



Agenda
Planning Commission Regular Meeting
October 13, 2025 | 6:30 PM

Stanwood Fire Station
8117 267th Place NW
Stanwood, WA 98292

Members of the public may attend Stanwood City Council meetings in-person or via Zoom.

- 1. Call to Order**
- 2. Roll Call**
- 3. Public Requests and Comments**
- 4. Approval of Minutes**
 - a. Planning Commission September 8, 2025 Minutes
- 5. New Business**
 - a. Municipal Code Update: SEPA Thresholds
 - b. Municipal Code Update: Nonconforming Uses, Structures and Land
 - c. Municipal Code Update: Permitted Uses
- 6. Unfinished Business**
- 7. Miscellaneous Business**
 - a. Reminder: The November Planning Commission Meeting is Scheduled for November 17, 2025
- 8. Recent Council Action on Commission Items**
 - a. Staff update on Missing Middle Housing Ordinance Package
- 9. Upcoming Items**
- 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



City of Stanwood Planning Commission Staff Report

Item Number: 4.a.
Date: October 13, 2025
Subject: Planning Commission September 8, 2025 Minutes
Contact Person:
Attachments: 1. PC Meeting Minutes 2025.09.08

ISSUE

Planning Commission Meeting Minutes 09.08.2025



Planning Commission
Meeting Minutes
September 8, 2025 – 6:30 pm

Call to Order: 6:31 p.m.

Roll Call Commissioners Present:

Richard Craig, Commissioner
Melissa Toner, Commissioner
Patrick Hosterman, Commission Chair
Gabrielle Braley, Commissioner
Jeff Wheatley, Commissioner

Staff Present:

Patricia Love, Community Development Director
Tansy Schroeder, Senior Planner
Audrey Rotrock, Associate Planner

Absent: Eric Warnat, Commissioner, Cody Davis, Commission Vice-Chair

Also known to be present: Kurt Galley (Online)

Public Requests and Comments: None

Approval of Minutes:

The minutes from the August 11, 2025, Planning Commission meeting were unanimously approved as written.

Old Business: Continued Missing Middle Housing and Land Development Code Amendments Public Hearing

On August 11, 2025, the Planning Commission held a public hearing on the Missing Middle Housing Code Amendment Package and included three bundled ordinances: the Missing Middle Housing Ordinance, the Land Division and Adjustments Ordinance, and amendments to the Street and Utility Standards. Together, these ordinances expand housing options and choices for Stanwood residents across all economic segments and life stages, while ensuring compliance with Washington State housing laws and the Growth Management Act.

The continued public hearing provides a formal opportunity for the public to comment and participate in the adoption process. The issues discussed were Accessory Dwelling Units (ADU's), the Land Division Code, Subdivision Flexibility, Meandering Sidewalks, Parking in Front of Multifamily Housing, Footnotes under Commercial / Industrial Bulk Matrix, School Building Height, Corner Stores, Sidewalk Widths, Cottage Housing Size, Cluster Subdivisions, Unit Lot Subdivisions, Split Lot Subdivisions, and Open Space and Public Access.

Issue #1 – Accessory Dwelling Units (ADU's)

Commissioner Questions & Comments:

- Commissioners agree that an ADU should be smaller than the primary unit.
- Q: If a resident had a small home (less than 1,200 SF), could they add a larger home on their property and convert the existing residence to an ADU, provided they meet setbacks and other requirements?
 - A: Yes, in this situation, the original smaller home would become the ADU, and the newly built structure would become the primary unit.
- Commissioners approve of the changes made to Issue #1.



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Public Questions & Comments:

- Commenter requests consideration of allowing a 1,200 SF maximum for ADU's on all lot sizes. The extra 200 SF gives just enough space to make an ADU more comfortable and makes ADU's more profitable for developers. ADU's could be built on and used as infill housing.

Issue #2 – Land Division Code (Avoiding the “Cookie-Cutter” look)

Commissioner Questions & Comments:

- Commissioners agree that greater flexibility in site development will provide a variety of housing types and appearances.
- When the architectural differences portion of the code is ready for the Planning Commission, staff would like to discuss whether or not to require front porches for additional variety.
- Commissioners recommend the following standards for housing diversity:
 - For developments of 10 – 20 units, require 2 architectural differences.
 - For developments of 20 or greater units, require 3 architectural differences.

Issue #3 – Subdivision Flexibility

Commissioner Questions & Comments:

- Subdivision flexibility helps the City meeting missing middle housing criteria.
- Q: Wouldn't adding ADU's to all properties in a neighborhood increase the density?
 - A: The State does not count ADU's towards density. Staff will provide additional information on this topic at the next meeting.
- Commissioners approve of the changes made to Issue #3.

Issue #4 – Meandering Sidewalks

- This topic will be discussed during the Multi-Modal Level of Service review.

Issue #5 – Parking In Front of Multifamily Housing

- Commissioners approve of the 20' setback in the MR zone that creates a potential for parking.

Issue #6 – Footnotes Under Commercial / Industrial Bulk Matrix

- Commissioners agree to leave Footnote 5 as is, allowing a height of 55 feet for hotels and motels (4-5 stories) on both sides of Viking Way.
- Commissioners approve all other footnote changes.

Issue #7 – School Building Height

- Commissioners agree with the footnote allowing a height exception for public schools.

Issue #8 – Corner Stores

- Commissioners approve of removing animal daycares as an allowed use and adding indoor animal grooming.

Issue #9 – Sidewalks



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- Commissioners approve of the change to 10' sidewalks on SR 532 and on Residential Collector streets.

Issue #10 – Cottage Housing

- Commissioners approve of the change from 1,200 SF to 1,500 SF for maximum building area for cottage housing.

Issue #11 – Cluster Subdivisions & Zero Lot Lines

- Commissioners approve of removing cluster subdivisions from the code entirely.
- Commissioners also approve of the refined zero lot line option for attached units in order to create fee-simple lots.

Issue #12 – Unit Lot Subdivisions (ULS)

- Commissioners approve of the amended standard ensuring the ULS process is applied consistently to Unit Lot Subdivisions.

Issue #13 – Split Lot Subdivisions

- Commissioners approve of the amended standard prohibiting lot size averaging in a split lot subdivision.

Issue #14 – Open Space and Public Access

- Commissioners approve of removing the section requiring a direct pedestrian connection between an open space tract and a transit stop, as the meaning was unclear.

At the conclusion of the public testimony, the Planning Commission deliberated and made a motion to recommend approval of the Missing Middle, Land Development, and Street and Utility Standards Ordinances to the Stanwood City Council.

Miscellaneous Business:

- A motion was made to move the November 10, 2025, Planning Commission meeting to the following Monday, November 17, 2025, to accommodate for the Veteran's Day holiday. All Commissioners approved.

Upcoming Items:

- SEPA Rules, Nonconforming Uses, and Permitted Uses

Adjourn: 8:00 p.m.



City of Stanwood Planning Commission Staff Report

Item Number: 5.a.
Date: October 13, 2025
Subject: Municipal Code Update: SEPA Thresholds
Contact Person: Patricia Love, Community Development Director
Attachments: 1. SEPA Rules v3

ISSUE

The purpose of this item is for the Planning Commission to review, discuss and provide feedback on potential changes to the State Environmental Policy Act (SEPA) categorical exemption levels adopted in the Stanwood Municipal Code.

RECOMMENDATION:

Staff is seeking guidance from the Commission on amendments to the Stanwood Municipal Code.

BACKGROUND:

The City initiated the Municipal Code Update project in 2022 to modernize the code, reflecting best practices with respect to content and administration of the code. The update is intended to be user-friendly for staff, property owners and developers by 1) removing legalese and jargon unfamiliar to the lay person, 2) improving clarity and overall functionality, and 3) reflecting regulatory best practices. The amendments will also be consistent with current case, state and federal laws.

The next set of amendments focuses on the State Environmental Policy Act (SEPA) provisions contained within the Stanwood Municipal Code. Adopted by Washington State in 1971, SEPA established a comprehensive framework for identifying and evaluating the potential environmental impacts of government actions and private development projects. Its purpose is to ensure that environmental considerations are integrated into the public decision-making process.

DISCUSSION:

The State Environmental Policy Act (SEPA) was adopted in 1971, at a time when Washington State did not yet have modern environmental regulations in place. Before the adoption of critical areas ordinances, shoreline regulations, stormwater standards, or other environmental protection codes, SEPA served as the primary mechanism for evaluating and mitigating environmental impacts associated with government actions and private development proposals.

In 1990, the Growth Management Act (GMA) fundamentally changed the regulatory landscape by requiring cities and counties to adopt comprehensive land use plans, critical areas protections, and development regulations that directly addressed environmental concerns. GMA ensured that environmental protections were embedded within local development codes rather than relying solely on SEPA review. Post GMA, the function of SEPA has changed. Rather than acting as the baseline for environmental protection, SEPA is now primarily used as a supplemental review tool. It provides cities authority to apply conditions to projects when potential impacts are identified that are not otherwise regulated or mitigated by existing local codes and standards.

The State adopted minimum “threshold” levels within the SEPA rules. These threshold levels define when a development is presumed to have no significant environmental impact and are then automatically exempt from detailed SEPA review. Over time, adopted threshold levels have been adjusted to reflect evolving planning policies, such as the adoption of the Growth Management Act (GMA), critical area ordinances or environmental regulations. These updates were intended to balance the need for environmental protection with the desire to streamline the review process for smaller-scale projects, reducing unnecessary administrative burdens while still ensuring that larger or more complex developments undergo thorough environmental analysis.

The Legislature has adopted new threshold levels to support the development of infill housing as part of the state strategy to encourage urban growth in already-developed areas. By increasing these thresholds, more infill projects can qualify for exemption from detailed environmental review under SEPA. This policy reflects a deliberate effort to make housing development more efficient and to remove regulatory barriers that might otherwise slow or discourage construction within existing urban boundaries.

