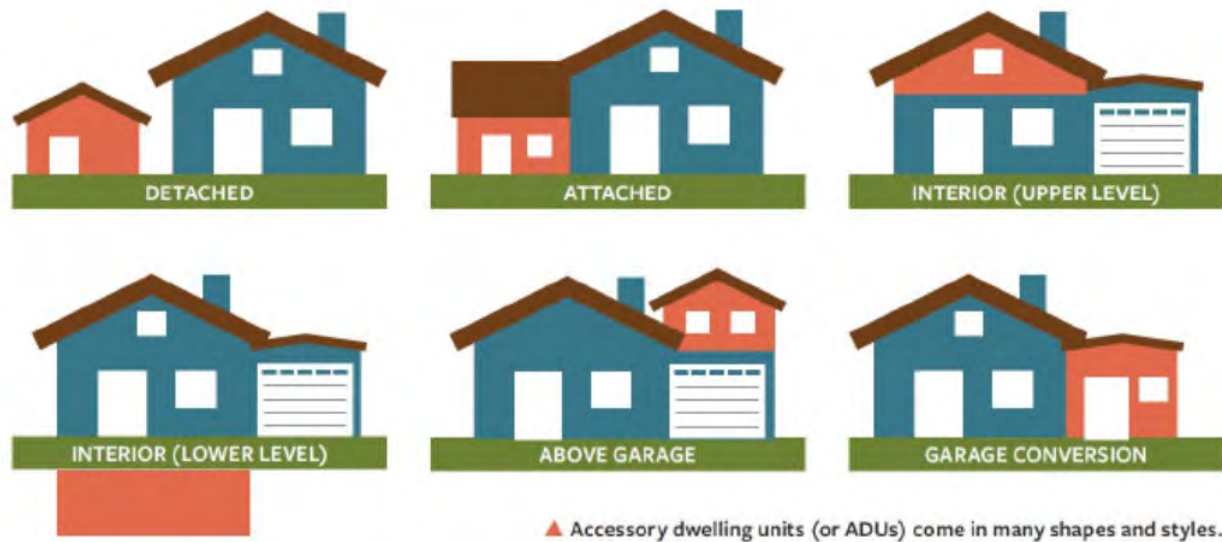
17.95.480 Design and development standards

i Replaced by section 1-9 below for consistency with HB 1337.

i New state law requirements under HB 1337: Must allow up to 1k sf, must allow two per unit, may not require owner occupancy or front door restrictions.

- (1) Two accessory dwelling units may be allowed on lots with a principal unit. Accessory dwelling units are not allowed on nonconforming lots unless they can meet all setback and lot coverage requirements.
- (2) Accessory dwelling units may be attached (AADU) or detached (DADU).

Figure 17.95.480(2) Examples of Accessory Dwelling Units



Source: AARP, The ABCs of ADUs

- (3) The size of an accessory dwelling unit may not exceed 1,000 square feet of gross floor area.
 - (a) For the purpose of this section, “gross floor area” means the interior habitable space of a dwelling unit including basements and attics but not including a garage or accessory structure.
- (4) The height of an accessory dwelling unit may not exceed 24 feet.
- (5) The setbacks, lot coverage, and building coverage standards of the underlying zone apply to accessory dwelling units.
 - (a) Exception. An accessory dwelling unit may be sited along a lot line that abuts a public alley.
- (6) One parking space per accessory dwelling unit must be provided.
- (7) Detached accessory dwelling unit development standards.
 - (a) Design. Detached accessory dwelling units must have at least one of the following elements in common with the principal unit:
 - (i) Roof lines or pitch;
 - (ii) Window frames;
 - (iii) Color; or
 - (iv) Siding materials.
 - (b) Materials. Detached accessory dwelling units may not be constructed out of temporary or makeshift materials such as yurts, Recreation Vehicles (RVs), or shipping containers.
 - (c) Utilities. Detached accessory dwelling units must provide their own separate water meter.
- (8) Accessory dwelling units may not be used as short-term rentals.

i The following is existing code from former SMC 17.95.475.

- (9) The applicant must comply with any private conditions, covenants, and restrictions (CC&Rs) that may apply to the property or the creation of accessory dwelling units.

Article XI. Co-living Housing

i Added SMC 17.95.570 Co-living housing for compliance with RCW 36.70A.535 Co-living housing.

17.95.570 Co-living Housing

- (1) Co-living housing is allowed as a permitted use on any lot if the following conditions are met:
 - (a) The lot is located in a zone that allows for at least six multifamily dwelling units; and
 - (b) The size of the lot allows for the development of at least six multifamily dwelling units.
- (2) Co-living housing is subject to the development and design standards of the zone it is located in.
- (3) For the purposes of calculating dwelling unit density, a sleeping unit in co-living housing is equivalent to 0.25 dwelling unit.

EXHIBIT F

Chapter 17.100 Nonresidential Performance Standards

i Sections from chapter 17.100 that have been amended are included below. Sections that are not proposed to be amended are not included in this document.

17.100.020 Categories of use.

i Subsection 7, small-scale commercial infill is newly added to the list.

The following categories of land use are subject to the standards contained in this chapter.

- (1) Public/semi-public: institutional uses and public services uses only;
- (2) Office uses;
- (3) Commercial uses: general commercial, commercial recreational, automobile-oriented commercial (gas stations, auto repair shops, tire shops, etc.), home building supply outlets, plant and landscape nurseries, and shopping centers;
- (4) Industrial uses: industrial, wholesaling, warehousing, and distribution activities;
- (5) Tourist facilities: hotels, bed and breakfast accommodations, and entertainment activities;
- (6) Live entertainment;
- (7) Small-scale commercial infill uses if located in the Uptown Area and the requirements of SMC 17.100.085 are met.

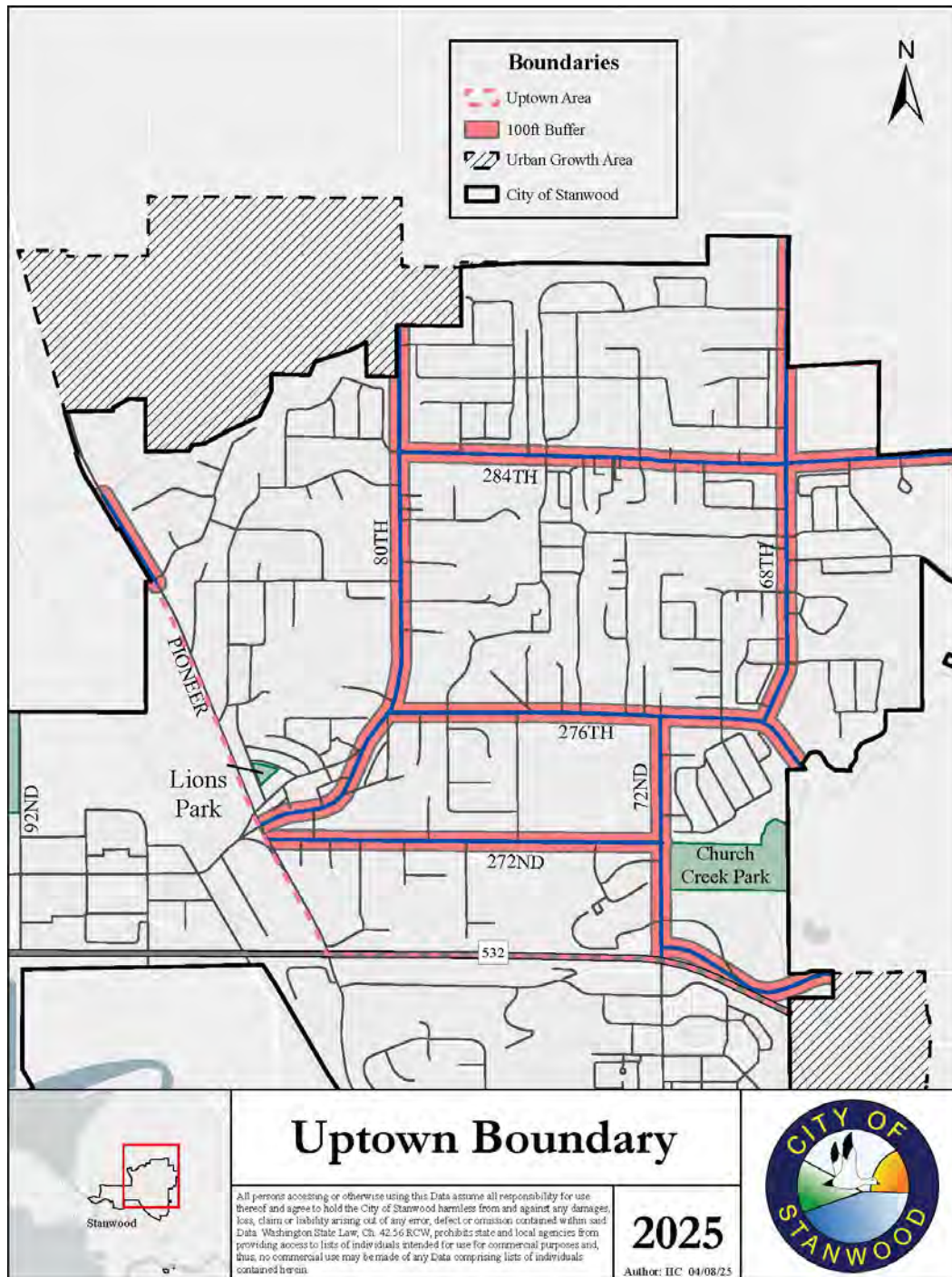
17.100.085 Supplemental standards for small-scale commercial infill in the Uptown Area.

i The following section was added to establish applicability, permitting process, and supplemental standards for small-scale commercial infill in the Uptown Area in response to the City's Policy Direction Summary document.

- (1) Purpose. To enable small-scale commercial infill in residential neighborhoods in specific parts of the Uptown area to meet the limited convenience shopping and personal service needs of the immediate neighborhood.
- (2) Applicability. This section applies to all small-scale commercial infill projects that meet the requirements of SMC 17.100.085(3).
- (3) Location criteria. The development site must meet the following location criteria:
 - (a) Located in the Uptown Area as identified in Figure 17.100.085(2); and

- (b) Located on a property with direct frontage on the roadways identified in Figure 17.100.085(2), including 284th Street NW, 276th Street NW, 272nd Street NW, 268th Street, 68th Avenue NW, 72nd Avenue NW, 80th Avenue NW, and portions of Pioneer Highway; and
- (c) At least one of the following conditions are met:
 - (i) Located on a corner lot; or
 - (ii) Located on an interior lot that is a minimum of 0.5 acres.

Figure 17.100.085(2) Uptown Area



- (4) Application procedure. An application for small-scale commercial infill development in the Uptown Area must include the application contents as required by SMC 18.220.030 and must be processed as a **Type 3** review in accordance with Chapter 18.230 SMC, Review Process.

- (5) Permitted land uses and maximum floor area. Table 17.100.085(5) identifies the only land uses that are permitted as small-scale commercial infill in the Uptown Area and the maximum floor area of that use.

Table 17.100.085(5) Permitted Use Table: Commercial Infill

Land Use	Maximum Floor Area (square feet)
Retail Shop/Boutique	3,000
Coffee Shop/Bakery	3,000
Café/Bistro	3,000
Live-Work Units	3,000 (non-residential area)
Salon	3,000
Animal Daycare/Grooming	3,000
Veterinarian Hospital or Clinic (No outdoor kennels allowed)	5,000
Professional Office	5,000
Healthcare Office	5,000
Daycare Center (Subject to SMC 17.95.382)	6,000
Preschool	6,000

- (6) Standards. These standards modify or apply in addition to all other applicable standards of this Title, including Chapter 17.112 SMC, Architectural Design Standards.
- (a) Primary entries must be oriented to the street or building corner facing an intersection of two public streets.
 - (b) Window transparency must be provided for the ground floor along the building frontage subject to the following requirements:
 - (i) New Construction: Street-facing ground floor façades must provide a minimum of 60% transparency between two and eight feet above grade using clear, non-reflective glass.
 - (ii) Existing Buildings (Renovations): If compliance with subsection (i) is infeasible due to existing structural elements, a reduced standard of no less than 30% transparency may be approved by the Director. The applicant must provide alternative design features, such as decorative windows, lighting, or artistic treatments.

- (c) Required front or corner side lot setbacks may be reduced to 5 feet if the setback is designed as a transitional space along the building edge with the following elements listed below, while also meeting the applicable requirements for SMC 17.145.130 for sight triangles and Chapter 17.112 SMC, Architectural Design Standards.
 - (i) Landscaping;
 - (ii) Distinctive paving; and
 - (iii) Pedestrian amenities, such as fixed or moveable seating and tables.
- (d) Where perimeter landscaping is required in accordance with SMC 17.145.100(1), the width of the landscape buffer may be reduced to 5 feet if sight-obscuring fencing is proposed. Fencing must be a minimum of 6 feet in height and must be of a material and design compatible with the overall architecture.

i Commercial infill development would be subject to Chapter 17.105 Off-Street Parking and Loading Standards, if parking is proposed, except as modified below.

- (e) The minimum parking requirement may be reduced by the Director if the applicant provides a parking demand study demonstrating that the reduction does not result in spillover into the surrounding neighborhood.
- (f) On-site parking is prohibited between the building and street.
- (g) No drive-through service or drive-up windows are allowed.
- (7) Neighborhood Compatibility. To protect residential neighborhoods from potential negative impacts from small-scale commercial infill uses, such as odors, smoke, and noise, the following equipment is prohibited:
 - (a) Deep fryers (electric or gas powered);
 - (b) Open flame grill tops (charbroilers, flat-top grills, or similar equipment);
 - (c) Generators producing noise exceeding 55 decibels at the property line;
 - (d) HVAC compressors producing noise exceeding 55 decibels at the property line;
 - (e) Amplified sound systems such as outdoor speakers or PA systems; and
 - (f) Any other machinery, equipment, or tools producing noise that exceed 55 decibels at the property line.
- (8) Alternative Impact Study. A commercial applicant may request an exception to these standards by submitting an Alternative Impact Study demonstrating that the proposed development does not negatively impact the surrounding residential area. The study must include proposed mitigation measures, such as physical screening, landscape buffering, or other appropriate technologies, to reduce potential impacts related to vibrations, noise, light, smoke, and odor. All mitigation strategies must comply with the Stanwood Municipal Code.
- (9) Examples of Small-Scale Commercial Infill development. The following examples are provided to demonstrate context-sensitive commercial development that fits within existing residential neighborhoods and supports walkability.
 - (a) Conversion of a single-family home into a café, gallery, boutique, or small office;
 - (b) Construction of a small-scale corner commercial building;

- (c) Construction of a small-scale mixed-use building with ground-floor commercial use and a residential use above;
- (d) Construction of a live/work unit with a customer-facing commercial use on the ground floor; or
- (e) Reuse of historic or vacant building for a neighborhood focused business.

Figure SMC 17.100.085(9) Examples of Small-Scale Commercial Infill Development



Source: City of Stanwood

EXHIBIT G

Chapter 17.105 Off-Street Parking And Loading Standards

i Sections from chapter 17.105 that have been amended are included below. Sections that are not proposed to be amended are not included in this document.