State SEPA Threshold Exemption Levels

WAC 197-11-800

Project Types	Minimum Threshold Levels	Fully Planning GMA Counties Maximum Threshold Levels			All Other Counties Maximum Threshold Levels
		Incorporated UGA	Unincorporated UGA	Other unincorporated areas	Incorporated and unincorporated areas
Single Family Residential	4 Units	30 Units	30 Units	20 Units	20 Units
Single Family Residential with Less Than 1,500 SF Total		100 Units	30 Units	20 Units	20 Units
Multifamily Residential	4 Units	200 Units	60 Units	25 Units	25 Units
Barn, Loafing Shed, Farm Equipment Storage, Produce Storage or Pack Structure	10,000 sf	40,000 sf	40,000 sf	40,000 sf	40,000 sf
Office, School, Commercial Recreational Service, Storage Build	4,000 sf	30,000 sf	30,000 sf	12,000 sf	12,000sf
Associated Parking Facilities	20 Spaces	90 Spaces	90 Spaces	40 Spaces	40 Spaces
Fill or Excavation	100 cy	1,000 cy	1,000 cy	1,000 cy	1,000 cy

ANALYSIS:

The SEPA rule update is being moved from Title 17, Zoning, Chapter 17.149 to a new Chapter in the Environmental part of Title 18, Unified Development Code. The proposed changes are intended to modernize and align our SEPA regulations with current state law and best practices. Highlights include:

- Incorporation by Reference: Most SEPA rules are now incorporated directly by reference to the WAC.
- Updated Citations & Structure: The new chapter updates citations to current WAC provisions and logically groups related sections for easier navigation.
- Adoption of State Exemptions: Adopts the current maximum categorical exemptions as allowed under state law.
- Clarification on Grading Exemptions: Ensures that grading exemptions apply only to small, standalone projects; grading quantities are included in the threshold exemption for larger projects.
- Streamlined Appeals: Updates appeal procedures so SEPA appeal opportunities are stated once in the code, improving clarity.
- Elimination of Non-Project Appeals: Removes the ability to appeal threshold determinations on non-project legislative actions.
- EIS Authority: Removes the City Council's role in the Environmental Impact Statements (EIS) process.

- Standardized Forms: Adopts by reference the SEPA forms included in the WAC, while allowing minor modifications as necessary.

The following comparison table shows the changes in the threshold levels from the existing code to those adopted by the State. While cities are required by law to adopt the minimum threshold limits, they are not required to adopt the maximum SEPA threshold levels as shown above.

City of Stanwood

Adopted SEPA Threshold Limits Comparison

Project Types	Current City of Stanwood Minimum Threshold Level	Fully Planning GMA Counties Maximum Threshold Levels	Difference
Single Family Residential	30 Units	30 Units	0
Single Family Residential with Less Than 1,500 SF Total (NEW)	0	100 Units	+ 100 Units
Multifamily Residential	60 Units	200 Units	+ 140 Units
Barn, Loafing Shed, Farm Equipment Storage, Produce Storage or Pack Structure	40,000 sf	40,000 sf	0
Office, School, Commercial Recreational Service, Storage Build	30,000 sf	30,000 sf	0
Associated Parking Facilities	90 Spaces	90 Spaces	0
Fill or Excavation	1,000 cy	1,000 cy	0

As noted earlier, the state has raised the maximum SEPA threshold limits for residential units as part of a statewide effort to promote affordable housing and encourage infill development. The purpose of this change is to streamline the permitting process, minimize unnecessary delays, and allow housing construction to begin more quickly. While the SEPA review process and related appeals may be reduced, all other zoning approvals and appeal processes remain in place. This adjustment helps eliminate overlapping appeal periods and shortens overall review timelines.

It is also important to emphasize that raising SEPA thresholds does not remove or weaken other adopted regulations. Standards for critical area protections, traffic analysis, open space, school access, installation of utilities, and other codes that safeguard public health, safety, and neighborhood character all remain fully in effect. In Stanwood, short plats will continue to be circulated for public review and comment, while long subdivisions will still require a public hearing. Community members will

continue to have opportunities to provide input on projects and, if needed, appeal final decisions regardless of the SEPA threshold adopted by the City.

FISCAL ANALYSIS:

None

PROPOSED MOTION:

None; Discussion Topic

**CITY OF STANWOOD
WASHINGTON**

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, AMENDING STANWOOD MUNICIPAL CODE (SMC) TITLE 18, UNIFIED DEVELOPMENT CODE, TO ADOPT SEPA RULES, AND ESTABLISHING SEVERABILITY AND AN EFFECTIVE DATE.

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

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

WHEREAS, Title 18 contains the City's Unified Development Code; and

WHEREAS, the State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires state and local governments to review the environmental impacts of proposals prior to decision-making; and

WHEREAS, SEPA rules (Chapter 197-11 WAC) authorize local governments to adopt flexible thresholds for certain categorical exemptions, within limits set by the State of Washington; and

WHEREAS, the Washington State Department of Ecology has issued updated guidance recommending SEPA exemption thresholds for certain project actions, including residential, commercial, and parking development, in order to streamline permitting and focus review on projects with greater potential environmental impacts; and

WHEREAS, the City of Stanwood has previously adopted SEPA thresholds that are now lower than the state-recommended standards, creating unnecessary administrative review for smaller projects that are unlikely to result in significant adverse environmental impacts; and

WHEREAS, aligning the City's SEPA categorical exemption thresholds with the current state-recommended levels will provide consistency, predictability, and efficiency for applicants, staff, and the public, while preserving environmental protections for larger projects; and

WHEREAS, adopting the state SEPA thresholds supports the City's goals of encouraging infill development consistent with the City's Comprehensive Plan; and

WHEREAS the City's building code and development regulations, including but not limited to SMC Division VIII, Environment, provide protection for the elements of the environment listed in WAC 197-11-444; and

WHEREAS the City has adopted SMC 18.812 establishing protections for cultural and historic resources, including for a project that is categorically exempt under SEPA, using available data and other project review tools regarding known and likely cultural and historic

resources, pre-project cultural resource review where warranted, and standard inadvertent discovery language; and

WHEREAS SMC 18.230.055 provides opportunity for tribal resource agency review of project permit applications regardless of whether a project is categorically exempt under SEPA; and

WHEREAS, the City of Stanwood SEPA Responsible Official has reviewed the proposed amendments to the Stanwood Municipal Code, determined that the amendments are categorically exempt from SEPA, and memorialized those conclusions under file number 2025-____; and

WHEREAS, per WAC 197-11-800(1)(c), the City has provided 60 days' notice to affected tribes, agencies with expertise, affected jurisdictions, the department of ecology, and the public and provide an opportunity for comment; 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 July 22, 2025; and

WHEREAS, the code amendment was circulated for public review on _____, 2025 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, 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 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 _____, 2025, a second reading on _____, 2025, 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 18.820 is adopted 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 Section 18.230.070 and 18.240.010 are amended as shown in Exhibit B.

Section 3. Stanwood Municipal Code Chapter 17.149, State Environmental Policy Act (SEPA) is repealed.

Section 4. 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 5. 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 6. Effective Date. This Ordinance shall take effect five days after its passage and publication as required by law.

PASSED and APPROVED this ____ day of _____, 2026.

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

i Adoption of these policies is itself categorically exempt as a procedural action under WAC 197-11-800(19) per WAC 197-11-802(4).

Title 18 Unified Development Code

Part 8 Environment

Chapter 18.820 SEPA

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18.820.010 Purpose

The purpose of this chapter is to adopt rules and procedures to implement the State Environmental Policy Act (Chapter 43.21C RCW) and comply with the SEPA Rules (Chapter 197-11 WAC).

18.820.020 Applicability

This chapter applies to all actions of the city, including issuance of a permit, unless categorically exempt under SMC 18.820.070.

18.820.030 Definitions

i Next line is based on existing SMC 17.149.080.

(1) The following sections of the Washington Administrative Code are hereby adopted by reference:

WAC 197-11-220, SEPA/GMA definitions.

WAC 197-11-700 through 197-11-799, Part Eight - Definitions.

i Next lines are based on existing SMC 17.149.020(2).

(2) Additional definitions.

“Department” means any division, subdivision, or organizational unit of the city established by ordinance, rule, or order.

“SEPA rules” means Chapter 197-11 WAC adopted by the Department of Ecology.

“Ordinance” means the ordinance, resolution, or other procedure used by the city to adopt regulatory requirements.

“Early notice” means the city’s response to an applicant stating whether it considers issuance of a determination of significance likely for the applicant’s proposal (mitigated determination of nonsignificance (DNS) procedures).

18.820.040 Responsible Official

i This section is based on existing SMC 17.149.020(3)(a).

(1) Per WAC 197-11-910, and consistent with SMC 2.08.080, for a proposal for which the city is the lead agency, the SEPA responsible official is the Director of Community Development, or the Director’s designee.

(2) The responsible official is responsible for the following:

(a) all of the duties assigned in Chapter 197-11 WAC;

(b) the City’s compliance with a consultation request from another agency per WAC 197-11-912.

i This section is based on existing SMC 17.149.020(1).

18.820.050 General requirements

(1) The rules in this chapter are to be interpreted consistently with WAC 197-11-906.

(2) **General rules.**

The following sections of the Washington Administrative Code are hereby adopted by reference:

WAC 197-11-055 Timing of the SEPA process.

WAC 197-11-060 Content of environmental review.

WAC 197-11-070 Limitations on actions during SEPA process.

WAC 197-11-080 Incomplete or unavailable information.

WAC 197-11-090 Supporting documents.

WAC 197-11-100 Information required of applicants.

WAC 197-11-158 SEPA/GMA project review—Reliance on existing plans, laws, and regulations.

WAC 197-11-920 Agencies with environmental expertise.

WAC 197-11-655 Implementation.

(3) Use of existing documents.

The city's use of existing environmental documents is governed by the following sections of the Washington Administrative Code, which are hereby adopted by reference:

WAC 197-11-600 When to use existing environmental documents.

WAC 197-11-610 Use of NEPA documents.

WAC 197-11-620 Supplemental environmental impact statement—Procedures.

WAC 197-11-625 Addenda—Procedures.

WAC 197-11-630 Adoption—Procedures.

WAC 197-11-635 Incorporation by reference—Procedures.

WAC 197-11-640 Combining documents.

(4) SEPA/GMA integration.

The City's integration of SEPA into GMA non-project legislative action is governed by the following sections of the Washington Administrative Code, which are hereby adopted by reference:

WAC 197-11-210 SEPA/GMA integration.

WAC 197-11-220 SEPA/GMA definitions.

WAC 197-11-228 Overall SEPA/GMA integration procedures.

WAC 197-11-230 Timing of an integrated GMA/SEPA process.

WAC 197-11-232 SEPA/GMA integration procedures for preliminary planning, environmental analysis, and expanded scoping.

WAC 197-11-235 SEPA/GMA integration documents.

WAC 197-11-238 SEPA/GMA integration monitoring.

(5) SEPA/MTCA Integration.

The City's integration of SEPA with MTCA is governed by the following sections of the Washington Administrative Code, which are hereby adopted by reference:

WAC 197-11-250 SEPA/Model Toxics Control Act integration.

WAC 197-11-253 SEPA lead agency for MTCA actions.

WAC 197-11-256 Preliminary evaluation.

WAC 197-11-259 Determination of nonsignificance for MTCA remedial action.

WAC 197-11-262 Determination of significance and EIS for MTCA remedial actions.

WAC 197-11-265 Early scoping for MTCA remedial actions.

WAC 197-11-268 MTCA interim actions.

18.820.060 Lead Agency

- (1) Per WAC 197-11-050, the lead agency is the agency with main responsibility for complying with SEPA's procedural requirements and is the only agency responsible for the threshold determination and preparation and content of environmental impact statements.

i The following subsection is based on existing SMC 17.149.020(4) and (5). Deleted subsection allowing for a responsible official other than the planning director. Changed "department" references to "city."

- (2) Determination of Lead Agency.
- (a) When the city receives an application for or initiates a proposal that involves a nonexempt action, the city must determine the lead agency for that proposal under WAC 197-11-050 and 197-11-922 through 197-11-940, unless the lead agency has been previously determined or the city is aware that another agency is in the process of determining the lead agency.
 - (b) When the city is not the lead agency for a proposal, all departments of the city must use and consider, as appropriate, either the DNS or the final EIS of the lead agency in making decisions on the proposal. No city department may prepare or require preparation of a DNS or EIS in addition to that prepared by the lead agency, unless required under WAC 197-11-600. In some cases, the city may conduct supplemental environmental review under WAC 197-11-600.
 - (c) If the city receives a lead agency determination made by another agency that appears inconsistent with the criteria of WAC 197-11-922 through 197-11-940, it may make an objection of the determination to the originating agency or the city must petition the Department of Ecology for a lead agency determination under WAC 197-11-946. Any such petition on behalf of the city may be initiated by the responsible official.
 - (d) The city may make agreements as to lead agency status or shared lead agency duties for a proposal under WAC 197-11-942 and 197-11-944 if the responsible official approves the agreement.
 - (e) To make a lead agency determination for a private project, the city requires sufficient information from the applicant to identify which other agencies have jurisdiction over the proposal, including agencies which require nonexempt licenses.
 - (f) For any proposal for a private project where the city would be the lead agency and for which one or more state agencies have jurisdiction, the city's responsible official may elect to transfer the lead agency duties to a state agency. The state agency with jurisdiction appearing first on the priority listing in WAC 197-11-936 shall be the lead agency and the city shall be an agency with jurisdiction. To transfer lead agency duties, the city's responsible official must transmit a notice of transfer together with any relevant information available on the proposal to the appropriate state agency with jurisdiction. The responsible official must also give notice of the transfer to the private applicant and any other agencies with jurisdiction over the proposal.
- (3) The following sections of the Washington Administrative Code are hereby adopted by reference:
- WAC 197-11-050 Lead agency.
 - WAC 197-11-924 Determining the lead agency.
 - WAC 197-11-926 Lead agency for governmental proposals.
 - WAC 197-11-928 Lead agency for public and private proposals.
 - WAC 197-11-930 Lead agency for private projects with one agency with jurisdiction.
 - WAC 197-11-932 Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county/city.

WAC 197-11-934 Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies.

WAC 197-11-936 Lead agency for private projects requiring licenses from more than one state agency.

WAC 197-11-938 Lead agencies for specific proposals.

WAC 197-11-940 Transfer of lead agency status to a state agency.

WAC 197-11-942 Agreements on lead agency status.

WAC 197-11-944 Agreements on division of lead agency duties.

WAC 197-11-946 DOE resolution of lead agency disputes.

WAC 197-11-948 Assumption of lead agency status.

18.820.070 Categorical exemptions

(1) The following sections of the Washington Administrative Code are hereby adopted by reference:

WAC 197-11-305 Categorical exemptions.

WAC 197-11-800 Categorical exemptions.

WAC 197-11-880 Emergencies.

i The city must follow the process in WAC 197-11-800(1)(c) of documentation and findings and minimum comment periods to set the exemption level; that documentation is contained within the recitals of this ordinance. These max exemptions are explicitly listed, rather than incorporated by reference, due to that procedural requirement.

i The next line is revised from existing code to adopt the maximum allowed thresholds. Existing code (SMC 17.149.090(2)) adopted slightly different thresholds.

(2) A proposal that fits a categorical exemption adopted pursuant to this section or WAC 197-11-800 is exempt from the procedural requirements of this chapter, unless:

(a) The proposal is not exempt under WAC 197-11-908;

(b) The proposal is a segment of a proposal that includes:

(i) A series of actions, physically or functionally related to each other, some of which are categorically exempt and some of which are not; or

(ii) A series of exempt actions that are physically or functionally related to each other, and that together may have a probable significant adverse environmental impact in the judgment of an agency with jurisdiction.

(3) The responsible official has the authority and responsibility to determine whether a proposal is exempt.

(4) The city is not required to document that a proposal is categorically exempt, but may note on an application that a proposal is categorically exempt or place such a determination in the proposal record.

(5) The city may not require completion of an environmental checklist for an exempt proposal.

(6) Flexible thresholds. Pursuant to the authority in WAC 197-11-800(1)(c), the city adopts the following exemption levels:

Table 18.820.070-1 Adoption of Flexible Thresholds

Project type	Exemption Threshold
Single family residential (Attached and Detached)	30 units
Single family residential with total square footage < 1,500 sf	100 units
Multifamily residential	200 units
Barn, loafing shed, farm equipment storage, produce storage, or packing structure	40,000 sf
Office, school, commercial, recreational, service, storage building, parking facilities	30,000 sf and 90 parking spaces
Fill or excavation	1,000 cu yd

(7) Consistent with WAC 197-11-800(2)(e), any grading, excavating, filling, septic tank installations, and landscaping necessary for any categorically exempt building or facility, as well as fencing and the construction of small structures and minor facilities accessory thereto, is also categorically exempt.

18.820.080 Planned Action.

i This section is based on SMC 17.149.020(6).

(1) The following sections of the Washington Administrative Code are hereby adopted by reference:

WAC 197-11-164 Planned actions—Definition and criteria.

WAC 197-11-168 Ordinances or resolutions designating planned actions—Procedures for adoption.

WAC 197-11-172 Planned actions—Project review.

(2) Where a project proposal meets the statutory criteria for a planned action in RCW 43.21C.440, WAC 197-11-172, and the relevant planned action ordinance adopted by the city, the responsible official need not issue a threshold determination or EIS under the provisions of this chapter. If notice is required for the underlying permit, the notice must state that the project has qualified as a planned action. If notice is not otherwise required for the underlying permit, no special notice is required.

(3) Nothing in this section limits the city from placing conditions on the project in order to mitigate nonsignificant impacts through the normal local project review and permitting process.

18.820.090 Environmental Impact Statement

(1) The following sections of the Washington Administrative Code are hereby adopted by reference:

WAC 197-11-400 Purpose of EIS.

WAC 197-11-402 General requirements.

WAC 197-11-405 EIS types.

WAC 197-11-406 EIS timing.

WAC 197-11-408 Scoping.

WAC 197-11-410 Expanded scoping. (Optional)

WAC 197-11-420 EIS preparation.

WAC 197-11-425 Style and size.

WAC 197-11-430 Format.

WAC 197-11-435 Cover letter or memo.

WAC 197-11-440 EIS contents.

WAC 197-11-442 Contents of EIS on nonproject proposals.

WAC 197-11-443 EIS contents when prior nonproject EIS.

WAC 197-11-444 Elements of the environment.

WAC 197-11-448 Relationship of EIS to other considerations.

WAC 197-11-450 Cost-benefit analysis.

WAC 197-11-455 Issuance of DEIS.

WAC 197-11-460 Issuance of FEIS.

i The following is existing SMC 17.149.040 with the following modifications:

- Remove City Council as responsible for EIS
- Add ability for Responsible Official to include other elements in EIS

(2) Preparation of EIS.

- (a) Preparation of draft or final EIS (DEIS or FEIS) and draft and final supplemental EIS (SEIS) is the responsibility of the responsible official.
- (b) The DEIS and FEIS or draft and final SEIS may be prepared by the city staff, the applicant, or by a consultant selected by the city or the applicant. If the responsible official requires an EIS for a proposal and determines that someone other than the city will prepare the EIS, the responsible official must notify the applicant immediately after completion of the threshold determination. The responsible official must also notify the applicant of the city's procedure for EIS preparation, including approval of the DEIS and FEIS prior to distribution.
- (c) The responsible official may require an applicant to provide information the city does not possess, including specific investigations. However, the applicant is not required to supply information that is not required under this chapter or that is being requested from another agency. This restriction does not apply to information the city may request under another ordinance or statute.
- (d) Before the city issues an EIS, the responsible official must be satisfied that it complies with this chapter and Chapter 197-11 WAC.