17.105.020(2) General requirements.

i Updated 17.105.020(2) for compliance with RCW 36.70A.622 (Residential parking regulations), which requires parking spaces not to exceed 8 feet by 20 feet except for ADA stalls.

(2) For the purpose of these standards:

- (a) The minimum dimensions for each parking space for a nonresidential use are eight and one-half feet wide by 18 feet long.
- (b) The minimum dimensions for each parking space for a residential use are eight feet wide by 18 feet long.
- (c) The maximum dimensions for each parking space (except for designated handicapped spaces) are 10 feet wide by 20 feet long.
- (d) On a corner lot, a parking space may not be in the front or corner side yards.
- (e) No off-street parking space is allowed to back out directly onto any major or minor collector road, as designated in the city's comprehensive plan.

17.105.140(3) Minimum required off-street parking spaces.

i Added subsection (3) for compliance with RCW 36.70A.622 (residential parking regulation), which states, *"Parking spaces in tandem must count towards meeting minimum parking requirements at a rate of one space for every 20 linear feet with any necessary provisions for turning radius."* The definition for "tandem" is included in Chapter 17.20.

- (3) Parking spaces in tandem count towards the minimum parking requirement for residential development at a rate of one space per 20 linear feet with necessary provisions for turning radius.

- i** Added parking requirement for “co-living housing” consistent with RCW 36.70A.535 Co-living Housing. The definition for “major transit stop” is included in Chapter 17.20.
- i** Removed parking requirement for “boarding/rooming houses” because this use is now regulated as “co-living housing”. The remainder of the table was excluded and will be updated with the parking code updates in the future.

(4) Table 17.105.140(4) establishes the minimum off-street parking requirement for each type of use.

Table 17.105.140(4) Off-Street Parking Requirements

Use	Parking Requirement
Residential Development	
Boarding/Rooming Houses	1 space per bedroom
Co-living Housing	0.25 spaces per sleeping unit, except that no parking is required within one-half mile walking distance of a major transit stop

EXHIBIT H

17.148.040(6)(c) Transportation concurrency – Exempt development.

i Added subsection 17.148.040(6)(c) to exempt the addition of residential units within an existing building from transportation concurrency requirements when the requirements of SMC 17.25.165 (Conversion to residential use in an existing building) have been met. This change complies with RCW 35A.21.440.

(6) *Change in Use.* For the purpose of this chapter, a change in use is not exempt unless one of the following conditions apply:

- (a) If the applicant submits information demonstrating that the change in use has an equal or lesser impact on affected transportation facilities than the previous use, then the Public Works Director may determine that a certificate of capacity is not required; or
- (b) The change of use results in the addition of residential units within an existing building meeting the requirements of SMC 17.25.165.

EXHIBIT I

12.04.020(1) Sewer system rates.

i Added the definition of “Co-living housing” consistent with RCW 36.70A.535 Co-living housing.

"Co-living housing" means a residential development with sleeping units that are independently rented and lockable and that provide living and sleeping space, as well as kitchen facilities that may be shared with other sleeping units in the building.

12.04.020(11) Sewer system rates.

i Added new section to establish rates consistent with RCW 36.70A.535 Co-living housing.

(11)*Co-living Housing Rates.* One sleeping unit in co-living housing is 0.5 dwelling unit for the purpose of calculating fees for sewer connections.

EXHIBIT J

Findings of Fact and Conclusions

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Exhibit C
Land Division Ordinance

**CITY OF STANWOOD
WASHINGTON**

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, AMENDING STANWOOD
MUNICIPAL CODE (SMC) **TITLE 18, UNIFIED DEVELOPMENT CODE**, 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 City of Stanwood recognizes the need to modernize its subdivision regulations to better reflect consistency with the 2024-2044 Comprehensive Plan housing goals and policies; and

WHEREAS, existing subdivision code provisions limit flexibility in lot design, creating potential barriers to subdivision design and housing types; and

WHEREAS, updating the subdivision code will allow for more diverse lot configurations that support efficient land use, environmental stewardship, and neighborhood compatibility; and

WHEREAS, the City is committed to promoting housing diversity and affordability by facilitating the development of "missing middle" housing types such as duplexes, triplexes, townhomes, and cottage housing; and

WHEREAS, the Growth Management Act (RCW 36.70A) requires jurisdictions to plan for a range of housing types and densities that meet the needs of all income levels, and to ensure that development regulations do not unduly inhibit housing production; and

WHEREAS, recent updates to state housing laws, including those adopted in the 2023 legislative session, mandate that local development codes support housing diversity and streamlined review processes; and

WHEREAS, updating the subdivision code will help ensure the City remains in compliance with state law and is eligible for state funding, technical assistance, and planning grants; and

WHEREAS, the City desires to align its subdivision regulations with the Comprehensive Plan goals for compact, walkable neighborhoods, infrastructure efficiency, and sustainable growth.

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

WHEREAS, pursuant to RCW 36.70A.106, the City submitted the proposed code amendment for the 60-day review to the Washington State Department of Commerce on _____, 2025. The 60-day review period was completed on _____, 2025; and

WHEREAS, the code amendment was circulated for public review on _____ through _____, 2025; and

WHEREAS, the City received comments on the draft amendments from _____; and

WHEREAS, their comments have been incorporated into the amendments; and

WHEREAS, a SEPA determination of non-significance for the draft ordinance was issued on _____, 2025, and the comment / appeal period ended on _____, 2025; and

WHEREAS, the Stanwood Community Development Committee reviewed the draft ordinance at their _____, 2025, meeting and has recommended that the City Council adopt the ordinance; and

WHEREAS, the Stanwood Planning Commission held their first reading of the ordinance on _____, 2025, held a public hearing on ordinance on _____, 2025, and forwarded their findings of fact and conclusions recommending to approve the ordinance on _____, 2025; and

WHEREAS, all persons desiring to either provide written testimony or speak for or against the ordinance were given the opportunity to do so before both the Planning Commission and City Council; and

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

WHEREAS, the City Council of Stanwood has authority under RCW 36.70A to adopt plans and regulations related to development and operations within the City of Stanwood; and

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

Section 1. Stanwood Municipal Code Chapter 11.____, is amended as provided in Exhibit A attached to this ordinance and incorporated herein by reference as if set forth in full.

Section 2. Stanwood Municipal Code Title 18 Part 1, General Provisions, is amended as provided in Exhibit B attached to this ordinance and incorporated herein by reference as if set forth in full

Section 3. Stanwood Municipal Code Title 18 Part 2, Applications, is amended as provided in Exhibit C attached to this ordinance and incorporated herein by reference as if set forth in full

Section 4. Stanwood Municipal Code Title 18 Part 3, Permits, is amended as provided in Exhibit D attached to this ordinance and incorporated herein by reference as if set forth in full.

Section 5. Stanwood Municipal Code Title 18 Part 4, Land Divisions, is adopted to read as shown in Exhibit E attached to this ordinance and incorporated herein by reference as if set forth in full.

Section 6. 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 7. 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 8. Effective Date. This Ordinance shall take effect five days after its passage and publication as required by law.

PASSED and APPROVED this ____ day of _____, 2025.

CITY OF STANWOOD:

Sid Roberts, Mayor

Attest:

Lisa Sokolik, City Clerk

Approved as to Form:

Nikki Thompson, City Attorney

Date of Publication: _____

Effective Date: _____

EXHIBIT A

Title 11 Streets and Public Rights-of-Way

Chapter 11.__ Chapter_Title_Here



Edits to the chapter we'll need in Title 11 go here. Note Exhibit number automatically updates in footer based on the content of the paragraph with the "Ordinance Exhibit Number" style above.

EXHIBIT B

Title 18 Unified Development Code

Part 1 General Provisions

Chapter 18.100 General Provisions

18.100.050 Rulemaking Authority

- (1) Consistent with the intent of the Comprehensive Plan and this title, the Director may issue written rules as the Director deems necessary to carry out the provisions of this title. Such rules may include but are not limited to the following:
 - (a) Information to be required in the application, including, without limitation, proof of legal interest in the property, authority to sign the application, drawings, maps, data, and charts concerning land and uses and areas in the vicinity of the proposed development, and appropriate supplementary data reasonably required to describe and evaluate the proposed development and to determine whether the proposed development complies with statutory criteria under which it might be approved; and
 - (b) Requirements for the conduct and continuance of public hearings and the methods of providing public notice on projects and permits.
- (2) The Director may administratively determine the format and contents of permits, application forms, application checklists, additional information needs, and notices above and beyond the minimums set forth in this code.

Chapter 18.102 Definitions

- i** This chapter will get updated with every ordinance that adopts parts of the Unified Development Code. *Italicized text is instructions to the code reviser.*
- i** Definitions pertaining to Land Divisions and the contents of Part 4 have been moved here from Chapter 18.20. Appropriate portions of Title 17 will be redlined in separate documentation.
- i** New definitions have been added for compliance with unit lot subdivision requirements (RCW 58.17.060) and new lot split regulations.

The definitions below are added to the identified sections in this chapter.

18.102.010 Applicability

No change.

18.102.015 Rules of Interpretation

No change.

18.102.020 "A" Definitions

18.102.030 "B" Definitions

“Binding site plan” means a drawing to scale which:

- (1) Identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by the city of Stanwood;
- (2) Contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of land as established by the city;
- (3) Contains provisions for making any development be in conformity with the site plan; and
- (4) Contains provisions in which an applicant can offer for sale, lease, or transfer of ownership of lots, parcels or tracts.

“Boundary line adjustment” means the adjustment of boundary lines that does not create any additional lot, tract, parcel, site or division, nor creates any lot, tract, parcel, site or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site.

18.102.040 "C" Definitions

“Cluster development” means a division of land into lots for use as single-family detached building sites, where said lots are arranged into groups having area and yard measurements less than that required as stated in the tables of dimensional and density requirements for various zoning districts.

18.102.050 "D" Definitions

“Declaration of short subdivision” means a document signed by all persons having any real interest in the land being subdivided and acknowledged before a notary that they signed the same as their free act and deed. The declaration shall, as a minimum, contain the following elements:

- (1) A legal description of the tract being divided and all parcels contained therein;
- (2) A survey map;
- (3) If applicable, the restrictive covenants;
- (4) A statement by the signatory that he or she is, in fact, the owner of the property being subdivided;
- (5) An agreement by the signatory to indemnify the city for all costs or damages, including attorney’s fees, incurred by or charged against the city as a result of the signatory not being the owner of the property being subdivided;
- (6) A statement by the owner that the short subdivision is made with his or her free consent; and
- (7) A title report or plat certificate.

“Dedication” means the deliberate appropriation of land by an owner for the general and public uses, reserving to himself or herself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat or short plat showing the dedication thereon, and the acceptance by the public shall be evidenced by approval of such plat for filing by the city.

“Deed” means a written instrument under seal by which an estate in real property is conveyed by the grantor to the grantee.

“Density” means the number of permitted dwelling units allowed on each acre of land or fraction thereof.

Density, Gross. See “Gross density.”

Density, Net. See "Net density."

18.102.060 "E" Definitions

"Easement" means a right granted by a property owner to specifically named parties or to the public for the use of certain land for specified purposes. Where appropriate to the context, "easement" may also refer to the land covered by the grant. This may include access, pedestrian paths, bicycle paths, utility easements, drainage, open space, etc.

18.102.070 "F" Definitions

"Final approval" means the final official action taken by the city council on the plat, subdivision, or dedication, or portion thereof, which has previously received preliminary approval.

18.102.080 "G" Definitions

"Gross density" means the number of units that are permitted per gross acre of land proposed for development.

18.102.090 "H" Definitions

"Homeowners' association" means a private, nonprofit corporation of homeowners of a fixed area constituted for the purpose of owning, operating, and maintaining various common properties.

18.102.100 "I" Definitions

18.102.110 "J" Definitions

18.102.120 "K" Definitions

18.102.130 "L" Definitions

"Lot" means a fractional part of divided land having fixed boundaries and being of sufficient area and dimensions to meet minimum zoning requirements for width, depth, and area. This term shall also include tracts or parcels, but shall not include land divided for purposes of financing or taxation.

"Lot area" means the total horizontal area contained within the boundary lines of a lot.

"Lot depth" means the mean horizontal distance between the front and rear lot lines of a lot measured within the lot boundaries.

"Lot, parent" means the original parcel of land subdivided into smaller lots through a land division process.

"Lot of record" means an area or parcel of land as shown on an officially recorded plat or subdivision, or an area or parcel of land to which a deed or contract is officially recorded as a unit of property, or which is described by metes and bounds, or as a fraction of a section.

"Lot split" means the administrative process of dividing an existing lot into two lots in a residential zone for the purpose of gift, sale, lease, or transfer of ownership pursuant to this chapter.

"Lot split survey" means the final survey prepared for filing for record with the county auditor and containing all elements and requirements for a lot split under this section and any local regulations.

"Lot, unit" means a lot created from a parent lot and approved through the unit lot subdivision process. Also referred to as "child lot."

"Lot width" means the mean horizontal distance between the side lines, measured at right angles to the side lot line. Where side lot lines are not parallel, the lot width shall be considered as the average distance between such side lot lines.

18.102.140 "M" Definitions

18.102.150 "N" Definitions

"Net density" means the number of units achievable per net acre of land proposed for development.

18.102.160 "O" Definitions

18.102.170 "P" Definitions

"Plat" means a map, plan, or layout of a subdivision of land, indicating the location and boundaries of individual properties.

"Preliminary plat" means an approximate drawing showing the layout of a proposed subdivision, including streets, alleys, lots and open space, and containing all elements required by this code. The preliminary plat shall be the basis for the approval or disapproval of the final plat.

"Final plat" means that map, plan, or layout of a subdivision of land which is filed after completing the improvements, accompanied by certifications that the improvements have been satisfactorily completed and are recorded with the auditor, and showing all elements required by this code and the RCW.

"Preliminary approval" means the official action taken on a preliminary plat, subdivision, project or dedication by the city. The applicant shall be entitled to final approval when all conditions attached to the preliminary approval are met or improvements have been provided.

"Private road" means an easement or parcel created to provide access from a public right-of-way to a private lot, the maintenance of which is the responsibility of the private lot owners having access thereto.

"Public street" means a street affording the principal means of access to abutting property, and dedicated to or maintained by the city of Stanwood, Snohomish County, or the state of Washington.

18.102.180 "Q" Definitions

18.102.190 "R" Definitions

"Right-of-way" means a street, alley, or other thoroughfare or easement, whether physically accessible or not, that has been permanently established or dedicated for the passage of persons or vehicles. Title to this land remains with the public or private agency until the need no longer exists.

Road, Private. See "Private road."

18.102.200 "S" Definitions

"Short plat" means the map or graphic representation of a short subdivision.

"Sidewalk" means that portion of a transition strip improved for pedestrian traffic in accordance with standards fixed by the public works director. "Transitions strip" means that portion of the public street abutting a tract of land lying between the traveled portion of the street and the property lines.

"Street" means a public thoroughfare which provides the principal means of access to abutting properties including an avenue, drive, boulevard, parkway, highway and any similar way, but not including an alley.

"Street line" means the dividing line between any street, road or other thoroughfare and the adjacent lots.

Street, Public. See "Public street."

"Subdivision" means the division of land into two or more lots, tract parcels, sites or other divisions of land for the purpose of transfer, sale, or lease and includes all resubdivision of land.

“Short subdivision” means the division or redivision of land into two to nine lots, tracts, parcels, sites, or divisions for the purpose of gift, sale, lease, or development.

“Long subdivision” means the division or redivision of land into 10 or more lots, tracts, parcels, sites, or divisions for the purpose of gift, sale, lease, or development.

18.102.210 "T" Definitions

“Tract” means an area of land. This term is used interchangeably with the term “lot” or “block,” particularly in the context of subdivisions, where one “tract” may be subdivided into several lots or blocks.

18.102.220 "U" Definitions

“Unit lot subdivision” means the division of a parent lot into two or more unit lots within a development and approved through the unit lot subdivision process.

“Utilities easements” means rights-of-way that may be used by public utilities, including, but not limited to, electricity, water, natural gas, sewer, stormwater, telephone, and television cable for the construction, operation, maintenance, alteration, and repair of their respective facilities.

18.102.230 "V" Definitions

18.102.240 "W" Definitions

18.102.250 "X" Definitions

18.102.260 "Y" Definitions

18.102.270 "Z" Definitions

“Zero lot line home” means a residential development approach in which a building is sited on one or more lot lines with no yard area along these lot lines. Conceivably, three of the four sides of the building could be on the lot lines. The intent is to allow more flexibility in site design and to increase the amount of usable open space on the lot. Zero lot line homes may only be built within the context of a zero lot line development.

EXHIBIT C

Title 18 Unified Development Code

Part 2 Applications

Chapter 18.230 Review Process

18.230.020 Types of Review

- (1) *No change.*
- (2) *No change.*
- (3) *No change.*

 Any revisions to table of review types is in this exhibit.

Table 18.230.020-1 Types of Review

	Type 1 Director decision without notice	Type 2 Director decision with notice	Type 3 Hearing Examiner decision	Type 4 City Council decision
Applications Subject to this Type of Review	• Single-Family Residential Building Permits • Fire Permits • Multifamily Residential or Mixed-Use Projects ≤ 9 Units • Commercial and industrial development ≤ 12,000 square feet • Accessory Dwelling Unit • Administrative Zoning Code Interpretation • Binding Site Plan – Existing Development • Boundary Line Adjustment • Code Enforcement • Concurrency Evaluation • Encroachment (ROW) Permit	• Multifamily Residential or Mixed-Use Projects 10-60 Units • Commercial and Industrial Developments 12,001-30,000 Square Feet • Critical areas variance • Mixed-Use Developments > 20 Units • Minor Variance • Binding Site Plans – New Development • Reasonable Use Permit • Right to Farm • SEPA Determinations • Shoreline Substantial Development Permit • Short Subdivision • Waiver of 6-year forest practices moratorium	• Multifamily Residential or Mixed-Use Projects Over 60 Units • Commercial and industrial development over 30,000 square feet • Conditional Use Permit • Preliminary Plat • Essential Public Facilities • Long Subdivision • Shoreline CUP • Shoreline Variance • TN – Residential Subdivisions • Major Variance • TN – Commercial/Mixed-Use Projects • WCF Monopole • WCF Deviation • Code Enforcement Appeals • Building Code Appeals	• Development Agreement • Site-Specific Rezone

	Type 1 Director decision without notice	Type 2 Director decision with notice	Type 3 Hearing Examiner decision	Type 4 City Council decision
	• Floodplain Development • Final Plat • Grading • Home Occupation • <u>Lot Split Subdivision</u> • Manufactured Home Infill • Parcel Combination • Public Works Deviation Requests • Right-of-Way Permits • Sign • Technical Document Review • TN – Public Facilities • WCF Small Cell • WCF Co-Located • WCF Minor Modification •		• Administrative Appeals	
Pre-App Conference	Optional	Optional	Optional	Optional
Notice of Application	No	Yes	Yes	Yes
Standard Comment Period	None	15 days	15 days	15 days
Shoreline Permit Comment Period	None	30 days / 2 notices	30 days / 2 notices	30 days / 2 notices
Recommendation By	None	None	Director	Hearing Examiner
Standard Public Hearing Notice	None	None	10 days	10 days
Shoreline Public Hearing Notice	None	None	15 days	15 days
Pre-Decision Open-Record Public Hearing	No	No	Yes, held by Hearing Examiner	Yes, held by Hearing Examiner
Decisionmaker	Director	Director	Hearing Examiner	City Council
Notice of Decision	No	Yes	Yes	Yes
Review Time Period	65 days	100 days	170 days	170 days
Local Appeal To	Hearing Examiner	Hearing Examiner	None	None
Local Appeal Hearing	Open-Record	Open-Record	N/A	N/A

(4) *No change.*

(5) *No change.*

EXHIBIT D

Title 18 Unified Development Code

Part 3 Permits

18.310.080 Bonds, Securities, and Other Assurance Devices

 Still to do: Build out this section to describe all manner of bonding for land divisions.

 This is existing recently adopted 18.310.080 with additions migrated from the existing land division code.

- (1) The City may condition a permit approval to require the posting of a performance bond, maintenance bond, or other surety to ensure that the approval conditions are met to the satisfaction of the City.
- (2) The City may, upon request, allow or require the applicant to provide other suitable security, including but not limited to cash deposits, bonds, and assignment of banking accounts.
- (3) The City may impose a reasonable administrative fee to cover the City's costs of administering a bond or other security when such device is requested by the applicant. This fee may not be imposed when the City requires the provision of a particular form of bond or suitable security. Administrative fees may be proportional to the total amount of the bond or other suitable security.
- (4) If the improvements have not been constructed or maintained at the conclusion of the performance period, the City may pursue the bond funds to complete or maintain the improvements.
- (5) Assurance devices to ensure mitigation.
 - (a) An applicant may submit a request to defer installation of any, or a portion of, their mitigation as required by their permit approval where it is not feasible, practical, or effective prior to the City's final permit approval only when:
 - (i) seasonal or environmental factors affecting site conditions would result in low probability of plant survival;
 - (ii) project impacts occur in stages, and mitigation is only needed to align with specific phases of the project; or
 - (iii) compliance with regulatory requirements involves consultations or approvals from other agencies and cannot be finalized at the time of project approval.
 - (b) If approval is granted by the City, the applicant must provide financial assurance consistent with this section.
 - (c) Deferral may only be granted for up to 6 months, with one 6-month extension if the applicant provides reasonable justification for the delay.

EXHIBIT E

Title 18 Unified Development Code

Part 4 Land Divisions and Adjustments

 FYI, I inserted a bookmark covering all the content in this Part and set the TOC below to only show headings from within that bookmark. Be careful to not insert anything AFTER the current end of the document to keep this working.

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Chapter 18.400 General Provisions

i This list combines RCW 58.17.010 and intent statements described in SMC 16.05.010 Purpose and SMC 16.05.050 Administration. A few textual changes have been made to

- convert to plain language,
- mention compliance with traffic concurrency,
- mention safe walks to schools and bus stops,
- list additional utilities above and beyond water and sewer
- specifically call out coordinated roadway construction for interconnected development
- mention compliance with the rest of the Title

18.400.010 Purpose

- (1) The purpose of Part 4 is to regulate the layout, adjustment, and construction of land divisions and adjustments to ensure that they:

- (a) Promote public health, safety, and welfare;
- (b) Prevent overcrowding of land;
- (c) Lessen congestion in the streets and highways;
- (d) Maintain compliance with transportation concurrency (SMC 17.148 Transportation Concurrency Management);
- (e) Promote effective use of land;
- (f) Promote safe and convenient travel by the public on streets and highways;
- (g) Promote safe walking to schools and school bus stops;
- (h) Provide adequate light and air;
- (i) Adequately provide for water, sewer, drainage, utility services, fire, police, and other city services;
- (j) Adequately provide for parks and recreation areas, schools, and other public requirements;
- (k) Provide for proper ingress and egress and coordinates roadway construction for interconnected development;
- (l) Receive expeditious review and approval when applications conform with City standards, plans, and policies;
- (m) Adequately provide for housing and commercial needs;
- (n) Require uniform monumenting and conveyancing by accurate legal description; and
- (o) Ensure compliance with all applicable requirements in this Title.

i This section originally included sections SMC 16.05.020 General scope, SMC 16.050.040 Mandatory regulations, and SMC 16.05.030 Specific Exemptions. However, it has been heavily edited for clarity, simplicity consistency, and for integration with Parts 1-3

18.400.020 Applicability

- (1) Part 4 applies to Land Division and Land Adjustments.
 - (a) Land Divisions create two or more lots. This includes:
 - (i) Long Subdivision;
 - (ii) Short Subdivision;
 - (iii) Unit Lot Subdivision;
 - (iv) Lot Split;
 - (v) Cottage Subdivision;
 - (vi) Clustering;
 - (vii) Zero lot line;
 - (viii) Binding Site Plan.
 - (b) Land Adjustments change the configuration of lots but do not create new lots. This includes:
 - (i) Boundary Line Adjustment.
- (2) Part 4 does not apply to circumstances listed in RCW 58.17.040 except Boundary Line Adjustments (RCW 58.17.040 (6)).

- (a) Does not apply to... Divisions of land due to condemnation or sale under threat thereof by any agency or division of government vested with the power of condemnation;
- (b) Does not apply to... Any division of land for use solely for the installation of electric power, telephone, water supply, sewer service, or other utility facilities of a similar or related nature; provided, however, that any remaining lot or lots are consistent with the other requirements of this code.

i The following section was moved from SMC 16.50.010. It has been largely edited for consistency with relevant RCWs and for consistency with Title 13

18.400.030 Violations

- (1) RCW 58.17.300 prohibiting sale, offer for sale, lease, or transfer of any lot, tract, or parcel of land in violation of Chapter 58.17 RCW is incorporated by reference.
- (2) A violation of Chapter 58.17 is a gross misdemeanor and may also be enforced per SMC Title 13.
- (3) A violation of the regulations in Title 18 Part 4 may be enforced per SMC Title 13.

i The following subsection came from SMC 16.40.070 Alterations, vacations, and appeals (for binding site plans).

! **Staff -** This Changes and Amendments section formerly applied only to binding site plans. The Title does not have a process for amendments otherwise. Does the City want to allow a minor amendment process that does not need to go through the full process?

18.400.040 Changes, Amendments, and Replats

- (1) Once a land division or adjustment has been recorded, any change to the approved plat or site plan may require an amendment. The application materials, procedures, review criteria, standards, etc., are the same as for an amendment as for the initial application.
- (2) Land within a short subdivision approved within the last five years may not be further divided if it would result in ten or more total lots within the original short subdivision boundaries unless approved as a long subdivision. Where there have been no sales of any lots in a short subdivision, the applicant may withdraw the short subdivision application and submit a new application.

18.400.040 Filing for Record

- (1) The applicant is responsible for filing and recording the subdivision final plat, lot split, binding site plan, or boundary line adjustment with the Snohomish County auditor.
 - (a) The final plat must show a certificate signed by the auditor showing the date, time, and place the final plat was filed for record.
 - (b) Approval of the final plat is null and void if the plat is not recorded within 30 days after the date the last required signature has been obtained.
- (2) The applicant is responsible for filing additional paper copies with the Snohomish County assessor and community development director. All required paper copies must bear the auditor's recording data.
- (3) The final plat must not be filed with the auditor until the treasurer has certified that all delinquent taxes and assessments on the property as of the date of filing have been paid.

- (4) The final plat must not be filed or recorded until after it is approved. Should a plat or dedication be filed or recorded without approval, the city attorney may apply for writ of mandate in the name of and on behalf of the city council directing the auditor and assessor to remove from their files or records the unapproved plat or dedication of record.

Chapter 18.402 Standards for Land Divisions and Adjustments

i This chapter (former SMC 16.10 has been revised to put all development and design standards in one place. We have moved bulk and use standards related to lot size, lot dimensions, and density to this chapter from SMC 17.30.

18.402.010 Purpose

(1) <<Placeholder>>

18.402.020 Applicability

- (1) These standards apply to all lots created through a land division process or lots modified through a land adjustment process.

18.402.030 General Standards

- (1) Land divisions and adjustments must:
- (a) Preserve or enhance natural features of the site, including terrain, drainage, trees, and critical areas;
 - (b) Result in lot configuration appropriate for the location and contemplated use of land;
 - (c) Ensure the size, width, shape and orientation of each lot results in a satisfactory building site; and
 - (d) Comply with the provisions of this code and other applicable city standards.
 - (e) Avoid creating high terraces next to existing houses and neighborhoods.

18.402.040 Lot and Density Standards

- (1) A land division or adjustment must conform to the bulk and dimensional standards in Table 18.402.040-1 Bulk Standards – Density and Lot Dimensions, below.

i Based on staff direction, the next table was derived from density and lot size standards listed in the following tables:

17.060.010 Residential Development Standards

17.060.030 Residential/commercial zone development standards

17.060.040 Commercial and industrial development standards

17.060.045 Public Facility development standards

- ❗ City staff is working with FAR and lot depth and width ratios. If the City decides to move forward with FAR and ratios as in this table, more code should be added to explain FAR and show some demonstration calculations.
- ❗ “Base Standards” have been replaced with the density, lot area, lot width, and lot depth used for PRD for all zones, except for cells marked with *, where no PRD standard was provided and the base standard remains. The * will be removed in the final draft of the table; it’s only included here to help keep track of changes.
- ❗ By adopting the table below, the following code will be deleted:

17.60.020(2) Development Conditions – Residential Zones.

1. In the MR zone, single-family detached use requires a minimum land area of 4,500 square feet per unit, duplex use requires a minimum land area of 7,000 square feet, and townhome use requires a minimum land area of 2,000 square feet for end units, and 1,800 square feet for interior units. **Multiple structures may occur on a legal lot with a minimum of 20,000 square feet. (emphasis added)**
2. In the R 5.0 zone, duplexes and townhouses require a minimum land area of 7,000 square feet. Townhomes require a minimum land area of 2,000 square feet for end units, and 1,800 square feet for interior units. **Multiple structures may occur on a legal lot with a minimum of 7,000 square feet.(emphasis added)**

Standards for minimum lot size regarding “multiple structures” (bolded above) are proposed for deletion from the code. As written, these standards are only applicable to the MR and SR 5.0 Zones, and they may not allow for achievement of maximum densities.

17.60.020 (2)10 (footnote applicable only to the SR 9.6 Zone): The community development director or hearing examiner may reduce lot sizes to a minimum of 8,000 square feet and/or widths to a minimum of 60 feet for the fewest number of lot necessary if development under the city’s regular standards precludes the development from meeting minimum urban net density as established under the Growth Management Act. In addition, lots in plats vested to Snohomish County Standards prior to annexation may have lot size reduced to 5,000 square feet, lot width reduced to 50 feet and lot depth reduced to 75 feet; provided, that overall density of the plat conforms to the land use element of the Stanwood Comprehensive Plan.

17.60.030(2)5 (footnote applicable only to the TN Zone): Maximum density in the TN zone is calculated based on the total number of dwelling units of all types per gross acre. The density for each housing type within a project is determined by the minimum lot size.