(3) Additional Elements to Be Covered in an EIS. The following additional elements are part of the environment for the purpose of EIS content, but do not add to the criteria for threshold determinations or perform any other function or purpose under this chapter:

- (a) Economy;
- (b) Social policy analysis;
- (c) Cost-benefit analysis.
- (d) Such other elements as may be required by the responsible official.

18.820.100 Notice, Comment, and Hearings

(1) The following sections of the Washington Administrative Code are hereby adopted by reference:

WAC 197-11-500 Purpose of this part.

WAC 197-11-502 Inviting comment.

WAC 197-11-504 Availability and cost of environmental documents.

WAC 197-11-508 SEPA register.

WAC 197-11-510 Public notice.

WAC 197-11-535 Public hearings and meetings.

WAC 197-11-545 Effect of no comment.

WAC 197-11-550 Specificity of comments.

WAC 197-11-560 FEIS response to comments.

WAC 197-11-570 Consulted agency costs to assist lead agency.

i The following sections are based on existing SMC 17.149.050 but have been updated to mostly make reference to the permit procedures in Title 18 Part 2.

- (2) When an application for a SEPA threshold determination is submitted, the City must provide a Notice of Application consistent with SMC 18.230.060.
- (3) When the city issues a SEPA threshold determination or EIS, the City must provide public notice consistent with 18.230.130.
- (4) When the City issues a DS, the City must state the scoping procedure for the proposal in the DS as required in WAC 197-11-408.

18.820.110 Substantive Authority

i This section is based on existing SMC 17.149.070(1).

- (1) The following sections of the Washington Administrative Code are hereby adopted by reference:
 - WAC 197-11-660 Substantive authority and mitigation
- (2) The city may attach conditions to a permit or approval for a proposal if all of the following apply:
 - (a) Such conditions are necessary to mitigate specific probable adverse environmental impacts identified in environmental documents prepared pursuant to this chapter;
 - (b) Such conditions are in writing;
 - (c) The mitigation measures included in such conditions are reasonable and capable of being accomplished;
 - (d) The city has considered whether other local, state or federal mitigation measures applied to the proposal are sufficient to mitigate the identified impacts;
 - (e) Such conditions are based on one or more policies in this section and cited in the decision document.
- (3) The city may deny a permit or approval for a proposal on the basis of SEPA if all of the following apply:
 - (a) A finding is made that approving the proposal would result in probable significant adverse environmental impacts that are identified in a FEIS or final SEIS prepared pursuant to this chapter;
 - (b) A finding is made that there are no reasonable mitigation measures capable of being accomplished that are sufficient to mitigate the identified impact;
 - (c) The denial is based on one or more policies identified in subsection (4)(c) of this section and identified in writing in the decision document.

Commented [PL1]: If we keep these policy sections, should this citation should be subsection 4?

- (4) The city designates and adopts by reference the Comprehensive Plan and associated policies, plans, codes, ordinances, and resolutions as adopted by the Stanwood City Council as the basis for the city's exercise of authority pursuant to this section.

18.820.120 Appeals.

i This section is based on existing SMC 17.149.070(1)(e) and (2), RCW 43.21C.075, and WAC 197-11-680.

i Deleted the ability to appeal threshold determinations on non-project legislative actions.

- (1) When allowed. An appeal is allowed only for the following:
- (a) A SEPA determination (including use of SEPA substantive authority) or the adequacy of a final EIS for a project action may be appealed pursuant to the process described in SMC Chapter 18.230.
 - (b) A SEPA determination on a non-project administrative action may be appealed per RCW 43.21C.060.
- (2) When not allowed. An appeal is not allowed for the following:
- (a) The intermediate steps under SEPA (e.g., lead agency determination, scoping, draft EIS adequacy) may not be **appealed**.
 - (b) A SEPA determination on a non-project legislative action may not be appealed.
- (3) Consolidation.
- (a) An appeal related to a project action must be consolidated with any appeal of the decision on the underlying application. If no appeal is allowed for the application under SMC Title 18 Part 2, no SEPA appeal is allowed.
 - (b) Exception. Consolidation is not required for any of the following:
 - (i) an appeal of a determination of significance.
 - (ii) an appeal of a procedural determination made by an agency when the agency is a project proponent, or is funding a project, and chooses to conduct its review under SEPA, including any appeals of its procedural determinations, prior to submitting an application for a project permit. A subsequent appeal of a substantive determination by the city is allowed.
 - (iii) an appeal to the local legislative authority of a non-project administrative action per RCW 43.21C.060.
- (4) Procedural determinations made by the responsible official are entitled to substantial weight.
- (5) Any appeal authorized in this section requires a record consisting of all of the following:
- (a) findings and conclusions;
 - (b) testimony under oath;
 - (c) a recording or a written transcript, which the city may require the appellant to provide in an electronic form.
- (6) Per WAC 197-11-680(5), the city must give official notice under WAC 197-11-680(5) whenever it issues a permit or approval for which a statute or ordinance establishes a time limit for commencing judicial appeal.

Commented [PL2]: Should we have a section that states when an appeal is not allowed? Versus a and c are when appeals are not allowed.

18.820.130 Fees

i This section is based on 17.149.100(2). Deleted requirement for applicant concurrence in selection of an EIS consultant.

- (1) The city may establish fees for SEPA determinations in the Consolidated Fee Schedule.
- (2) The city may not collect a fee for performing its duties as a consulted agency.
- (3) The city may charge reasonable fees to cover the city's costs, whether the work is performed by staff or by a contracted third party.
- (4) For an EIS, the responsible official must advise the applicant(s) of the projected costs for the EIS prior to the actual preparation and the applicant must post bond or otherwise ensure payment of such costs. If a proposal is modified so that an EIS is no longer required or the scoping process reveals that an EIS is not warranted as determined by the responsible official, the city must refund any fees that remain after incurred costs are paid.

18.820.140 Forms

i This section is based on existing SMC 17.149.120.

- (1) The forms described in the following sections of the Washington Administrative Code are hereby adopted by reference:
 - WAC 197-11-960 Environmental checklist.
 - WAC 197-11-965 Adoption notice.
 - WAC 197-11-970 Determination of nonsignificance (DNS).
 - WAC 197-11-980 Determination of significance and scoping notice (DS).
 - WAC 197-11-985 Notice of assumption of lead agency status.
 - WAC 197-11-990 Notice of action.

i Next line is per WAC 197-11-906(4).

- (2) The Responsible Official may modify these forms as necessary to include instructions or explanations or to format for letterhead or electronic submittal. Minor changes are allowed to make the forms more useful to agencies, applicants, and the public, as long as the changes do not eliminate requested information or impose burdens on applicants.

EXHIBIT B

18.230.070 SEPA review.

i This section is about threshold determinations, not appeals, so the appeal paragraph is deleted so as to only state these rules in one place.

(1) – (2) No change.

~~(3) Any appeal of a determination of significance may proceed in advance of any hearings or appeals of the underlying project permit. Any appeals of a determination of nonsignificance must be combined with and processed at the same time as the hearings or appeals of the underlying project permit.~~

18.240.010 Local appeal.

i This section on appeals of project actions is amended to cross-reference to the SEPA rules rather than restate information that could conflict if it's written in more than one place

(1) – (6) *No change.*

(7) Consolidated Appeals. All appeals of permit application decisions, ~~other than an appeal of determination of significance (DS)~~, must be considered together in a consolidated appeal (RCW 36.70B.060(6), 43.21C.075) except as provided for SEPA appeals in 18.820.120.

(8) SEPA Appeals. Appeals are allowed per SMC 18.820.120. ~~may only be of the determination of nonsignificance or mitigated determination of nonsignificance, or final determination if issued. See SMC 18.230.070 for SEPA and agency decisions.~~

(9)-(13) *No change.*



City of Stanwood Planning Commission Staff Report

Item Number: 5.b.
Date: October 13, 2025
Subject: Municipal Code Update: Nonconforming Uses, Structures and Land
Contact Person: Patricia Love, Community Development Director
Attachments: 1. Nonconformities v3

BACKGROUND:

In 2022, the City launched the Municipal Code Update project to modernize the code with best practices for both content and administration. As part of this effort, a new Unified Development Code is being developed which includes amendments to the City's nonconforming zoning regulations.

Across Stanwood, many lots, structures, and uses were lawfully built or established before current zoning standards were adopted. As laws and regulations evolve, these older properties are allowed to continue operating under special conditions and are referred to as "legally nonconforming." More commonly, people may recognize this concept by its familiar term: "grandfathering."

Over time, ambiguities in the City's nonconforming zoning regulations have created challenges. Inconsistent interpretations have caused uncertainty for property owners and staff. To address these issues, the proposed amendments are intended to bring greater clarity, improve transparency, and ensure fairness in land use administration. The goal is to balance the continuation of legally established nonconformities with the City's long-term vision of bringing properties into compliance with current zoning standards whenever feasible.

DISCUSSION:

The proposed amendments reaffirm that lots, structures, or uses that were legally established under past regulations are considered legal nonconformities. These may continue, subject to the following provisions and rules:

Abandonment: Establishes a 12-month period as the standard for presumed

abandonment of a nonconforming use or building. Property owners have the opportunity to demonstrate that they did not intend to abandon the property.

Nonconforming Lots: This section provides clear guidance on when and how nonconforming lots may be developed.

Lot Merger for Nonconforming Lots of Record: When two or more adjacent nonconforming lots of record are under common ownership, the amendments require that they be combined into one legal conforming lot.