17.60.040(2)11 (footnote applicable only to density for mixed use projects in the GC zone): Where residential uses are allowed, density shall be determined by the development standards required for the specific property, including but not limited to: height, parking, landscaping, lot coverage, recreational and open space, and stormwater.

- ❗ All references to “townhomes” have been changed to “townhouses.”

Table 18.402.040-1 Bulk Standards – Density and Lot Dimensions

	Residential Zones					Residential/ Commercial Zones		Commercial/Industrial Zones				Public Facilities Zones
	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN	DMU	NB	GC	PI	GI	PF
Maximum Density Dwelling units per gross acre	5	6	8	10	20	20	20	N/A	No limit	35%	N/A	N/A
Minimum Lot Area Square feet	3,000 for detached units, or 1,500 for attached units						3,000	6,000	10,000	20,000	1 acre	5,000
Minimum Lot Width Feet	1:1	1:1.2	1:1.2	1:1.2	1:1.5	1:1.5	1:1.5	None	None	None	None	None
Minimum Lot Depth Feet	1:3	1:3	1:3	1:3	1:4	1:3	1:5	None	None	None	None	None

- (2) Density standards cannot be changed through a variance.
- (3) Lot size is calculated as the minimum square footage allowed per lot.
- (4) Lot width and depth are calculated as the minimum number of feet.

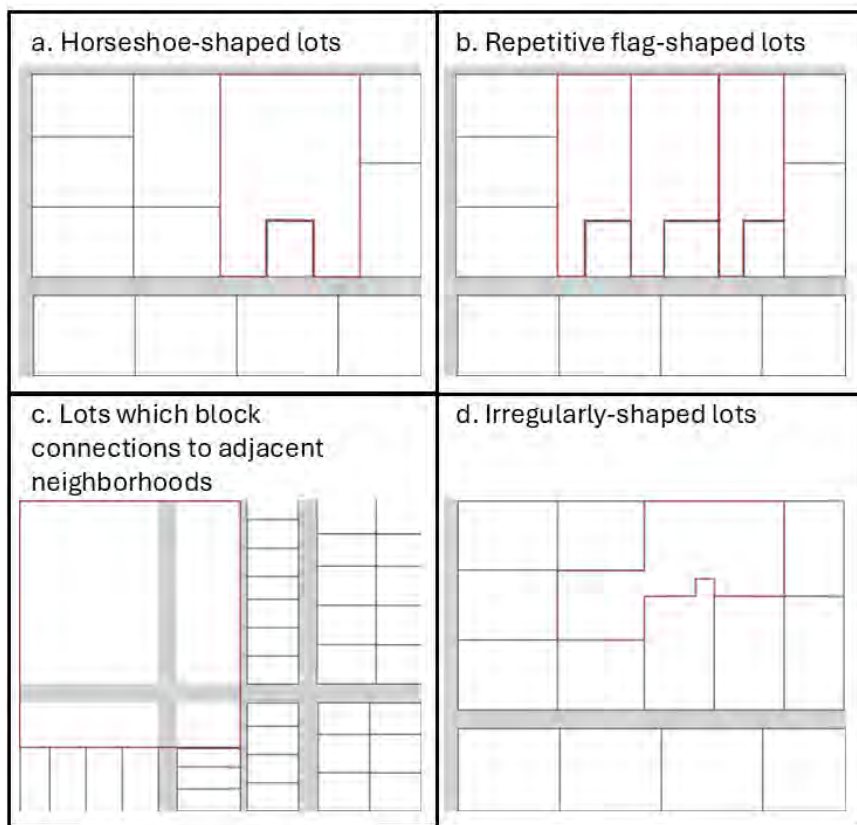
i The following standards are from the existing subdivision code with minimal changes. These are applicable to all zones.

- (5) Each lot must have direct access via a public street, private street, or legally established access easement to an existing public right-of-way. Access roads must conform to the city of Stanwood public works standards.
 - (a) The maximum number of lots that may be served by a private road is four in a short subdivision.
- (6) The square footage of land contained in access panhandles is not included in lot size computation.
- (7) Side lot lines must be substantially at right angles or radial to street lines.
- (8) Double frontage lots are prohibited, except where necessary to provide separation of residential development from traffic arterials, or to overcome specific disadvantages of topography and orientation. For such lots, a strip of land must be reserved along any lot line abutting a traffic arterial to which no right-of-access is allowed.

i The following standard to avoid irregularly shaped lots is not new, but graphics have been added to illustrate examples of lot shapes the City will not permit, and language has been strengthened from “avoid” to “prohibited.”

- (9) Irregularly shaped lots are prohibited. Examples, including but are not limited to the following, are illustrated in Figure 18.402.040-1 Prohibited Irregularly Shaped Lots

Figure 18.402.040-1 Prohibited Irregularly Shaped Lots



! Is the following standard meant to apply to all blocks? Just blocks containing schools, playgrounds, shopping centers, etc.? If this is covered in Street Standards SMC Chapter 14.14, this should be deleted. 18.402.050(4), below already cross references SMC 14.14.

(10) Rights-of-way for pedestrian walks, not less than 10 feet wide, are required to provide circulation or access to schools, playgrounds, shopping centers, transportation, and other community facilities.

i A second sentence has been added to the provision below to exempt unit lot subdivision child lots.

(11) Lots within a short subdivision must be designed so that lots adjacent to major collector streets, as defined in the city's Comprehensive Plan, are not allowed direct access. The public works director may approve access as an exception to the above requirement; provided, that:

- (a) Sight distance is proven adequate utilizing the posted speed plus 10 miles per hour to calculate the safe stopping distance.
- (b) The safety of the traveling public is not likely to be jeopardized.
- (c) The applicant is able to show to the satisfaction of the public works director that a hardship would exist if access is not approved.

i The following provision prohibiting approval of plats in a flood control zone (SMC 16.20.070 Plats within flood zone) was moved here from the final plat section (SMC 16.20) to apply to all subdivisions.

(12) No plat may be approved covering any land situated in a flood control zone as provided in Chapter 86.16 RCW without the proper written approval of the Department of Ecology, State of Washington.

i The following provision came from preliminary plat approval criteria, but it should be applicable to all lot creation and adjustments.

(13) Lots must be buildable without the need for a reasonable use exception pursuant to SMC 17.114.130.

18.402.050 Technical Standards for Subdivisions

(1) Plat drawings must be prepared in accordance with the following standards:

- (a) Plat drawings must be designed using an engineering scale and produced at a readable size.
- (b) Final plat drawings must be drawn in accordance with Snohomish County document format requirements for recording.
- (c) Accuracy of all information included on the plat is the responsibility of the applicant.
- (d) Additional drafting standards may be established by the Director.

i Permanent control monuments and survey standards were moved from Final Plat section per Ryan and Patricia's direction.

- (2) Permanent control monuments must be established at each and every controlling corner on the boundaries of the parcel of land being subdivided. The city must determine the number and location of permanent control monuments within the plat, if any.
- (3) The survey of the proposed subdivision and preparation of the plat must be made by or under the supervision of a registered land surveyor who must certify on the plat that it is a true and correct representation of the lands actually surveyed.

i Cross reference sections for streets, utilities, and easements have been consolidated into one section for simplification (combines SMC 16.10.020, 16.10.040, 16.10.050, and SMC 16.10.060). Incorporated into technical standards.

- (4) All projects must be developed as required in accordance with other provisions of this code and the city of Stanwood street and utility standards (Chapter 14.14 SMC).
- (5) Any plat filed for record must contain a certificate giving a full and correct description of the lands divided as they appear on the plat, including a statement that the subdivision has been made with the free consent and in accordance with the desires of the owner or owners.
- (6) All dedications of land pursuant to SMC 18.402.090 must be clearly and precisely indicated on the face of the plat. The following language must be inscribed on the face of the final plat:

All streets and parcels of land shown on this plat included for public use have been dedicated to the city of Stanwood to improve, maintain, or otherwise service the streets and/or land within or providing access to property described in this plat.

i The following provision came from SMC 16.20.080 Plats containing private streets. Incorporated into technical standards.

(7) If a plat contains a private street, the following language must be inscribed on the face of the final plat:

The City of Stanwood has no responsibility to build, improve, maintain or otherwise service the private roads within or providing access to property described in this plat.

- (8) When park, playground, recreational, community, or other general-purpose areas are conveyed to a homeowner's association or similar nonprofit corporation, the following must be placed on the face of the final plat:
- (a) Community area(s) (as identified on the map) must be designated as community open space to be owned and maintained in common for the benefit of all lot owners.
 - (b) The ownership interest in the community area(s) (as identified on the map) must be stated in the deed to each lot.
- (9) A statement similar to the following must be placed on the face of the final plat when park, playground, recreational, community, or other general-purpose areas have specific restrictive uses attached by the city council:
- Community area(s) (as identified on the map) must be left in a substantially natural state. No clearing, grading, filling, or construction is allowed to occur within the tract(s) other than that specifically authorized by the city of Stanwood and the (name of plat) homeowner's association.

i This section comes from SMC 16.25 Dedication of Land of Plats and Short Plats. This has been made more general to apply to all plats.

18.402.060 Dedication of Land

- (1) All streets, highways, and parcels of land shown on the final plat and intended for any public use must be offered for dedication for public use, except where the provisions provide for private streets.
- (2) Streets intended for future use as access to adjoining properties must be dedicated and constructed even though their immediate use is not required.
- (3) Easements being dedicated must be indicated in the certificate of dedication and on the face of the plat.
- (4) If the plat includes a dedication, the certificate must also contain the dedication of all streets and other areas to the public, and individual or individuals, religious society or societies or to any corporation, public or private, as shown on the plat. A waiver of all claims for damages against any governmental authority that may be occasioned to the adjacent land by the established construction, drainage, and maintenance of said road must be stated. Said certificate must be signed and acknowledged before a notary public by all parties having any interest in the lands subdivided.
- (5) Every plat containing a dedication filed for record must be accompanied by a title report confirming that the title of the lands as described and shown on said plat is in the name of the owners signing the certificate.
- (6) An offer of dedication may include a waiver of right of direct access to any street from any property, and if the dedication is accepted, any such waiver is effective. Such waiver may be required by local authorities as a condition of approval. Roads not dedicated to the public must be clearly marked on the face of the plat. Any dedications, donation, or grant as shown on the face of the plat must be considered to all intents and purposes as a quit claim deed to the said donee or donees, grantee or grantees, for his, her, or their use for the purpose intended by the donors or grantors as aforesaid.
- (7) If the council concludes that the public interest will be served thereby, the council may, in lieu of requiring the dedication of land in a subdivision for protective improvements, drainage ways, alleys, sidewalks, parks, playgrounds, recreational, community or other general purposes, allow the said land to be conveyed to a homeowner's association or similar nonprofit corporation.

18.402.070 Standard Plat Notes

i This is a new section where standard plat notes will be listed. Standard plat notes still need to be determined.

NOTE TO STAFF – Please send us standard plat notes to include in this section.

! As an alternative, this section can contain a list of cross references to existing plat notes, such as in the Street and Utilities standards.

18.404.080 Model Homes

i The following section on Model Homes is new, as requested by City Council. It is based on code found in neighboring jurisdictions and limits the number of model homes to 4.

NOTE TO STAFF: This proposed language takes the most conservative approach. Staff should feel free to delete any of these standards which they feel are not necessary.

- (1) Purpose. The purpose of this section is to permit the construction of model homes or a sales office in a Subdivision on an approved preliminary plat, prior to final plat approval. Allowing model homes reduces the time between final plat approval and occupation of showable units. Nothing in this subsection will be construed as permitting residential occupancy of the model homes prior to final recording. This subsection will not be construed to supersede or amend the purpose of this chapter or Title.
- (2) Eligibility. A subdivision having received preliminary plat approval is eligible to submit a permit for model homes or a sales office, provided the following criteria are met:
 - (a) The applicant has submitted and received approval of civil construction plans.
 - (b) Lot property corners of all lots proposed to be used for the model home and sales office have been set by a licensed, professional land surveyor in accordance with the preliminary plat lot configuration.
 - (c) Setbacks for the model homes and sales office must be measured from the proposed lot lines per the preliminary plat approval.

! City staff could add items to or delete items from this list below related to water, sewer, or stormwater requirements.

- (d) The following infrastructure providing access to or supporting the model homes and sales office has been installed consistent with conditions of preliminary plat approval, in accordance with the City's adopted standards and specifications, and meeting the approval of the appropriate City department:
 - (i) Fire access and fire protection requirements.
 - (ii) Road access from an existing public right-of-way.
 - (iii) Street signs.
 - (iv) Final road alignment, subgrade, and first lift of asphalt.
 - (v) Completion of frontage improvements including driveways, sidewalks, curb, gutter, utilities, lighting, and ADA complaint facilities.
 - (vi) Retention and detention facilities.

- (e) All critical areas on or immediately adjacent to the areas of the subdivision serving the model homes and sales office have been protected or mitigated, in accordance with adopted critical areas regulations and preliminary plat approval.
 - (f) All impact fees and facilities charges have been paid.
 - (g) Execution of an agreement with the City saving and holding it harmless from any damages, direct or indirect, as a result of the approval of the construction of model homes and a sales office on the site.
 - (h) An instrument recorded against the parcels containing the model homes or sales office stating "Model homes or sales office are subject to removal should the preliminary plat not receive final plat approval, or the approval period has expired." This instrument must remain in effect until the plat is recorded or the model homes and sales office are removed.
 - (i) Compliance with SMC 17.112 Architectural Design Standards
- (3) Application requirements. In addition to the general requirements in SMC XXXXX, the following information is required <<placeholder for cross reference to requirements for a single family residential building permit – or other base example. List below may change depending on base example used.>>
- (a) Narrative, site plans, approvals, and official documentation to demonstrate compliance with all eligibility criteria in this section.
 - (b) Name of approved preliminary plat.
 - (c) Parent tax parcel numbers involved in the complete development;
 - (d) Date of preliminary plat approval;
 - (e) Date of preliminary plat approval expiration;
 - (f) Copy of the preliminary plat approval;
 - (g) Overall site plan showing the preliminary plat, including phases (if applicable), and the location of all proposed model homes and the sales office;
 - (h) Parking configuration;
 - (i) Utility connections easements;
 - (j) Individual site plans showing the location of the model homes and sales office in relation to the property lines and setbacks consistent with the preliminary plat approval;
 - (k) Submittal of financial securities for bonding, described in section (6) below;
 - (l) Payment of all permit fees as set forth in the city's adopted fee resolution.
- (4) Occupancy Limitations.
- (a) A model home must not be occupied for residential use prior to recording of the final plat. No model home will be sold, leased, rented or otherwise transferred in ownership until the final plat is recorded.
- (5) Number of Units.
- (a) The number of model homes may not exceed 4.
 - (b) The number of sales offices may not exceed 1. If a sales office is included, it will be counted as one of the 4 allowable model homes.
 - (c) No new dwelling units other than model homes will be permitted within the approved preliminary plat prior to final plat approval and recording.
- (6) Bonding. The owners must post a bond in a form acceptable to the city attorney in an amount sufficient to:

- (a) Remove the model homes or sales office buildings or any portion thereof; and
 - (b) Restore the site to conditions as existing prior to the construction of the model homes or sales office.
- (7) Modifications.
- (a) Any modification proposed to an approved preliminary plat due to the subsequent placement of a model home will be processed according to SMC Title 18 Part 2 Applications.
 - (b) No variances will be allowed.
- (8) Conversion. A sales office must be converted to a residential unit prior to certification of occupancy for residential use.
- (9) Removal. The model homes, sales office, and all associated improvements must be removed within six months of any of the following events:
- (a) Preliminary plat approval has expired and no extension has been granted;
 - (b) The subdivision was denied final plat approval..

i The following new section provides exceptions for setback and lot size standards for lots created using the unit lot subdivision process. Lots created through unit lot subdivision could be sold fee simple, including housing types such as cottages, townhouses, or DADUs. This type of subdivision must be allowed as a short plats procedure, per new state law.

i The following section has been updated to meet the requirements of RCW 58.17.060.

18.402.090 Unit Lot Subdivision Standards

- (1) Purpose. The purpose of this section is to:
- (a) Provide opportunities for fee-simple ownership of land such as through townhouse or cottage housing developments, ADUs, or other detached small lot housing developments in zones where such uses are allowed.
 - (b) Allow development on individual unit lots to deviate from dimensional standards if the parent lot conforms to all applicable development standards.
- (2) Applicability. This section applies to the creation of unit lots, for the purpose of sale or lease, from a legally established parent lot. Unit lot subdivisions are processed as short subdivisions, pursuant to RCW 58.17.060.
- (3) Standards.
- (a) Within a unit lot subdivision, individual lots do not need to conform to minimum lot area requirements, minimum density, or other applicable dimensional and development standards for the zone, but the parent lot must comply with all applicable regulations.
 - (b) Subsequent modifications may not create a nonconformity in the parent lot.
 - (c) Parking required for each dwelling unit within a unit lot subdivision may be provided on a separate lot than the dwelling unit it serves, as long as a parking access easement is recorded on the plat.
 - (d) All common areas must be identified and managed by a home owner's association or collectively by the owners of the individual unit lots.
 - (e) The recorded unit lot subdivision, in addition to the requirements of SMC 18.404.070(2), must include:
 - (i) The title of the plat must include the phrase, "Unit Lot Subdivision."

- (ii) A note limiting further subdivision of each unit lot. This note must state that each unit lot is not a separate buildable lot, and that additional development of the individual lots may be limited as a result of the application of development standards to the parent lot;
- (iii) Easements for parking, ingress, egress, utilities, and emergency services; and
- (iv) Joint use agreements and maintenance agreements as necessary for garages, common parking spaces, outdoor amenity spaces, or shared open space.

i The following is a placeholder for standards for lot splits. If there are any standards that fit here, it will be a new section.

18.402.100 Lot Split Standards

i The following is a placeholder for standards for cottage subdivisions. Standards for this section have been moved here from Title 17.95.450 Residential Performance Standards for Cottage PRDs, and then edited for clarity and consistency

! Were there more standards in Title 17 regarding cottages? Or was this it?

18.402.110 Cottage Subdivision Standards

- (1) Purpose. <<placeholder>>
- (2) Applicability. This section applies to Cottage developments.
- (3) Standards:
 - (a) The minimum driveway length must 20 feet.
 - (b) Driveways may not be required if grouped parking meeting the standards for multifamily parking in Chapter 17.105 SMC is available.
 - (c) The maximum building area is 1,200 square feet.

i The following new section provides a special allowance for situations where a lot containing critical areas is being subdivided in residential zones. These provisions allow changes to the lot dimensions and setbacks in order to accommodate the same number of units or more on a smaller portion of the site. No additional density or height is allowed. Two options are provided here: one that would allow only detached units and one that would allow attached units (such as a duplex).

! **Staff** - The city should consider which residential zones should allow clustering. I would assume “all residential zones” would be anything indicated as residential in the Comp Plan’s FLUM.

18.402.120 Clustering Standards

- (1) Purpose. The purpose of this section is to:
 - (a) Allow density clustering to preserve critical areas.
 - (b) Achieve lot size reduction to protect the natural environment and encourage economically viable subdivisions.

- (c) Encourage a sense of community within residential development while protecting the natural environment and any critical areas.
 - (d) Allow for design flexibility and the provision of a more efficient arrangement of structures for providing necessary services and infrastructure that is sensitive to the land's natural features and topography.
 - (e) Achieve the maximum allowable density on developable land, while preserving critical areas and other pervious surfaces through lot size reduction.
- (2) Applicability. This section applies to all land divisions and adjustments in residential zones.
- (3) Design Standards. In addition to the requirements of the underlying zone, clustered density developments are subject to the following requirements:

i Under subsection (a), the City is only allowing density clustering when single of single family dwellings. This provision could also be edited to allow other middle housing types, such as duplexes, townhouses, etc.

- (a) Cottage housing projects may increase their density to 10 dwelling units per gross acre in the SR 12.4, SR 9.6, and SR 7.0 zones.
- (b) The minimum lot size of the underlying zone may be reduced by up to 50%.
- (c) The number of lots is determined based on the following:
 - (i) The net buildable area of the site is determined by subtracting the area of any critical areas and associated buffers.
 - (ii) The net buildable area of the site is then divided by the underlying zone's minimum lot area, reduced according to SMC 18.402.040(3)(c) to get the number of allowed lots. The number of allowed lots must be a whole number; rounding up is not allowed. <<placeholder for an example figure>>

! Under subsection (e), the City can allow lot size reductions up to a certain percentage. We suggested percentages based on peer research. The City could also choose to limit density clustering to certain development sizes, such as 1 acre or 5 acres.

- (d) The underlying zone's maximum building coverage may be increased up to 45% of the lot area.
- (e) Critical areas and their buffers must be held in a critical area tract or similar protection method acceptable to the City.

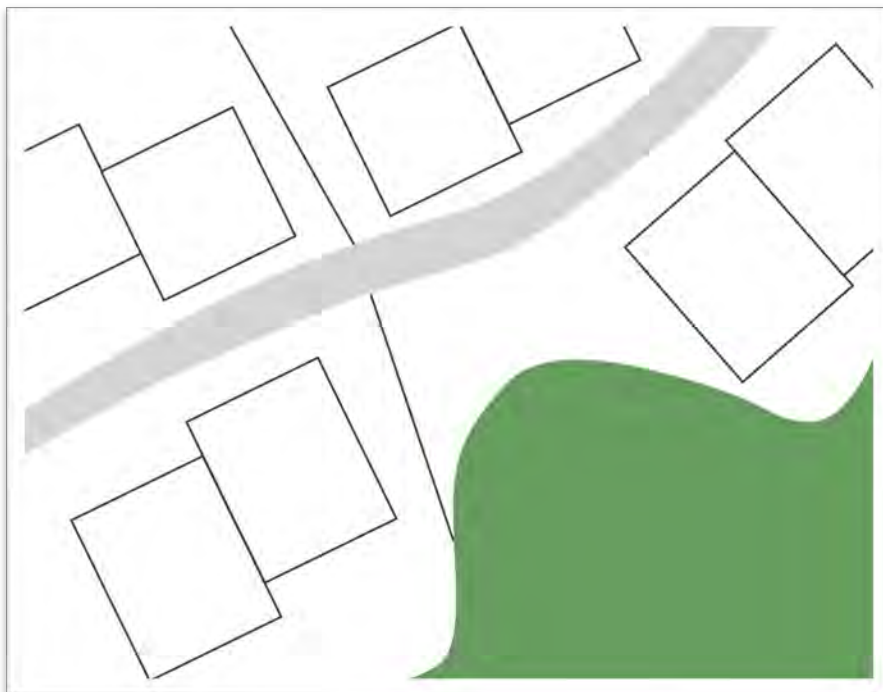
i This is a DRAFT graphic showing smaller lots, smaller setbacks, all detached as an alternative to current requirements.

Figure 18.402.040-2. In clustered residential development, the allowance for small lots enables the site to achieve eight developable lots, while protecting the critical area.



i This is a DRAFT graphic showing larger lots, smaller setbacks, including duplexes. The graphic could be updated to show the common tract.

Figure 18.402.040-3. An example of a clustered residential development with duplexes (attached units).



 The following new section provides exceptions for side yard setbacks for zero lot line developments and adds additional design standards for privacy and screening. Lots created through zero lot line development could be sold fee simple. Does the City want to allow zero lot line developments in all residential zones?

18.402.130 Zero Lot Line Subdivision Standards

- (1) Purpose. The purpose of this section is to:
 - (a) Provide more usable private open space;
 - (b) Promote the efficient use of land;
 - (c) Protect critical areas; and
 - (d) Provide greater flexibility in site development standards while at the same time assuring that the residential character of the development is maintained.
- (2) Applicability. This section applies to zero lot line development, where a dwelling unit or garage is built adjacent to one or more property lines.
- (3) Design Standards.
 - (a) Side yard setbacks for internal lot lines may be reduced to zero, provided that the parent lot meets the setback requirements of the underlying zone.

 The following requirement is based on the existing code SMC 17.95.450 Cottage PRDs, which requires 20ft setbacks from internal private access streets.

- (b) Front yard setbacks from internal private access streets and/or driveways must be at least five feet or the access point of the garage or parking area must be at least 20 feet from the internal private access street. No portion of a garage or any garage door that may be in motion may cross any lot line.
- (c) Existing developments of detached condominiums or common wall townhouses may utilize the setback provisions of this section if converting to fee simple lots through a land division process meeting the requirements of this Title.

 The following requirement (d) is based on Issaquah's zero lot line requirements found in IMC 18.350.010. This is an option to provide maximum privacy between units but may be overly restrictive.

- (d) To maintain privacy, no windows, doors, air conditioning units, or other openings in the walls along a zero lot line structure are allowed except for windows that do not allow visibility into the interior side setback of the adjacent lot, such as clerestory or obscured windows.
- (e) Eaves along zero lot line structures may project a maximum of **18 inches** over the interior side property line.
- (f) Lots intended for zero lot line homes must be noted on the plat, together with minimum side setback areas and maximum building envelopes.

18.402.140 Condominiums

- (1) Condominiums must meet the provisions of RCW Chapter 64.34, Condominium Act

i The following chapter “Long Subdivisions” combines SMC 16.15 Preliminary Plats and SMC 16.20 Final Plats. This section can probably be reorganized to be less redundant. We have not a plain language rewrite yet, but we have removed sections that are not included in Part 2 (Procedures).

Chapter 18.404 Subdivision Process

i Simplified applicability section and removed rules based on Ryan and Patricia’s comments. Included procedures section outlining the 3 part process.

18.404.010 Applicability

This chapter applies to long subdivisions, short subdivisions, unit lot subdivisions, cottage subdivisions, clustering, and zero lot line.

18.404.015 Subdivision Procedures for Review

- (1) A preliminary plat or final plat application must be submitted, processed and reviewed in accordance with the procedures established in SMC Title 18 Part 2, Applications.
- (2) A subdivision is a three part process including:
 - (a) Preliminary plat review;
 - (b) Civil construction plan review;
 - (i) The applicant may submit an application for civil construction plan review after a complete preliminary plat application has been submitted in accordance with SMC 18.230.050.
 - (c) Final plat review.
 - (i) The applicant may submit the final plat application after the preliminary plat is approved. Submittal must occur within the effective period for the preliminary plat or by the end of the extension period.
 - (ii) All public improvements required by an approved preliminary plat must be constructed or secured pursuant to SMC 18.412.010(3) prior to final plat approval.
- (3) The subdivision permit approval term is pursuant to Table 18.310.010-1 SMC, Permit Terms and Extensions.

i The following Article I is based on SMP 16.15 Preliminary Plats. Most content remains the same, except for removal of application and procedural sections moved to Part 2 Applications.

Article I. Preliminary Plats

i This section was simplified. The table of plat requirements was removed, those items need to be established outside of the Code by the director per subsection 2 below. SMC 18.220.030 Application Contents includes

18.404.020 Preliminary Plat Application Contents

- (1) A preliminary plat application must include all items required in SMC 18.220.030 Application Contents, in addition to the following items listed below. Items may be waived by the Director if they are not applicable to the proposal:
 - (a) Preliminary plat drawings prepared to meet the standards of Title 18 Part 4 Land Divisions, and detailed requirements as determined by the Director.
 - (b) Supplemental plans, studies or reports as determined by the Director.
- (2) The Director may establish more detailed requirements for each of the items required for submittal of a complete application, including but not limited to content, size, scale, and number of copies. The requirements must be made available to the public in a checklist or other form.

18.404.030 Preliminary Plat Review Criteria

The city must approve or conditionally approve a preliminary plat application pursuant to SMC 18.230.120, if the following review criteria are met:

- (1) The preliminary plat meets the requirements of Title 18 Part 4 Land Divisions, Chapter 58.147 RCW, and applicable provisions of the Stanwood Municipal Code.
- (2) The preliminary plat conforms to the goals and policies of the city's comprehensive plan.
- (3) The preliminary plat serves the public use and interest. Adequate provisions must be made for, but are not limited to, the following:
 - (a) Landscaping and street trees through conformance with Chapter 17.145 SMC, Landscape Performance Standards;
 - (b) Open space and recreation through conformance with Chapter 17.147 SMC, Recreational and Open Space;
 - (c) Streets, alleys, sidewalks, and other public ways through conformance with adopted Level of Service standards, Chapter 17.148 SMC, Transportation Concurrency Management, and Chapter 11.12 SMC, Complete Streets Program;
 - (d) Sites for schools and school grounds through conformance with Chapter 17.148A SMC, School Concurrency;
 - (e) Safe walking conditions to schools;
 - (f) Drainage and stormwater management through conformance with Chapter 17.140 SMC, Stormwater Management Performance Standards;
 - (g) Availability of public facilities such as water, sewer, fire protection, parks, etc., if not adequately provided for within the subdivision;
 - (h) Protection of critical areas and floodplains through conformance with applicable regulations;
 - (i) Public health, safety, and welfare.
- (4) The preliminary plat establishes appropriate provisions for maintenance of privately-owned common facilities.

i The following Article II is based on SMP 16.20 Final Plats. Most content remains the same, except for removal of application and procedural sections moved to Part 2 Applications. There has been some reorganization to put standards into “application” and “review criteria” categories. More editing and review is needed to streamline the text and avoid duplication with other parts of the code.

Article II. Final Plats

i This section was simplified. The table of plat requirements was removed, those items need to be established outside of the Code by the director per subsection 2 below. SMC 18.220.030 Application Contents includes specific requirements for final plat applications – see column 1E. Those requirements are not duplicated here.