Nonconforming Structures: The amendments define the conditions under which nonconforming structures may be repaired, maintained, or expanded.

Nonconforming Uses: Legally established nonconforming uses may continue until they are abandoned or expanded or intensified.

Reconstruction Due to Natural Disasters: If a nonconforming building or use is damaged or destroyed by an event beyond the owner's control, such as an earthquake, flood, storm, landslide, mudslide, fire, or explosion, the amendments allow for reconstruction.

Variance Criteria: New provision that provides an option for property owners to apply for a variance from the nonconforming standards if necessary.

PROPOSED MOTION:

None; Discussion Topic

**CITY OF STANWOOD
WASHINGTON**

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, AMENDING STANWOOD MUNICIPAL CODE (SMC) DELETING NONCONFORMING CODE REQUIREMENTS FROM TITLE 17, ZONING, AND ADOPTING RULES FOR NON-CONFORMING LOTS, STRUCTURES AND USES IN 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 purpose of this code amendment is to eliminate conflicts, improve clarity and overall function of the municipal code, and reflect current city and best practices; and

WHEREAS, the City of Stanwood has established zoning regulations to guide land use and development in a manner that promotes public health, safety, and welfare;

WHEREAS, existing lots, structures, and uses that were lawful when established may not fully conform to current zoning standards, yet continue to serve important community, residential, and economic functions;

WHEREAS, the current nonconforming standards contain language that has led to ambiguity and inconsistency in interpretation and application, creating uncertainty for property owners, staff, and decision-makers;

WHEREAS, clarifying the regulations for nonconforming lots, structures, and uses will ensure consistent application of the code, improve transparency, and provide fairness in land use administration;

WHEREAS, it is the City's intent to balance the continuation of legally established nonconformities with the long-term goal of bringing properties into compliance with current zoning laws when feasible;

WHEREAS, amendments to the nonconforming standards are necessary to:

- clearly establish when existing nonconforming lots may be developed;
- define the conditions under which nonconforming structures may be repaired, maintained, or expanded;
- allow the continuation of legally established nonconforming uses while setting thresholds for discontinuance, abandonment, or intensification; and

WHEREAS, these amendments provide a fair and reasonable path for property owners to utilize and maintain their properties while supporting the City's vision for orderly growth and compatible land use;

WHEREAS, a SEPA determination of non-significance for the draft ordinance was issued on _____, and the comment / appeal period ended on _____; 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 July 22, 2025; and

WHEREAS, the code amendment was circulated for public review on _____, 2025 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, 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 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 _____, 2025, a second reading on _____, 2025, 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 **18.510** is adopted 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 sections 17.25.060, 17.25.170, 17.25.180, 17.25.190, 17.25.200, 17.25.210, and 17.25.220 are repealed.

Section 4. 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 5. 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 6. Effective Date. This Ordinance shall take effect five days after its passage and publication as required by law.

PASSED and APPROVED this ____ day of _____, 202__.

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 18 Unified Development Code

DIVISION 5, ZONING AND USES

Chapter 18.506 Nonconforming Uses, Structures, Lots

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i This chapter is based on existing SMC 17.25.060, 17.25.170, 17.25.180, 17.25.190, 17.25.200, 17.25.210, and 17.25.220, while borrowing structure and content from Mukilteo Municipal Code Chapter 17.68 and from Skagit County Code chapter 14.07.

18.506.010 Purpose.

The purpose of this chapter is to set the terms by which land uses, structures, and lots that do not meet current City standards will be allowed to continue and ultimately be brought into compliance with current City standards.

18.506.020 General Rules.

- (1) A lot, structure, or use that does not conform to the provisions of this title, but was legally established under the provisions in effect at the time of its establishment, is considered legal nonconforming and is allowed to continue as provided by this chapter.
- (2) A lot, structure, or use that was not in conformance with the provisions of this title at the time it was established or permitted is illegal and must be brought into conformance with the provisions of this title.
- (3) Change of ownership, tenancy, or management of an existing nonconforming use, structure, or lot does not affect its rights under this chapter.

18.506.030 Abandonment.

i Rewritten to address case law which requires agencies to consider abandonment of nonconforming uses with both passage of time and intent to abandon by the property owner.

- (1) Notwithstanding other allowances in this chapter, a nonconforming use or building that is idle, unoccupied, or vacant for 12 consecutive months or more is presumed discontinued, abandoned, and terminated, and loses its nonconforming rights.
- (2) The presumption of abandonment may be rebutted by evidence clearly demonstrating no intent to abandon, such as:
 - (a) Active maintenance of required business licenses or permits;
 - (b) Continuation of utility services;
 - (c) Substantial investment in repairs or upgrades consistent with the prior use;
 - (d) Evidence of continuous efforts to lease, sell, or market the property for the nonconforming use.
- (3) If the presumption cannot be rebutted under subsection (2), the property owner may apply for a variance to continue the nonconforming use, subject to findings that:
 - (a) The discontinuance resulted from circumstances beyond the owner's control (e.g., natural disaster, regulatory delay, catastrophic damage, litigation);
 - (b) The request is consistent with the comprehensive plan and will not be detrimental to public health, safety, or welfare; and
 - (c) Reasonable conditions can be imposed to mitigate any adverse impacts of the continuation.

18.506.040 Nonconforming Lots.

- (1) A lot that was legally established per the rules in place at the time it was established, but that does not meet the current city standards, is considered a nonconforming lot of record and is legally buildable except as provided below.

i Subsection 2 below is a modified version of SMC 17.25.060, Substandard Lots, and 17.25.170(2), Nonconforming Situations, which allows development on legal nonconforming lots.

- (2) A legal lot of record that does not meet current minimum lot size or dimensional standards may be developed per the underlying zoning requirements, provided all other applicable requirements of the Stanwood Municipal Code are met, including but not limited to permitting uses, building density, setbacks, height limits, lot coverage, critical area protections, and utility standards.
- (3) To be legally buildable, a lot must be in compliance with the rules and regulations of the county health district. Where there is a conflict between the provisions of this section and those rules of the county health district, the more restrictive rules apply.

18.506.050 Lot Merger for Nonconforming Lots of Record

i This section creates a standalone section for nonconforming lot merger requirements.

- (1) Where two or more adjacent nonconforming lots of record are under common ownership, they must be consolidated into one lot.
- (2) Consolidation through a lot line adjustment is required prior to issuance of a project permit when:

- (a) A nonconforming and conforming lot are adjacent, under common ownership and will result in legal lots in conformance with area, building setbacks and critical area regulations.
 - (b) One lot of adjacent lots under common ownership is buildable only with a critical areas regulation reasonable use exception and will result in legal and conforming lots that do not require a reasonable use exception to be developed or redeveloped.
- (3) An owner may seek relief from the merger requirement through a variance application, subject to the decision criteria in SMC Chapter 18.330.

i Deleted 17.25.108(6) from nonconforming structures section as it required ongoing monitoring post-permit approval and the authorization to require additional parking after the permit was issued which is not allowed by law.

18.506.060 Nonconforming Structures.

- (1) Alteration and Enlargement. A nonconforming structure may be altered, renovated, or added to if the alterations, renovations, or additions meet all requirements of the zone in which they are located and do not increase or intensify the nonconformity.
- (2) Repair. Repairs necessary and incidental to meeting requirements regarding building safety, including but not limited to the International Building Code, International Residential Code, or International Fire Code, may be performed on a building or structure even if such repairs do not meet the requirements of the zone in which the building is located.
- (3) Relocation. A nonconforming structure that is moved to another location must conform to all the rules and regulations pertaining to the location to which it is moved.
- (4) Physical alteration of a nonconforming structure or the placement of new structures on land is unlawful if such activity results in:
 - (a) Greater nonconformity with respect to dimensional restrictions such as setback requirements, height limitations, density requirements, or other requirements such as parking requirements.
- (5) Any structure used for single-family detached residential purposes and maintained as a nonconforming use may be enlarged or replaced with a similar structure of a larger size, so long as the enlargement or replacement does not create new nonconformities or increase the extent of existing nonconformities with respect to such matters as setback and parking requirements.

18.506.070 Nonconforming Uses.

- (1) Expansion or Intensification of Nonconforming Use. Expansion of an existing nonconforming use or intensification of an existing nonconforming use within the confines of an existing structure or lot is allowed subject to the following conditions:
 - (a) A nonconforming use may not be enlarged, increased, or extended to occupy a greater area of building or land than was occupied at the effective date of adoption or amendment of that portion of this code which rendered the use nonconforming, unless a variance has been approved by the city.
 - (b) A nonconforming use may not be moved, in whole or in part, to any portion of the building or lot other than that occupied by such use at the effective date of adoption or amendment of that portion of this code which rendered the use nonconforming, unless a variance has been approved by the city.

i Next two subsections based on existing SMC 17.25.200.

- (2) Change of use to a use that is allowed under current code is allowed when all other requirements of the code are complied with, or when the Director finds that full compliance cannot be reasonably achieved without adding additional land to the lot where the nonconforming use is maintained or moving a substantial structure on a permanent foundation. Permission to change the use must be obtained in the same manner as permission to make the initial use of a vacant lot. Once conformity with this code is achieved, the property may not revert to its nonconforming status.
- (3) Change of use to another use that is also nonconforming is allowed if the Director finds, in addition to other findings that may be required by this code, that:
 - (a) the use requested is one that is permissible in some other zone;
 - (b) the proposed use will have less of an adverse impact on those most affected by it and will be more compatible with the surrounding neighborhood than the current nonconforming use.
- (4) Continuance of Conditional Uses. A use that was properly permitted through a conditional use permit and could still be permitted under this title is considered a conforming permitted use.
- (5) A nonconforming use may be extended throughout any portion of a completed building that, when the use was made nonconforming by this code, was manifestly designed or arranged to accommodate such use. However, a nonconforming use may not be extended to additional buildings or to land outside the original building.
- (6) A nonconforming use of open land may not be extended to cover more land than was occupied by that use when it became nonconforming.

i Relocated and revised code language authorizing the reconstruction of nonconforming structures and uses due to natural disasters (SMC 17.25.190, Repair maintenance and construction).

18.506.080 Reconstruction Due to Natural Disasters

- (1) Right to Rebuild. A nonconforming structure or use that is damaged or destroyed by accidental causes may be reconstructed or reestablished, subject to the provisions of this section.
- (2) Definition of Accidental Causes. For purposes of this section, “accidental causes” include natural events such as earthquakes, floods, storms, landslides, and mudslides, and other events such as fire, explosion, or similar occurrences beyond the control of the owner.
- (3) Reconstruction Standards.
 - (a) Footprint. The structure may be rebuilt on the same building footprint, provided no additional nonconformity is created. Minor adjustments to the footprint may be allowed to comply with current building, fire, or life-safety codes.
 - (b) Height. The reconstructed structure may not exceed the maximum building height allowed in the zoning district.
 - (c) Use. The reconstructed structure may be reoccupied by the same use, whether conforming or legally nonconforming, as existed prior to the damage. A change of use must comply with the requirements of this title.
 - (d) Compliance with Codes. All reconstruction must meet current building, fire, critical area, and shoreline requirements, except where specific nonconforming rights are preserved under this chapter.

- (4) Time Limit for Reconstruction. A complete building permit application for reconstruction shall be submitted within 12 months of the damaging event. The Planning Director may grant one extension of up to 12 additional months for good cause. Failure to apply within this time will result in loss of nonconforming rights.
- (5) Documentation of Prior Conditions. The applicant must provide sufficient evidence of the structure's lawful nonconforming status and its size, location, and use prior to damage, including but not limited to permit records, photographs, assessor's data, or other reliable documentation.
- (6) Variance Relief. Where full reconstruction in compliance with this section is not feasible due to site conditions or regulatory constraints, the property owner may apply for a variance pursuant to Chapter 18.330 SMC.

i New section for variances related to nonconforming lots, structures and uses. Moved SMC 17.25.170(3) to this section and rewrote to apply generically to nonconforming situations; not just lots.

18.506.090 Variance Criteria for Nonconforming Lots, Structures, and Uses.

- (1) When the provisions of this chapter cannot reasonably be complied with, a minor variance from the standards governing nonconforming uses, structures, or lots may be granted if all of the following criteria are met:
 - (a) Unnecessary Hardship. Strict application of the nonconforming provisions would deprive the property of all reasonable use permitted in the zone.
 - (b) Minimum Relief. The variance is the minimum necessary to allow reasonable use of the property.
 - (c) No Special Privilege. The variance does not grant a use or development right not enjoyed by other properties in the same zone and vicinity.
 - (d) Consistency with Plan. The variance is consistent with the comprehensive plan, intent of the zoning district, and the long-term goal of reducing or eliminating nonconformities.
 - (e) No Adverse Impact. The variance will not be materially detrimental to the public health, safety, or welfare, nor injurious to the use or enjoyment of other properties.
 - (f) Circumstances Beyond Owner's Control. The hardship results from conditions unique to the property, not from actions of the applicant or owner.
 - (g) Compliance with Law. The variance is consistent with state law, including the Shoreline Management Act (if applicable), and does not authorize any use prohibited outright in the zone.
- (2) Financial hardship does not constitute grounds for finding that compliance is not reasonably possible.
- (3) Applications for a minor variance under this section shall be filed and processed in accordance with the procedures set forth in SMC Chapter 18.220, Applications and SMC Chapter 18.230, Review Process.

i Deleted SMC 17.25.220, Completion of nonconforming projects, was deleted in its entirety as vesting laws apply.



City of Stanwood Planning Commission Staff Report

Item Number: 5.c.
Date: October 13, 2025
Subject: Municipal Code Update: Permitted Uses
Contact Person: Patricia Love, Community Development Director
Attachments:
1. Draft TOCs Division V and VI Zoning and Uses
2. Chapter 17.30 SMC

BACKGROUND:

The City of Stanwood is continuing its comprehensive update of the Municipal Code, with the next phase focused on revising the Permitted Use Matrix and the accompanying Use Standards. The Permitted Use Matrix defines the land uses permitted within each zoning district, while the Use Standards establish criteria to ensure that certain uses are designed and operated in a way that minimizes potential conflicts with neighboring properties.

The current Permitted Use Matrix and Use Standards were last updated in 2020, nearly five years ago. Since that time, significant changes have occurred, including the impacts of the COVID-19 pandemic, which altered how people work, live, and use space. Additionally, the City has updated its Comprehensive Plan, creating the need to reassess allowed uses for consistency with the community's long-term vision and recent state law changes.

The update will involve:

- Reviewing all permitted uses across zones to ensure consistency with the City's Comprehensive Plan and community vision.
- Revising or consolidating use categories where appropriate for clarity and efficiency.
- Developing or refining specific use standards to mitigate potential impacts (e.g., noise, traffic, light, or compatibility issues).

DISCUSSION:

The proposed approach to this update includes a comprehensive review of both the Permitted Use Matrix and the associated Use Standards. Attached to this report is a draft table of contents that outlines the proposed framework for organizing the updated code. Under the new Title 18, Unified Development Code, the Permitted Land Use provisions will be consolidated into Chapter 18.502, while the detailed Use Standards for specific land uses will be organized into Chapters 18.600 through 18.634. This structure is intended to provide greater clarity, ease of use, and consistency throughout the code.

Attached are also copies of the existing Permitted Use Matrix, Stanwood Municipal Code (SMC) 17.30. The Permitted Use Matrix is a critical regulatory tool that outlines which land uses are permitted, conditional, or prohibited within each zoning district. The purpose of the October Planning Commission meeting is to begin setting the direction for the next phase of the Municipal Code update. Specifically, the Commission will review the attachments to:

- Identify uses that may be outdated or no longer reflective of current community needs.
- Identify potential new uses that should be considered or added consistent with the City's recently updated Comprehensive Plan and long-term vision.

Following the Planning Commission's direction at the October meeting, staff will begin working with our consultants to draft revisions to the Permitted Use Matrix and update any associated use standards.

PROPOSED MOTION:

None; Discussion Topic

Division V Zoning and Uses

Chapter 18.500 Purpose, Intent, and Applicability

Chapter 18.502 Permitted Land Uses

18.502.030 Zoning use table.

18.502.040 Change in use.

18.502.050 Prohibited uses.

18.502.060 Residential use zoning table established.

18.502.070 Commercial and mixed-use zoning table established.

18.502.080 Industrial use zoning table established.

18.502.090 Public facilities zoning table established.

Chapter 18.504 Height and Bulk Standards

Chapter 18.506 Nonconforming Lots, Structures and Uses

Division VI Specific Use Standards

Chapter 18.600 Purpose, Intent and Applicability

Chapter 18.602 Temporary Uses and Structures

Chapter 18.604 Accessory Uses and Structures

Chapter 18.606 Accessory Dwelling Units (ADUs) *[no change]*

Chapter 18.608 Bed and Breakfasts

Chapter 18.610 Day Cares

Chapter 18.612 Home Businesses

Chapter 18.614 Manufactured Housing

Chapter 18.616 Special Residential Uses

Chapter 18.618 Adult Businesses

Chapter 18.620 Drive Throughs

Chapter 18.622 Entertainment and Sports Uses

Chapter 18.624 Live Entertainment

Chapter 18.626 Marijuana Retail *[no change to existing]*

Chapter 18.628 Farming and Agricultural Uses

Chapter 18.630 Mineral Extraction

Chapter 18.632 Schools

Chapter 18.634 Wireless Communications Facilities (WCFs) *[no change to existing]*

Chapter 17.30

PERMITTED LAND USES

Sections:

- 17.30.010 Permitted land uses and established classification of uses.**
- 17.30.020 Unclassified uses.**
- 17.30.030 Zoning use table.**
- 17.30.040 Change in use.**
- 17.30.050 Prohibited uses.**
- 17.30.060 Residential use zoning table established.**
- 17.30.070 Commercial and mixed-use zoning table established.**
- 17.30.080 Industrial use zoning table established.**
- 17.30.090 Public facilities zoning table established.**

Prior legislation: Ords. 1492, 1469, 1456, 1455, 1450, 1449, 1444, 1440, 1418, 1398, 1380, 1377, 1376, 1349, 1344, 1333, 1332, 1308, 1294, 1282.

17.30.010 Permitted land uses and established classification of uses.

(1) No building or structure shall be erected, converted, enlarged, reconstructed, or structurally altered, nor shall any building or structure or land be used, designed, or arranged, for any purpose other than is permitted pursuant to this section in the district in which the building or structure or land is located; provided, that such regulations shall not prohibit the continuance of an existing use.

(2) *Land Use Classifications Established.* This section establishes permitted, conditional, accessory, and prohibited uses for all properties within the city limits. All uses in a given zone are one of the following permit types:

- (a) *Permitted Use.* Land uses allowed outright within a zone.
- (b) *Accessory Use.* Uses customarily incidental and subordinate to the principal use and located upon the same lot occupied by the principal use. Accessory uses are intended to support the main occupancy of the principal use.
- (c) *Conditional Use.* Uses with special characteristics that may not generally be appropriate within a zoning district, but may be permitted subject to review by the hearing examiner to establish conditions to protect public health, safety and welfare.
- (d) *Prohibited Use.* Any use which is not specifically enumerated or interpreted by the city as allowable in that district. Any use not specifically listed as a permitted, accessory, or conditional use is prohibited, except those uses determined to be unclassified and permitted by the community development director. Specific

prohibited uses are listed in SMC [17.30.030](#). Any prohibited use is illegal and is subject to civil or criminal penalties under SMC Title [13](#).