18.404.040 Final Plat Application Contents

- (1) A final plat application must include all items required in SMC 18.220.030 Application Contents, in addition to the following items listed below. Items may be waived by the Director if they are not applicable to the proposal:
 - (a) Final plat drawings prepared to meet the standards of Title 18 Part 4 Land Divisions, and detailed requirements as determined by the Director.
 - (b) Evidence that all improvements required by the preliminary plat have been completed or documentation of an agreement to assure completion of required improvements as provided for in SMC 18.410.010 and 18.410.020.
 - (c) Supplemental plants, studies or reports as determined by the Director.
- (2) The Director may establish more detailed requirements for each of the items required for submittal of a complete application, including but not limited to content, size, scale, and number of copies. The requirements must be made available to the public in a checklist or other form.

i This section is new, but it includes existing standards:

- o SMC 16.20.050 Drafting standards
- o SMC 16.20.060 Approval (partial)
- o SMC 16.20.090 Filing for record
- o SMC 16.20.100 Filing by subdivider
- o SMC 16.20.110 Dedication, acknowledgements, and certifications

18.404.070 Final Plat Review Criteria

The city must approve or conditionally approve a final plat application pursuant to SMC 18.230.120, if the following review criteria are met:

- (1) The final plat substantially conforms with the approved preliminary plat. Any inconsistencies are minor and do not increase the number of lots or substantially alter the location or nature of improvements.
- (2) The final plat meets all applicable conditions of the approved preliminary plat.

- (3) The final plat is technically correct and accurate as certified by the engineer or land surveyor responsible for preparing the plat.

i Simplified from final plat application requirements to more generally refer to “required certificates and statements of approval”. Allows the Director to determine what is required.

- (4) The final plat includes the required certificates and statements of approval as determined by the Director.
- (5) The final plat is consistent with the provisions of Chapter 58.17 RCW and other applicable State and local regulations.
- (6) If the subdivision is within 300 feet of a registered farm, the applicant must meet the notification requirements (SMC 17.102.070) of the city’s Right-to-Farm program.

Chapter 18.406 Lot Split Process

i This is a new chapter creating a one-step administrative process for lot splitting. It is modeled closely after HB 1096 (2025), which as of 3/14/2025 is still under consideration by the WA Legislature.

18.406.010 Applicability

- (1) This chapter applies to lot splits, where one residential lot is divided into two lots resulting in a parent lot and a new lot.
- (2) This chapter does not apply in the following situations:
 - (a) If a lot was created by a lot split, then the lot is not eligible for a lot split.
 - (b) If a lot split results in a lot of a size that would allow for further land division, then the lot is not eligible for a lot split. The lot may be divided through another land division process.
 - (c) If a lot is not buildable under adopted regulations including, but not limited to, critical areas, shorelines, stormwater, setbacks, impervious surface areas, and building coverage standards, then the lot is not eligible for a lot split.

18.406.020 Lot Split Procedures for Review

- (1) A lot split application is submitted, processed and reviewed as a subdivision pursuant to the requirements of Title 18 Part 4, Land Divisions and Adjustments.
- (2) If the lot split application meets all applicable review criteria, then the Director may approve the lot split after preliminary plat review. Final plat review pursuant to SMC 18.404.070 is not required.

18.406.030 Lot Split Application Contents

A lot split application is subject to SMC 18.404.020, Preliminary Plat Application Contents.

18.406.040 Lot Split Review Criteria

The city must approve or conditionally approve a lot split pursuant to SMC 18.230.120, when SMC 18.404.030, Preliminary Plat Review Criteria, and the following criteria are met:

- (1) No more than one new lot is created;
- (2) No private roads are created;

- (3) Both the parent lot and new lot meet the minimum lot size allowed under Chapter 18.402 SMC, Design Standards;
- (4) The parent lot is located in a residential zone;
- (5) If the lot split would require demolition or alteration of an existing dwelling unit that would displace a renter, the applicant must provide a displacement mitigation strategy that may include, but is not limited to, relocation assistance;
- (6) Sewer and water certificates of availability have been issued for the new lot;
- (7) Access and utility rights are granted or conveyed as necessary on or before recording of the lot split survey to provide access for the maximum number of dwelling units that could be developed on the newly created lot;
- (8) The Director determines that the application follows all applicable development regulations; and
 - (a) The lot split survey has been approved by the Director or other designee and includes a condition on the face of the survey that further lot splits of the parent lot and new lot are not authorized by this section.
 - (b) The lot split may be conditioned upon dedication of right-of-way on the parent lot to the extent such dedication is required under applicable codes, regulations, and design standards for the development or subdivision of the parent lot absent an administrative lot split.
 - (c) Development of dwelling units on the newly created lot may be conditioned upon construction of frontage improvements to a right-of-way adjacent to either the parent lot or the newly created lot to the extent required under applicable codes, regulations, and design standards.
 - (d) Any construction on the newly created lot is subject to all existing state and local laws including those specified in this section. Nothing in this section modifies the requirements for approval of residential building permits in Chapter 19.27 RCW.

i The following is based on the existing SMC 16.40 Binding Site Plans chapter. Articles 1 and 2 have been added to define the preliminary and final approval process. Code sections referring to application procedures have been moved to Part 2 Applications.

Chapter 18.408 Binding Site Plan Process

i Applicability section has been simplified. Does the City want to expand this section to include mobile home parks, condos, etc. See [RCW 58.17.035](#).

18.408.010 Applicability

This chapter applies to a division of land into lots or tracts for industrial or commercial use when the city has approved a binding site plan for the use of the land.

18.408.015 Binding Site Plan Procedures for Review

- (1) A binding site plan application must be submitted, processed and reviewed in accordance with the procedures established in SMC Title 18 Part 2, Applications.
- (2) A binding site plan is a three part process consistent with SMC 18.404.015 for subdivisions.
- (3) All development must conform with the recorded binding site plan. Development is subject to the terms of SMC 18.310.010.

Article I. Preliminary Binding Site Plan

i This section was simplified. SMC 18.220.030 Application Contents includes specific requirements for BSP applications – see column 2D. Those requirements are not duplicated here.

18.408.020 Preliminary Binding Site Plan Application Contents

- (1) Preliminary binding site plan applications must include all items required in SMC 18.220.030 Application Contents, as well as supplemental plans, studies or reports as determined by the Director.
- (2) The Director may establish more detailed requirements for each of the items required for submittal of a complete application, including but not limited to content, size, scale, and number of copies. The requirements must be made available to the public in a checklist or other form.

i The following section is based on SMC 16.40.010 and SMC 16.40.020. Sections pertaining to notice, application contents, and approval process have been incorporated into Part 2. Applications.

18.408.030 Preliminary Binding Site Plan Review Criteria

The city must approve or conditionally approve a binding site plan application pursuant to SMC 18.230.120, if the following review criteria are met:

- (1) The binding site plan and development conforms to all elements of the city's comprehensive plan.
- (2) The binding site plan meets the requirements of Title 17, Zoning.
- (3) The binding site plan considers the topography, drainage, vegetation, soils, critical areas, and any other relevant physical elements of the site.
- (4) The binding site plan and development is adequately served by public services, including:
 - (a) Water and sewer;
 - (b) Storm drainage improvements; and
 - (c) Fire hydrants.
- (5) The binding site plan provides access to all anticipated uses.
- (6) The binding site plan includes provisions for all appropriate deeds, dedications, and/or easements.

Article II. Final Binding Site Plan

i This section was simplified. Added authority of Director to establish detail requirements. Note, SMC 18.220.030 only includes requirements for “binding site plans” and does not differentiate between preliminary and final.

! We need more information about the preliminary and final BSP process. Are these different applications? Part 2 refers only to “binding site plans” and does not distinguish between preliminary and final; however, there are different permitting requirements based on the number of lots (1-8, 9 or more).

18.408.040 Final Binding Site Plan Application

- (1) A final binding site plan application must include all items required in SMC 18.220.030, Application Contents, as well as the following items listed below. Items may be waived by the Director if they are not applicable to the proposal:
 - (a) Survey Required for Binding Site Plans.
 - (i) A survey must be conducted by or under the supervision of a Washington State registered land surveyor. The surveyor must certify on the binding site plan that it is a true and correct representation of the lands actually surveyed and the survey was done in accordance with city and state law.
 - (ii) In all binding site plans, lot corner must be set before final approval can be granted.
 - (iii) In all binding site plans, perimeter monuments must be set before final approval can be granted.
 - (iv) In all binding site plans, control monuments must be set before final acceptance of public improvements. Performance guarantees must include the installation of all control monuments. Control monuments must be installed per city street and utility standards (Chapter 14.14 SMC)
 - (v) In all binding site plans, where final approval is to be granted by the acceptance of a performance guarantee, lot corner and perimeter monuments must be set. The performance guarantee must include the resetting of any monument that has been lost during construction of public improvements.
 - (vi) Dedication. Any dedication, donation or grant as shown on a binding site plan must be considered a statutory warranty deed to the said grantee for the use intended.
- (2) The Director may establish more detailed requirements for each of the items required for submittal of a complete application, including but not limited to content, size, scale, and number of copies. The requirements must be made available to the public in a checklist or other form.

i The following section is based on SMC 16.40.040 Standards. This section needs to be rewritten for clarity and better organization.

18.408.050 Final Binding Site Plan Review Criteria

Each binding site plan must meet the following review criteria.

- (1) The binding site plan must make provisions for:
 - (a) The public health, safety and general welfare.
 - (b) Public use reservations.
 - (c) Street right-of-way, realignment, dedication or widening.

(d) All applicable provisions of the zoning code.

(2) Design and Improvement Standards.

- (a) Design with Environment. The design and development of binding site plans must preserve the natural drainage, existing top soil, trees, natural vegetation, and wetlands to the maximum extent possible. Information generated through the environmental review process will be used in designing the development in such a way as to mitigate potential adverse environmental impacts.
- (b) Development with Existing Structures. In reviewing any project, all existing structures must comply with the standard of this title and zoning code requirements. However, if the structures are nonconforming, the applicant must bring the project into compliance to the maximum extent possible. This title does not allow the applicant to make a structure more nonconforming.
- (c) Site-Specific Energy. The use of the site-specific energy schemes must be encouraged that best offer opportunities for maximum use of southern exposures and the use of natural climate conditions.
- (d) Floodplain Regulations. Land located in the floodplain must be developed in accordance with floodplain regulations.
- (e) Landscaping. Landscaping is required on all projects per zoning code.
- (f) Parking and loading area. The parking and loading areas must be provided per zoning code requirements.
- (g) Outdoor Storage. Outdoor storage areas must be obscured from view from all streets and residential-zoned property with landscape or material screening.
- (h) Signs. All signs must be per zoning code requirements and city sign ordinance. All signage must be approved by the city and integrated into the building design and the overall site plan.
- (i) Lots and building setbacks. Lots and building setbacks must be configured per zoning code requirements.
- (j) Fire Hydrants.
 - (i) Fire hydrants must be installed per city hydrant requirements.
 - (ii) Fire hydrants must be approved and operating prior to wood framing of buildings.
 - (iii) Each building or building site must meet the city hydrant code requirements for distance. All distance must be measured along rights-of-way accessible to fire department vehicles.
- (k) Access and Circulation.
 - (i) Ingress, egress, and general circulation must be consistent with Chapter 11.12 SMC, Complete Streets Program and approved by the city engineer.
 - (ii) All binding site plans must provide for integrated pedestrian access between lots, as approved by the Director.
- (l) Streets. Whenever a project is proposed on an existing public street, frontage must be improved to current street and utility standards (Chapter 14.14 SMC) and subdivision standards.
- (m) Clearing and Grading.
 - (i) Before any site modification where existing critical areas would be disturbed or removed, a grading plan must be submitted to the city and approved by the city showing the extent of the proposed modification.
 - (ii) Debris and waste such as trees, timber, rocks, stones, junk, rubbish, or other waste materials of any kind must not be buried in any land or deposited in any surface water.

- (iii) All erosion control plans must comply with the city comprehensive drainage plan and ordinance.
- (iv) In critical drainage areas, no clearing of lots must be allowed until building permits have been issued.
- (n) Utilities Improvements.
 - (i) All utility facilities including but not limited to sewer, water, and drainage must be installed as required by city ordinance or by the city engineer.
 - (ii) Utility Improvement Plans. All street and utility improvement plans must be prepared by a state of Washington licensed civil engineer.
- (o) Easements. Permanent easements must be provided for utilities and other public services whenever requested by the city.
- (p) Underground Wiring.
 - (i) It is the intent of this provision to eliminate insofar as possible the installation of overhead wires and of wire carrying poles being henceforth developed under this title.
 - (ii) All projects must have all power lines, telephone wires, television cables, fire alarm systems and other communication wires, cables or lines placed in an underground location either by direct burial or by means of conduit or ducts with the exception of the fire alarm system, providing service to each lot or potential building site in the plat.
 - (iii) All such underground installations or systems must be approved by the appropriate utility company and adhere to all governing applicable regulations including, but not limited to, the city and state applicable regulations and specific requirements of the appropriate utility.
 - (iv) If the appropriate utility company determines that an underground system as proposed above cannot reasonably be installed according to accepted engineering practices, this requirement may be waived upon receipt of a written notice from said utility to the city engineer.
 - (v) All utility easements within a proposed binding site plan must be approved by the appropriate utility company before final acceptance of the binding site plan and must be shown in their exact location on the final drawing of said plan.
 - (vi) Nothing in this section or any other section of this title in relation to underground wiring must apply to power lines carrying a voltage of 15 KV or more, nor may it be construed to prohibit the placement of padmounted transformers, terminal pedestals, or other electrical and communications devices above ground, as determined by the appropriate utility involved.



Deleted “variance from code requirements” section: *“The community development director or public works director may accept some variations in code requirements when the binding site plan allows for viable sharing of facilities, including parking, landscaping, pedestrian access, and utilities.”* This originally carried

over from the existing code, but did not appear to have a process or clear purpose. Numerous example BSP codes were reviewed and none have a variance specific to BSPs. Is the City open to deleting this section?

Chapter 18.410 Boundary Line Adjustment Process

i This chapter is based on SMC 16.45 Boundary Line Adjustments. Minimal changes made to existing text.

i This section was simplified and updated for internal consistency. SMC 18.220.030 Application Contents includes specific requirements for BSP applications – see column 1E. Those requirements are not duplicated here.

18.410.____ Applicability

(1) This chapter applies to adjustment of an existing boundary line that does not result in a new lot.

18.410.____ Boundary Line Adjustment Procedures for Review

(1) A boundary line adjustment application is submitted, processed and reviewed pursuant to the requirements of Title 18 Part 4, Land Divisions and Adjustments.

18.410.010 Boundary Line Adjustments Application Contents

(1) Boundary line adjustment applications must include all items required in SMC 18.220.030 Application Contents, as well as the following specific items:

- (a) Scale drawing of the lots affected by the adjustment.
- (b) Adjusted legal descriptions of the lots affected by the adjustment prepared and certified by a registered land surveyor or title company.
- (c) Supplemental plans, studies or reports as determined by the Director.

(2) The Director may establish more detailed requirements for each of the items required for submittal of a complete application, including but not limited to content, size, scale, and number of copies. The requirements must be made available to the public in a checklist or other form.

i The following section (was SMC 16.45.030) has been revised to emphasize that all lots must meet zoning criteria and not need a variance or special exception to be developed. This is trying to avoid the creation of lots through the BLA process that cannot be developed without a variance or that are fully or mostly within critical areas.

18.410.020 Boundary Line Adjustment Review Criteria

The Director may approve a boundary line adjustment application if the following criteria are met:

- (1) No additional lots are created;
- (2) All lots must meet the dimensional standards required for lots in the applicable zone;
- (3) All lots must provide access that meets the standards of this code and the street and utility standards; and
- (4) The adjustment does not create new nonconforming conditions or worsen existing nonconforming conditions.