(e) *Temporary Uses*. Temporary use permits are intended to allow for short-term placement of activities on private or public property with appropriate mechanisms in places to be compatible with surrounding areas. The director may approve or modify and approve an application for a temporary use permit if:

- (i) The temporary use will not be materially detrimental to public health, safety, or welfare, nor injurious to property and improvements in the immediate vicinity of the subject temporary use.
- (ii) The temporary use is not incompatible in intensity and appearance with existing land uses in the immediate vicinity of the temporary use.
- (iii) Adequate parking is provided for the temporary use, and if applicable the temporary use does not create a parking shortage for the existing uses on the site.
- (iv) Hours of operation of the temporary use are specified.
- (v) The temporary use will not create noise, light, or glare which would adversely impact surrounding uses and properties.

(f) *Unclassified Use*. A use which is not a permitted use, accessory use, or conditional use, but which is interpreted by the Stanwood hearing examiner as similar to a permitted, conditionally permitted or accessory use and that is not otherwise prohibited by the permitted use tables listed in this chapter. (Ord. 1499 § 2 (Exh. B), 2021).

17.30.020 Unclassified uses.

(1) *Unclassified Uses*. In the event that a proposed use is not listed in the permitted use table or there is ambiguity as to if a proposed use meets the definition of a use defined by the Stanwood Municipal Code, an applicant may request an interpretation of the zoning code by the hearing examiner to determine if a proposed use not specifically listed is either allowed, allowed as an accessory use, allowed as a conditional use or prohibited, utilizing the criteria in subsection [\(2\)](#) of this section.

(2) *Criteria for Unclassified Uses*. In order to make a determination that an unclassified use is permitted, conditionally permitted, or accessory, the hearing examiner must find that the use is:

- (a) In keeping with the purpose and intent of the zoning district as described in the Stanwood Comprehensive Plan.
- (b) Compatible with other permitted, accessory or conditional uses in the zoning district including, but not limited to, being similar in nature to and no more intense than a specifically listed permitted, conditional or accessory use.

(c) Compatible in an alternative zoning district that is more appropriate for the proposed use. Evaluation should include, but not be limited to, traffic, access, noise, odor, smoke, vibrations, parking, outdoor storage, and adjacent use or zoning buffers.

(3) Unclassified use requests shall be processed as a Type P-III permit subject to a public hearing before the hearing examiner. After considering staff comments and taking public testimony on the proposed use, the hearing examiner shall determine if the use is allowed, allowed as an accessory use, allowed as a conditional use or prohibited within the requested zone or any other appropriate zoning district. The hearing examiner may also require special conditions be applied to the use to ensure compatibility with the intent of the zoning district.

(4) Appeals of a decision issued by the hearing examiner on an unclassified use request shall follow the appeal process for Type P-III permits.

(5) Upon the decision of the hearing examiner, or the conclusion of any associated appeals, the interpretation made by the hearing examiner shall be documented and posted on the city’s website. Updates to this title, when consistent with the title format and level of detail, shall incorporate “unclassified use” interpretations upon adoption of a zoning code amendment by the city council. (Ord. 1499 § 2 (Exh. B), 2021).

17.30.030 Zoning use table.

(1) Permit types shall be classified according to the following:

(a) The letters “P-I” mean that the use is permissible in the indicated zone with a Type I administrative permit issued by the community development director.

(b) The letters “P-II” mean that the use is permissible in the indicated zone with a Type II administrative permit with public comment period issued by the community development director.

(c) The letters “P-III” mean that the use is permissible in the indicated zone with a Type III permit decision issued by the hearing examiner after holding a public hearing.

(d) The letters “P-IV” and “P-V” are additional permit types that require either review by the planning commission or approval by the city council.

(e) The letters “AC” mean that the use is permissible as an accessory use to a primary use on the same property.

(f) The letter “C” means that the use is permissible with a conditional use permit approved by the hearing examiner after holding a public hearing.

Permit Type Key Table

KEY:	
Blank = Not Permitted	AC = Accessory Use

Permit Type Key Table

P-I = Type I Permit	C = Conditional Use
P-II = Type II Permit	
P-III = Type III Permit	Footnote Number in Parentheses = Special Development Standards Specific to That Use

(Ord. 1499 § 2 (Exh. B), 2021).

17.30.040 Change in use.

- (1) A substantial change in use of property occurs whenever a new use or activity conducted on a lot creates a more intensive impact to the site in question or to the infrastructure of the city than the previous use, as determined by the community development director and/or his or her designee.
- (2) A change in the status of property from occupied to unoccupied or vice versa does not constitute a substantial change in use. Whether a change in use occurs shall be determined by comparing the two active uses of the property without regard to any intervening period during which the property may have been unoccupied, unless the property has remained unoccupied for more than 180 consecutive days or has been abandoned.
- (3) A change in ownership of a business or enterprise or a change in the name shall not be regarded as a substantial change in use. (Ord. 1499 § 2 (Exh. B), 2021).

17.30.050 Prohibited uses.

The following activities and uses are prohibited throughout the city of Stanwood due to their impactful nature on adjacent land uses or the community at large:

- (1) Aggregate extraction.
- (2) The disassembly, dismantling, or storage of more than five wrecked vehicles as defined in RCW [46.80.010\(6\)](#) at any one time unless completely contained within an enclosed building.
- (3) Manufacture of explosives.
- (4) Stockyards, slaughterhouses, or rendering plants; with the exception of existing legal nonconforming uses or those established prior to November 8, 2018.
- (5) Petroleum refineries.

- (6) Fertilizer manufacture.
- (7) Sanitary landfills.
- (8) Waste-to-energy facilities.
- (9) Casinos and card rooms with two or more card tables.
- (10) New enhanced service facilities.
- (11) Recovery homes.
- (12) Orphanage.
- (13) Manufactured/mobile home parks.
- (14) Auctions or sale of livestock or similar animals in the planned industrial or general industrial zones as noted in Chapter [17.50](#) SMC.
- (15) Storage, manufacturing or sales of highly volatile or otherwise extremely hazardous substances or materials.
- (16) Incineration or reduction of garbage, sewage, dead animals or refuse.
- (17) Crematoriums including the cremation of human and animal remains.
- (18) Septage treatment plants.
- (19) Uses that cannot meet and/or exceed the performance standards listed in SMC [17.50.020](#), Planned industrial and general industrial district performance standards.
- (20) Use of an automobile, travel trailer, motor home, or other recreational vehicle for living purposes for more than two consecutive weeks at a time and more than four weeks per year.
- (21) Temporary or permanent homeless encampments except as allowed by RCW [35A.21.360](#). (Ord. 1538 § 9 (Exh. I), 2024; Ord. 1499 § 2 (Exh. B), 2021).

17.30.060 Residential use zoning table established.

Permitted Use Table: Residential Zones

Land Use	Permit Type	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Agriculture							
Farm, Existing	P-I	P(1)	P(1)	P(1)	P(1)	P(1)	Property previously and currently used for ongoing agricultural activity.
Animal Services							
Kennel, Hobby	P-I	AC/ C(2)	AC/ C(2)	AC/ C(2)	AC/ C(2)		A collection of 3 or more adult dogs or 4 or more cats and 1 litter of unweaned pups.
Hotels and Guest Houses							
Bed and Breakfast	P-III	C(3)(4)	C(3)(4)	C(3)(4)	C(3)(4)	C(3)(4)	A building other than a hotel or nursing home where meals and short-term lodging are provided for compensation to guests.
Public Facilities							
Governmental Use	P-I					P	Public facilities that are utilized for daily administration and operation of government business.
Public Safety Station (Police and Fire)	P-II	P(5)	P(5)	P(5)	P(5)	P(5)	A facility used for police and fire services.
Quasi-Public							

Permitted Use Table: Residential Zones

Land Use	Permit Type	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Cemetery, Existing	P-I		P				A place for the burial or interment of dead persons or household pets.
Community Center	P-III	C	C	C	C	P	A building or grounds used for social, civic, or recreational purposes.
House of Worship/Church	P-III	C	C	C	C	P	A building or structure wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship.
Meeting Hall	P-III	C	C	C	C	P	A place of assembly that is used on a temporary but recurring basis for a variety of public or private events.
Recreation							
Open Space	P-I	P	P	P	P	P	A common, accessible area that is shared by residents of a subdivision and/or by the public and is left in its natural or undisturbed state.
Park, Community	P-II	P	P	P	P	P	Regional park facility that serves an area of over 10,000 in population and is 20 to 100 acres.

Permitted Use Table: Residential Zones

Land Use	Permit Type	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Park, Neighborhood	P-II	P	P	P	P	P	A park of 5 to 20 acres serving an area of 2,000 to 10,000 population within a quarter to one-half mile service area.
Park, Urban	P-II	P	P	P	P	P	A park providing public access and recreational, educational, cultural, historical, or aesthetic amenities.
Private/HOA Parks	P-I	P	P	P	P	P	A park area under common ownership by a homeowners association.
Trail	P-II	P	P	P	P	P	A paved or unpaved path used for walking, hiking, running, bicycling and/or horseback riding.
Residential							
Adult Family Home	P-I	P	P	P	P	P	A residential home in which a person or persons provide personal care, special care, room, and board to more than 1 but not more than 6 adults who are not related by blood or marriage to the person or persons providing the services.
Assisted Living/Independent Living	P-II					P	A state licensed group residence for adults per Chapter 18.20 RCW.