! No text changes have been made to this chapter, other than the title and numbering. Further revisions are needed after discussions with staff. Does this section work for you? Does this section match your practices? It seems very long and complicated. If you like the way it is written, we will do light edits for readability. If you want further changes, let's discuss these.

Chapter 18.412 Construction Improvements and Bonding

18.412.010 Construction Plan Review

- (1) Purpose. The purpose of this section is to establish procedures for reviewing site construction plans for site improvements. Site construction drawings are engineering documents that are required for improvements to a particular site.
- (2) Public Works Construction Plan Approval.
 - (a) Upon receipt of approval of a land use permit or preliminary subdivision, the applicant is required to apply for construction plan approval relating to following elements: on-site and off-site stormwater management, erosion control measures, public road and frontage improvements, dedication or deeding of right-of-way, street trees and other required landscaping elements, utilities, and any other improvement related to the development.
 - (b) The application for construction plan approval must include a completed construction plan review application form, plans and materials as outlined in the construction plan submittal checklist, and fee as set by council. The application for construction plan approval may be submitted after a complete preliminary subdivision application is submitted in accordance with SMC 18.230.050
 - (c) The applicant is required to obtain approvals from the postmaster and utility purveyors.
 - (d) Following approval of the construction plans and prior to any site work, the applicant must schedule a preconstruction meeting with the public works department. All contractors, subcontractors, and utility representatives are to meet to discuss and identify how they will address any issues related to the construction activity and minimizing impacts to the neighborhood and nearby facilities.
 - (e) Pursuant to SMC 18.412.030(2), the public works director may require a performance security to be in place before construction activities commence. Any performance security must be based on the public works director and/or designee project cost estimate.
- (3) Public Improvements Required Before Occupancy. No final plat approval or certificate of occupancy may be issued unless the required public improvements have been installed and accepted by the public works department or the applicant has provided a completion security pursuant to SMC 18.412.030(3) to ensure that all required public improvements will be completed and accepted within 12 months after final plat approval. Replacement trees to be located on public property must be planted prior to final plat approval. Replacement trees to be located on a private lot must be installed prior to issuing a final inspection or certificate of occupancy for that lot.
- (4) Dedication of Public Stormwater Facilities. Stormwater facilities must be dedicated to the city at the time of final plat approval. Multifamily and commercial stormwater facilities remain the responsibility of the property owner(s).
- (5) Maintenance of Dedicated Facilities until Acceptance. Facilities intended to be dedicated to the city must be maintained by the owner until such time as the dedication is accepted by the city.

(6) Protection against Defects.

- (a) Whenever public improvements are to be dedicated to the city, the applicant must post a maintenance bond or other sufficient surety pursuant to SMC 18.412.030(4) to guarantee that the applicant will correct all defects in such facilities or improvements that occur within two years after the acceptance of dedication of the improvements.
- (b) An architect or engineer retained by the applicant must certify to the city that all facilities and improvements to be dedicated to the city have been constructed in accordance with the approved construction plan and the requirements of this chapter. This certification must be a condition precedent to acceptance by the city of the offer of dedication of such facilities or improvements.
- (c) For purposes of this section, the term “defects” refers to any condition that requires repairs over and above the normal amount of maintenance required for a particular improvement.

(7) Authorizing Use and/or Occupancy before Completion of Development under Land Use Permits. When weather conditions or other factors beyond the control of the applicant (exclusive of financial hardship) make it unreasonable for the applicant to comply with all of the requirements of the permit (exclusive of subdivision approvals), the Director may authorize the commencement of the intended use or the occupancy of buildings, if the permit recipient provides a performance bond or other security to ensure that all of these requirements will be fulfilled within a reasonable period (not to exceed 12 months) and if the building official finds that such occupancy will not result in a safety or health hazard.

18.412.020 Public Work Standards

- (1) The most current version of the public work standards must govern all new construction and upgrading of transportation facilities, storm drainage facilities and utilities within city rights-of-way, whether occurring under permit or franchise, and other transportation-related improvements mandated by the city’s land use code.
- (2) Work and materials installed in the existing or future rights-of-way must conform to the currently adopted version of the public work standards.
- (3) The public work standards may be amended or revised by the public works director in accordance with the policies in this title and sound engineering practices. A copy of any such amendment or revision must be filed with the city clerk and be subject to a 10-day public comment period. Copies of the public work standards amendments or revisions may be secured from the department of public works at appropriate fees in accordance with copying charges established by the city council.
- (4) The public works director may adopt and incorporate into the public work standards, by reference, other federal, state, and local design standards and specifications and other professionally accepted engineering standards and specifications.
- (5) The currently adopted version of the public work standards must be available for review in the city clerk’s office, the public works department, and city website.

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Exhibit D

Bulk Matrix Zoning Standards Table Comparison

Bulk Matrix
Zoning Standards Table
Comparison

Residential Development – “BULK” – Standards

Proposed:

Table 17.60.020(1) Development Standards – Residential Zones

	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN-RES
<i>NOTE: Development standards pertaining to density, lot area, lot width, and lot depth are removed from this table for ease of review; however, these standards are not intended to be deleted by this ordinance.</i> <i>IBC=International Building Code</i>						
Front Lot Line Setback (Feet)	25	10	10	10	20	10
Rear Lot Line Setback (Feet)	25	20	15	15	5	15
Side Lot Line Setback, Internal (Feet)	5	5	5	5	25	5
Side Lot Line Setback, Corner (Feet)	15	15	15	15	25	15
Building Height ¹ (Feet)	30	30	30	30	40 ²	30
Lot Coverage (Percent)	40% ³	40%	40%	50%	40%	50%
Minimum Driveway Length (Feet)	None	20	20	20	N/A	20

(1) Development Conditions – Residential Zones. The following subsections correspond to footnotes referenced in Table 17.60.020(1).

i NOTE: With new table style many footnotes were not needed. Remaining footnotes were kept and renumbered.

1. Heights may be increased to 60 feet for high school facilities.
2. Maximum of three stories. The building must have a pitched roof and comply with the architectural elements of Chapter [17.112](#) SMC, Architectural Design Standards.
3. Greenhouses on farms within the SR 12.4 zone are excluded from maximum coverage calculations.

(2) Alternative Bulk Standards by Lot Type or Use in Residential zones.

Table 17.60.020(3) Alternative Bulk Standards by Lot Type or Use – Residential Zones

	Accessory Dwelling Unit	Accessory Building	Cottage Lot	Cluster Lot Subdivision	Unit Lot Subdivision	Attached Units or Zero Lot Line
Front Lot Line Setback (Feet)	Underlying Zoning	Underlying Zoning	10	10	10	10
Rear Lot Line Setback (Feet)	5	5	10	10	10	5
Rear Lot Line Setback, Alley (Feet)	0	0	5	5	5	0
Side Lot Line Setback, Internal (Feet)	5	5	5	3	IBC	IBC
Side Lot Line Setback, Corner (Feet)	10 or Sight Distance Triangle (Whichever Greater)	10 or Sight Distance Triangle (Whichever Greater)	10 or Sight Distance Triangle (Whichever Greater)	10 or Sight Distance Triangle (Whichever Greater)	10 or Sight Distance Triangle (Whichever Greater)	10 or Sight Distance Triangle (Whichever Greater)
Lot Coverage (Percent)	65%	10%	60%	60%	80%	80%
Maximum Building Size	1,000 square feet	20% of Principle Building	1,200 square feet	N/A	N/A	N/A

Existing:

17.60.020 Residential development standards.

(1) *Development Standards Table – Residential Zones.*

	SR 12.4	SR 9.6^{10, 11, 12}	SR 7.0	SR 5.0	MR
Density: maximum dwelling unit per gross acre. Density standards are not subject to the variance procedure.					
Base Standard	3.5	5	6	10 ²	20 ¹
PRD review	5	6	8	N/A	
Cottage	10	10	10	10	
Lot Area: minimum square feet for subdivision.					
Base Standard	12,400	9,600	7,000	5,000	20,000
PRD review	10,000	7,000	5,000	N/A	
Cottage	3,000	3,000	3,000	3,000	
Minimum Lot Width					
Base Standard	100'	75'	60'	50'	100'
PRD	85'	60'	50'	N/A	
Cottage	50'	50'	50'	50'	

	SR 12.4	SR 9.6^{10,} 11, 12	SR 7.0	SR 5.0	MR
Minimum Lot Depth					
Base Standard	100'	100'	80'	75'	200'
PRD	100'	80'	75'	N/A	
Cottage	60'	60'	60'	60'	
Front Setback					
Base Standard ⁴	20 – 30' ⁹	20 – 30' ⁹	20'	10 – 20' ^{3, 9}	20' ³
PRD	25'	10'	10'	N/A	20'
Cottage	10'	10'	10'	10'	
Accessory Structure ⁵	25'	25'	25'	20'	
Rear Setback					
Base Standard ⁴	25'	25'	20'	15' ³	15' ³
PRD	25'	20'	15'	N/A	5'
Cottage	10'	10'	10'	10'	20'
Accessory Structure ³	5'	5'	5'	5'	
Congregate Care					
Side Setback					
Base Standard ⁴	15'	10'	10'	5' ³	25' ³
PRD	20'	15'	15'	N/A	5'
Cottage	combined	combined	combined	5'	10'
Accessory Structure ⁵	5' each side	5' each side	5' each side	5'	

	SR 12.4	SR 9.6 ^{10, 11, 12}	SR 7.0	SR 5.0	MR
Congregate Care	10'	5'	5' 5'		
Corner Lot Side Setback					25'
Base Standard ⁴	15'	15'	15'	15'	
PRD	15'	15'	15'	N/A	
Cottage	10'	10'	10'	10'	
Accessory Structure	10'	5'	5'	5'	
Maximum Height					
Base Standard ⁴	30'	30'	30'	30'	40' ¹³
PRD	30'	30'	30'	N/A	20'
Cottage	30'	30'	30'	30'	
Accessory Structure	20'	20'	20'	20'	
Percent of Lot Coverage					
Base Standard	30 ⁷	35	40	50	40
PRD	40	40	40	N/A	
Cottage	40	40	40	40	
Accessory Structure ^{5, 6}	10 ⁷	10	10	10	
Maximum Building Area					

	SR 12.4	SR 9.6 ^{10, 11, 12}	SR 7.0	SR 5.0	MR
Cottage	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	N/A
Minimum Driveway Length					
Base Standard	None	None	None	20' ⁸	N/A
PRD	None	20'	20'	N/A	
Cottage	20'	20'	20'	20'	

(2) *Development Conditions – Residential Zones.* 1. In the MR zone, single-family detached use requires a minimum land area of 4,500 square feet per unit, duplex use requires a minimum land area of 7,000 square feet, and townhome use requires a minimum land area of 2,000 square feet for end units, and 1,800 square feet for interior units. Multiple structures may occur on a legal lot with a minimum of 20,000 square feet.

2. In the R 5.0 zone, duplexes and townhouses require a minimum land area of 7,000 square feet. Townhomes require a minimum land area of 2,000 square feet for end units, and 1,800 square feet for interior units. Multiple structures may occur on a legal lot with a minimum of 7,000 square feet.

3. The front, rear and side yard setbacks for attached dwellings in these zones are not intended to be applied to each individual dwelling when there are multiple buildings on a site. Rather, they are meant to be used to establish the minimum dimensional requirements for the perimeter of the housing development.

4. Setbacks are applicable to the primary structure, attached accessory structures and accessory dwelling units.

5. Excludes residential accessory structures.

6. Coverage for accessory dwelling units may be increased by 15 percent over the base coverage.

7. Greenhouses on farms within the SR 12.4 zone are excluded from maximum coverage calculations.

8. A 20-foot-long driveway from the front or rear is required in the SR 5.0 zone.

9. No two adjacent dwellings that front the same street shall have the same front yard setback unless otherwise approved by the city council. The front yard setback shall be randomly arranged with an equal number of dwellings at each increment. Setbacks shall be 20, 25 and 30 feet in the SR 12.4 and SR 9.6 zones. In the SR 5.0 zone, setbacks and structure placement shall be varied to accommodate the requirement for a 20-foot-long driveway from the front or rear in addition to the varied setback.

10. The community development director or hearing examiner may reduce lot sizes to a minimum of 8,000 square feet and/or widths to a minimum of 60 feet for the fewest number of lots necessary if development under the city's regular standards precludes the development from meeting minimum urban net density as established under the Growth Management Act. In addition, lots in plats vested to Snohomish County standards prior to annexation may have lot size reduced to 5,000 square feet, lot width reduced to 50 feet and lot depth reduced to 75 feet; provided, that overall density of the plat conforms to the land use element of the Stanwood Comprehensive Plan.

11. The community development director may approve reduced side and rear setbacks of five feet when the adjacent tract is devoted to open space, recreation space, or storm water detention. In addition, development on lots in plats vested to Snohomish County standards prior to annexation may conform to SR 5.0 zoning district standards for setbacks.

12. Heights may be increased to 60 feet for high school facilities.

13. Maximum of three stories. The building shall have a pitched roof and comply with the architectural elements of Chapter [17.112](#) SMC, Architectural Design Standards. (Ord. 1492 § 3 (Exh. C), 2021; Ord. 1440 § 4, 2017; Ord. 1418 § 11, 2016; Ord. 1294 § 18, 2011).

Residential / Commercial Mixed-Use “BULK” Standards

Proposed:

17.60.030 Residential/commercial zone development standards.

i Development standards pertaining to density, lot area, lot width, and lot depth and associated footnotes 5 and 10 are removed from this table for ease of review. These standards will be reviewed and adopted with the Part 4 Land Division UDC; however, these standards are not intended to be deleted by this ordinance.

(1) Development Standards Table – Residential/Commercial Zones.

Table 17.60.030(1) Development Standards – Residential/Commercial Zones

	TN-MU	DMU
<i>NOTE: Development standards pertaining to density, lot area, lot width, and lot depth are removed from this table for ease of review; however, these standards are not intended to be deleted by this ordinance.</i>		
Density (Existing Lot) ¹	20 dwelling units per acre	20 dwelling units per acre
Front Lot Line Standard (Feet)	0	0
Rear Lot Line Setback ² (Feet)	25	25
Side Lot Line Setback, Internal	IBC	IBC
Side Lot Line Setback, Corner ² (Feet)	10 Or Site Distance Triangle (Which Greater)	10 Or Site Distance Triangle (Which Greater)
Building Height ³ (Feet)	30	45
Maximum Building Coverage ² (Percent)	60%	90%

(2) Development Conditions – Residential/Commercial Zones. The following subsections correspond to footnotes referenced in Table 17.60.030(1).

1. Density may be increased to 30 dwelling units per acre for mixed-use developments if 100% of the required residential parking is provided on the ground floor and the building is at least LEED silver certified.
2. For automobile service stations, the cross-section areas of service station canopy supports where they meet the ground must be measured as coverage for the purposes of determining maximum lot coverage, and also must be used for measurement of setback requirements.
3. Height may be increased to 55 feet for hotels/motels in the DMU zone. Heights may be increased to 40 feet for multifamily, and mixed-uses in the TN residential designation and to 55 feet for multifamily, hotel/motels, and mixed-use buildings in the TN mixed-use designation if the structure has a pitched roof (not a shed roof).

(3) Alternative Bulk Standards by Lot Type or Use in Residential/Commercial zones.

Table 17.60.030(3) Alternative Bulk Standards by Lot Type or Use – Residential/Commercial Zones (in Feet)

	Attached Units or Zero Lot Line	Accessory Dwelling Unit	Accessory Building
Front Lot Line Setback	0	10	10
Rear Lot Line Setback	5	15	15
Rear Lot Line Setback, Alley	0	5	5
Side Lot Line Setback, Internal	IBC	IBC	5
Side Lot Line Setback, Corner	Sight Distance Triangle	Sight Distance Triangle	10 or Sight Distance Triangle (Whichever Greater)
Building Height	Underlying Zoning	24	20

Existing

17.60.030 Residential / commercial zone development standards.

	TN	DMU
Maximum Residential Density		
Single Family	20 du/ac ⁵ for all unit types	10 du/ac
Duplex		20 du/ac
Townhouse/ Apartment in Mixed-Use		20 du/ac ¹⁰
Multifamily		20 du/ac ¹⁰
Cottage		20 du/ac
Lot Areas Square Feet for Subdivisions		
Base Standard	None	2,500
Single Family	5,000	2,500
Duplex	6,000	2,500
Townhouse:		
End Lot	2,000	2,000
Interior Lot	1,800	1,800
Multifamily	20,000	7,000
Minimum Lot Width		
Base Standard	50'	35'
Minimum Lot Depth		
Base Standard	70'	75'
Minimum Front Setback ^{1,2}		
Based Standard	0	0
Accessory Structure	10'	10'
Attached Dwelling	0	0
Rear Setback ^{1,2,4}		
Base Standard	25'	25'
Accessory Structure	15'	15'
Side Setback ^{1,2}		
Base Standard	5' ^{6,7}	5'
Accessory Structure	5'	5'
Maximum Height		
Based Standard	30' ³	45' ³
Accessory Structure	20'	
Maximum Building Coverage ⁸		
Base Standard	60% ⁸	90%

Footnotes:

Development Conditions – Residential/Commercial Zones.

1. The front, rear and side yard setbacks for structures in these zones are not intended to be applied to each individual building when there are multiple buildings on a site. Rather, they are meant to be used to establish the minimum dimensional requirements for the perimeter of the development.
2. Setbacks are applicable to the primary structure and attached accessory structures.
3. Height may be increased to 55 feet for hotels/motels in the DMU zone. Heights may be increased to 40 feet for multifamily, and mixed uses in the TN – Residential designation and to 55 feet for multifamily, hotel/motels, and mixed-use buildings in the TN – Mixed Use designation if the structure has a pitched roof (not a shed roof).
4. Rear setbacks of 15 feet are required for residential uses. Setbacks may be reduced to five feet when property is served by an alley.
5. Maximum density in the TN zone is calculated based on the total number of dwelling units of all types per gross acre. The density for each housing type within a project is determined by the minimum lot size.
6. Side setback for commercial is zero.
7. Side setback for attached townhouse units and multifamily is zero for interior units and 10 feet for end units. Side setback for utilities and public facilities is 20 feet.
8. For automobile service stations the cross-section areas of service station canopy supports where they meet the ground shall be measured as coverage for the purposes of determining maximum lot coverage, and also shall be used for measurement of setback requirements.
10. Density may be increased to 30 du/acre for mixed use developments when 100 percent of the required residential parking is provided on the ground floor and the building is at least LEED silver certified.

Commercial / Industrial Use “BULK” Standards

Proposed:

Table 17.60.040(1) Development Standards – Commercial and Industrial Zones

	NB	GC⁶	PI	GI
<i>NOTE: Development standards pertaining to density, lot area, lot width, and lot depth and associated footnotes 11 and 13 are removed from this table for ease of review; however, these standards are not intended to be deleted by this ordinance.</i>				
Front Lot Line Setback ³ (Feet)	10	25	25	25
Rear Lot Line Setback ³ (Feet)	25	25	5 ¹	35 ¹
Side and Corner Lot Line Setback ³ (Feet)	10	10	5 ¹	25 ¹
Building Height (Feet)	30	35 ^{5,7,8}	35 ⁵	35 ^{2,4}
Lot Coverage ³ (Percent)	40%	70%	90%	90%

(4) Development Conditions – Commercial and Industrial Zones. The following subsections correspond to footnotes referenced in Table 17.60.040(1).

1. Where an industrial or manufacturing use abuts a residential zone, a 25 foot setback is required in the PI zone and a 50 foot setback is required in the GI zone.
2. Height may be increased to 50 feet for food processing plants, wholesale operations, warehousing operations, and freight distribution centers.
3. For automobile service stations, the cross-section areas of service station canopy supports where they meet the ground must be measured as coverage for the purposes of determining maximum lot coverage, and also must be used for measurement of setback requirements.
4. Height may be increased to 80 feet for feed and fertilizer operations abutting railroad corridors for silos and grain elevator structures only.
5. Height may be increased to 55 feet for hotels/motels.
6. General commercial mixed-use projects must comply with the specific standards of Chapter 17.65 SMC, Additional Standards – Downtown Mixed-Use Zoning Standards.
7. Maximum height of four stories for mixed-use projects. The building must have pitched roof or parapet roof design and comply with the architectural elements of Chapter 17.112 SMC, Architectural Design Standards.

8. The base height in the general commercial zone is 35 feet. Mixed-use buildings in the general commercial zone may be increased to 45 feet so long as the additional building height is stepped back 10 feet from the face of the building along the street frontage(s).

(5) Development Standards Table – Alternative Bulk Standards by Lot Type or Use in Commercial and Industrial zones.

**Table 17.60.040(3) Alternative Bulk Standards by Lot Type or Use – Commercial and Industrial Zones
(in Feet)**

	Accessory Building
Front Lot Line Setback	Underlying Zoning
Rear Lot Line Setback	5
Rear Lot Line Setback, Alley	5
Side Lot Line Setback, Internal	5
Side Lot Line Setback, Corner	Sight Distance Triangle
Building Height	20

Existing:

17.60.040 Commercial and Industrial Development Standards

	NB	GC ¹⁰	PI	GI
Lot Area: Minimum Square Feet for Subdivision				
Base Standard	6,000	10,000	20,000	1 Acre
Minimum Lot Width				
Base Standard	50'	70'	80'	100'
Minimum Lot Depth				
Base Standard	70'	70'	80'	100'
Front Setback ^{1,2,7}				
Based Standard	10'	25'	25'	25'
Accessory Structure	10'	25'	25'	25'
Rear Setback ^{1,2,7}				
Base Standard	25'	25'	5' ⁴	25' ⁴
Accessory Structure	15'	5'	5'	5'
Side Setback ^{1,2,7}				
Base Standard	10'	10'	5' ⁴	25' ⁴
Accessory Structure	5'	0	5'	5'
Maximum Height				
Based Standard	30'	35' ^{9, 14}	35' ⁹	35' ^{6,8}
Accessory Structure	20'	0	0	30'
Maximum Building coverage ^{3,7}				
Base Standard	40%	60%	80%	80% ⁵
Accessory Structure	10%	10%	10%	10%
Density for Mixed-Use Projects				
Base Standard		No Limit ^{11,12}	35% ¹³	

Footnotes:

Development Conditions – Commercial and Industrial Zones.

1. The front, rear and side yard setbacks for structures in these zones are not intended to be applied to each individual building when there are multiple buildings on a site. Rather, they are meant to be used to establish the minimum dimensional requirements for the perimeter of the development.
2. Setbacks are applicable to the primary structure and attached accessory structures.
3. Ten percent additional coverage is allowed for detached accessory structures in the NB, GC, and GI zones in addition to the allowance for the primary structure.
4. Where an industrial or manufacturing use abuts a residential zone, a 25-foot setback is required in the PI zone and a 50-foot setback is required in the GI zone.

5. Coverage may be increased to 40 percent for wholesale, moving van/storage and warehouse operations, 50 percent for petroleum products distribution and storage and school bus maintenance facilities, and 65 percent for mini-warehouse.
6. Height may be increased to 50 feet for food processing plants, wholesale operations, warehousing operations, and freight distribution centers.
7. For automobile service stations, the cross-section areas of service station canopy supports where they meet the ground shall be measured as coverage for the purposes of determining maximum lot coverage, and also shall be used for measurement of setback requirements.
8. Height may be increased to 80 feet for feed and fertilizer operations abutting railroad corridors for silos and grain elevator structures only.
9. Height may be increased to 55 feet for hotels/motels.
10. General commercial mixed use projects shall comply with the specific standards of Chapter 17.65 SMC, Additional Standards –Downtown Mixed-Use Zoning Standards
11. Where residential uses are allowed, density shall be determined by the development standards required for the specific property, including, but not limited to: height, parking, landscaping, lot coverage, recreational and open space, and stormwater.
12. Maximum of four stories. The building shall have pitched roof or parapet roof design and comply with the architectural elements of Chapter 17.112 SMC, Architectural Design Standards.
13. Density of Mixed-Use projects developed under the Planned Industrial Park standards (SMC 17.50.010) is limited to 35% of the gross floor area. Mezzanines shall not be counted in the gross floor area for the purpose of determining the total number of allowed units.
14. The base height in the General Commercial zone is 35 feet. Mixed use buildings in the General Commercial zone may be increased to 45 feet so long as the additional building height is stepped back 10 feet from the face of the building along the street frontage(s).

Public Facility Use “BULK” Standards

Proposed:

Table 17.60.045(1) Development Standards – Public Facilities Zone

	PF ^{1,2}
<i>NOTE: Development standards pertaining to density, lot area, and lot width are removed from this table for ease of review; however, these standards are not intended to be deleted by this ordinance.</i>	
Front Lot Line Setback (Feet)	25
Side Lot Line Setback (Feet)	25
Rear Lot Line Setback (Feet)	25
Building Height (Feet)	40
Maximum Building Coverage (Percent)	60%

Existing:

17.60.0450 Public Facility Development Standards

Development standards for the Public Facilities zone.

	PF ^{1,2}
Minimum Lot Area (Square Footage):	5,000
Minimum Lot Width:	50'
Front Setback:	25'
Side Setback:	25'
Rear Setback:	25'
Maximum Height:	40'
Building Coverage:	60%
Density:	N/A

Development Conditions:

1. The front, rear and side yard setbacks for structures in these zones are not intended to be applied to each individual building when there are multiple buildings on a site. Rather,

they are meant to be used to establish the minimum dimensional requirements for the perimeter of the development.

2. Setbacks are applicable to the primary structure and attached accessory structures.

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Exhibit E

Keller Annexation Report to City Council Committees

Keller Annexation:

Staff Report as Presented to May City Council Committees

Tyson O'Neil, representing KO Group LLC and KO2 LLC, has formally submitted a petition to annex approximately 26.75 acres of land located within the City of Stanwood's eastern Urban Growth Area (UGA). This marks the initial step in the annexation process, commonly referred to as the "10% petition."



The petition was originally scheduled for City Council consideration at the April 10th meeting. However, at the applicant's request, the item was withdrawn from the agenda to allow additional time to refine and update the proposal.

The subject property currently carries a pre-zoning designation of *Traditional Neighborhood – Mixed Use (TN-MU)*, which requires a mix of residential and commercial uses. In alignment with this designation, the applicant submitted a concept plan featuring a blend of open space, senior housing, multifamily residential buildings, commercial incubator spaces, and retention of existing on-site businesses.

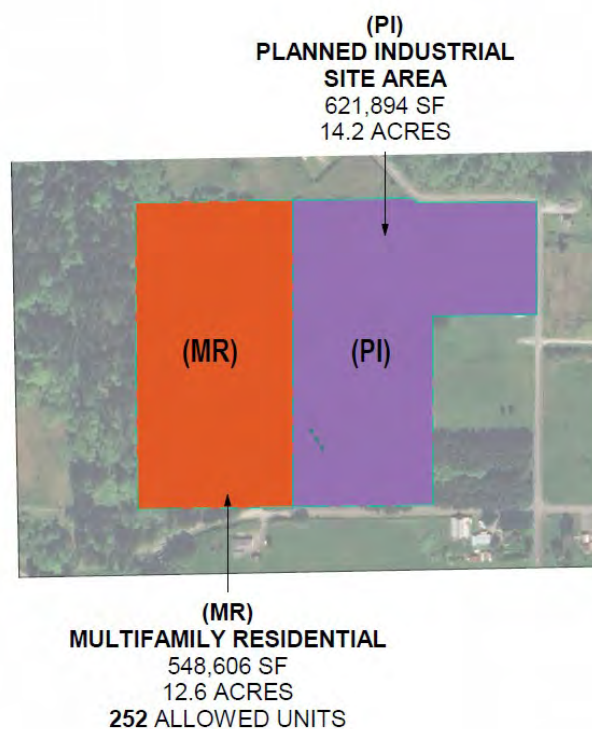
However, after further discussions with the applicant, it became clear that their primary interest lies in developing senior and assisted living facilities, along with a mix of commercial and light industrial incubator spaces intended to support small and startup businesses. The multifamily residential component included in the initial proposal was incorporated solely to conform with the TN-MU pre-zoning requirements.

To move forward with a project that focuses exclusively on senior living and incubator-style commercial/light industrial development, the applicant would need to request an amendment to the City's Comprehensive Plan and pursue a rezone as part of the annexation process. A more appropriate zoning approach would involve a combination of *Multifamily Residential (MR)* and *Planned Industrial (PI)* designations:

- **Multifamily Residential (MR):** This zone permits assisted living facilities as an outright use and would support the applicant's goals for senior housing.
- **Planned Industrial (PI):** This zoning allows for a flexible mix of commercial, medical and light industrial uses, aligning with the applicant's vision for incubator business spaces.

This zoning combination would also serve as an effective land use transition between the existing *Traditional Neighborhood – Mixed Use (TN-MU)* zoning to the west, home to the Cedarside Development.

Proposed Zoning



Conceptual Site Plan



_AREA - GROSS AREA TOTALS - Opt 2	
TYPE	AREA
(E) Commercial	12002 SF
Community	18000 SF
Flex Commercial	223400 SF
Residential Assisted Living	88813 SF / 150 Units
Residential Assisted Living - BOH	8325 SF (Kitchen, Storage, etc.)
Residential Assisted Living Amenity	17500 SF

To ensure the property is developed in accordance with the new proposed conceptual site plan, an annexation agreement would be prepared. This agreement would restrict development to the proposed uses, unless otherwise modified through a formal amendment approved by the City Council. The agreement ensures that the property is developed in accordance with the approved site plan and that the proposed land uses cannot be altered by the developer or any future property owner without City Council approval.

If the Committee is supportive of the revised proposal, staff will move forward with presenting the 10% annexation petition to the City Council for consideration of acceptance. It is important to note that the Council has full discretion when determining whether to accept the 10% petition. Acceptance does not obligate the Council to approve the annexation; rather, it authorizes the applicant to move forward with the next phase of the process—circulating a petition to obtain signatures from property owners representing at least 60% of the total assessed value within the proposed annexation area.

If the Council chooses not to accept the petition, the proposal is terminated, and the applicants have no right to appeal the decision.