Permitted Use Table: Residential Zones

Land Use	Permit Type	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Congregate Care Facility	P-III					C(6)	A residential facility for the elderly and/or handicapped persons.
Daycare, Home	P-I	AC(7)	AC(7)	AC(7)	AC(7)	AC(7)	Care for children under the age of 12 or seniors located in the family dwelling accommodating 12 or fewer.
Dwelling, Accessory	P-I	AC(8)	AC(8)	AC(8)	AC(8)		A secondary living unit that is located on the same property as the primary dwelling.
Dwelling, Cottage	P-III	P(9)	P(9)	P(9)	P(9)		A minimum of 4 small detached single-family homes located together in a neighborhood format around common open space.
Dwelling, Duplex	P-I				P(10)	P	A detached building, designed for 2 families living independently of each other and divided by a common wall.
Dwelling, Multiple-Family Development Up to 20 Units	P-I					P	A building designed for 3 or more families living independently of each other, including apartment houses but not including hotels, trailers, or mobile/manufactured homes.
Dwelling, Multiple-Family Development 21 Units or Greater	P-II					P	A building designed for 3 or more families living independently of each other, including apartment houses but not including hotels, trailers, or mobile/manufactured homes.

Permitted Use Table: Residential Zones

Land Use	Permit Type	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Dwelling, Single-Family	P-I	P	P	P	P	P	A detached building designed for or occupied exclusively by 1 family.
Dwelling, Townhouse	P-I				C	P	A dwelling unit that is; occupied by 1 family; has no units above or under it; and is attached to other units by common side walls.
Enhanced Service Facility Conversion Category 1 – Existing Nursing Home Conversion of Up to a 16-Bed Facility (21)	P-III					C	A facility licensed under Chapter 70.97 RCW that provides support and services to persons for whom acute inpatient treatment is not medically necessary.
Enhanced Service Facility Conversion Category 2 – Existing Assisted Living Conversion of Up to a 16-Bed Facility (21)	P-II					P	A facility licensed under Chapter 70.97 RCW that provides support and services to persons for whom acute inpatient treatment is not medically necessary.
Enhanced Service Facility Conversion Category 3 – Existing Adult Family Home Conversion of Up to a 6-Bed Facility (21)	P-I	P	P	P	P	P	A facility licensed under Chapter 70.97 RCW that provides support and services to persons for whom acute inpatient treatment is not medically necessary.
Group Home	P-I	P(11)	P(11)	P(11)	P(11)	P(11)	A facility licensed by the state to provide 24-hour training, care, custody, correction or

Permitted Use Table: Residential Zones

Land Use	Permit Type	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
							control, or any combination of those functions, to 1 or more persons. This term shall not include schools, hospitals, prisons or other social service facilities.
Home Occupation	P-I	AC(12)	AC(12)	AC(12)	AC(12)	AC(12)	A business carried on within a dwelling unit or accessory building which is incidental and secondary to the residential use.
Homeless Housing	P-I	P	P	P	P	P	"Homeless housing" means housing types that are usually geared specifically towards homeless populations including: transitional housing and permanent supportive housing.
Manufactured/Mobile Home	P-I	P(13)	P(13)	P(13)	P(13)		A residential unit on 1 or more chassis for towing to the point of use and designed to be used with a permanent foundation as a dwelling unit on a year-round basis.
Schools							
Elementary School	P-III	C	C	C	C		Any school, public or private, intended for the education of children from kindergarten through the fifth grade.
High School	P-III	C	C	C	C		Any school, public or private, intended for the education of children from the ninth through the twelfth grade.

Permitted Use Table: Residential Zones

Land Use	Permit Type	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Middle School	P-III	C	C	C	C		Any school, public or private, intended for the education of children from the sixth through eighth grade.
Preschool Facility	P-II/P-III	C	C	C	P(10)	P	An educational establishment that provides instruction and daytime care, for 4 or more children between the ages of 2 and 5 years.
Seminary	P-III			C(14)			An educational institution for religious study.
Utilities							
Electrical Equipment and Pole Storage Yard Associated with Electrical Substations	P-I	P	P	P	P	P	Area used for the storage of equipment and support poles associated with a permitted electrical substation.
Electrical Substation	P-II	P	P(15)	P(15)	P(15)	P	A facility that provides transmission and distribution of electric power.
Electrical Transmission Lines	P-II	P	P	P	P	P	Lines which connect the power produced at generating facilities to substations.
Sewage Lift Station	P-II	P	P	P	P	P	The station in a sewer system where the wastewater needs to be pumped (lifted) to a higher elevation so that gravity can be used to bring the wastewater to the treatment plant.

Permitted Use Table: Residential Zones

Land Use	Permit Type	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Water Well and Pump Station	P-II	P	P	P	P	P	Infrastructure used to move water from a ground water source and convey water within a utility system.
Water, Drainage or Sewage Infrastructure	P-II	P	P	P	P	P	Pipes, installations and other infrastructure that are part of a system used for the purpose of water, drainage or sewage.
Wireless Communication Facilities							
Co-Location PWCF	P-II	P(16)	P(16)	P(16)	P(16)	P(16)	The placement and arrangement of multiple providers' antennas and equipment on a single support structure or equipment pad area.
Minor Facilities	P-II	P(17)	P(17)	P(17)	P(17)	P(17)	Wireless communications facility consisting of up to 3 antennas within specified size limitations.
Single PWCF	P-II	P(18)	P(18)	P(18)	P(18)	P(18)	A wireless communications facility for the transmission and/or reception of radio frequency signals associated with personal wireless services and which may include antennas, equipment shelter or cabinet, transmission cables, a support structure, reception and transmission devices and antennas and temporary or portable service facilities.

Permitted Use Table: Residential Zones

Land Use	Permit Type	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Monopole Towers	P-II	C(19)	C(19)	C(19)	C(19)	C(19)	Any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities.
Small Cell Facilities	P-II	P(20)	P(20)	P(20)	P(20)	P(20)	A personal wireless services facility that meets the requirements of Chapters 17.200 through 17.220 SMC.
Other							
Daycare Center	P-II			P(7)	P(7)	P(7)	Care of children under the age of 12, or seniors, located in a facility which accommodates 13 or more persons.
Daycare, Mini	P-II				P(7)	P(7)	Care of children under the age of 12, or seniors, located in a facility other than a family dwelling, which accommodates 12 or fewer persons.
Transitional Housing	P-II	P	P	P	P	P	Temporary housing for individuals and families for periods up to 2 years. Such facilities may also include job and/or self-sufficiency training and other supportive services to help people transition to independent living.

Permitted Use Table: Residential Zones

Land Use	Permit Type	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Emergency Shelter	P-I	P	P	P	P	P	“Emergency shelter” means an indoor facility that provides a temporary shelter for individuals 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.
Emergency Housing	P-I	P	P	P	P	P	“Emergency housing” means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that are intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.
Temporary Uses	P-I	P	P	P	P	P	A use established for a fixed period of time with the intent to discontinue such use upon the expiration of such time.

Residential Zoning Use Conditions:

- (1)** Farms shall register with the city for the right to farm per Chapter [17.102](#) SMC. New farms are limited to the SR 12.4 zone with a minimum land area of two and one-half acres. Farms preexisting on the effective date of Ordinance No. [1032](#) in 2002 are permitted on smaller land areas and may register to receive right-to-farm protection.
- (2)** A hobby kennel license is required for a total of four or more dogs and four or more cats over three months of age. A maximum of four animals is allowed when the parcel is under one acre, five animals per acre are allowed when the parcel is one to five acres and 25 animals are allowed when the parcel is over five acres. These maximums may be exceeded with special hobby kennel permit issued administratively by the animal control officer pursuant to SMC [8.02.450](#) and [8.02.470](#); provided, however, that in all cases exceeding the maximum standard by six animals requires an conditional use permit. All indoor and outdoor kennels shall comply with the animal control and licensing standards contained in Chapter [8.02](#) SMC. Three or fewer animals are allowed as an accessory use without a kennel license as pets.
- (3)** A business license and compliance with conditions in SMC [17.100.060](#) for permitting a bed and breakfast use are required. Bed and breakfast residence use is limited to four rooms per residence. Bed and breakfast inn use is limited to six rooms in the SR 5.0 zone, 10 rooms in the MR zone and 16 rooms in the GC zone.
- (4)** Restaurants that serve lunches and/or dinner shall be allowed in bed and breakfast accommodations.
- (5)** Twenty thousand square feet of land area are required. This minimum land area requirement may be reduced through the conditional use permit process in SMC [18.210.030](#) provided the lot meets the minimum lot size standard for the zone.
- (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)** One accessory dwelling unit per lot is allowed. Accessory dwelling units shall comply with the criteria and design standards set forth in SMC [17.95.470](#) through [17.95.480](#).
- (9)** Cottage housing units shall comply with the requirements in SMC [17.95.450](#).
- (10)** Minimum land area of 7,000 square feet required.
- (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.

(14) Limited to 9,000 square feet in the SR 7.0 zone.

(15) Minimum land area of 10,000 square feet required.

(16) Subject to the wireless communications facilities standards in Chapter [17.220](#) SMC.

(17) Minor facilities are limited to co-location on an existing monopole and are subject to the wireless communications facilities standards in Chapter [17.220](#) SMC.

(18) Limited to one personal wireless communications facility (PWCF) on existing light standards and power poles within the public right-of-way and subject to the wireless communications facilities standards in Chapter [17.220](#) SMC.

(19) Monopole towers only are permitted. Guy and lattice towers are prohibited. Limited to locations on properties with existing public use, except in the general commercial and general industrial zones subject to a conditional use permit, and subject to the wireless communications facilities standards in Chapter [17.220](#) SMC.

(20) All small wireless communication facilities shall be subject to the requirements of Chapters [17.200](#), [17.205](#), and [17.210](#) SMC.

(21) Enhanced service facility conversions of Category 1 – 3 facilities shall be subject to the requirements of SMC [17.95.375](#).

(Ord. 1499 § 2 (Exh. B), 2021).

17.30.070 Commercial and mixed-use zoning table established.

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Animal Services						
Animal Daycare/Grooming	P-I	P(1)	P(1)	P(1)	P(1)	An establishment providing daytime training, supervision, recreation, clipping, hygienic care, or cleaning services for animals.
Kennel, Commercial Indoor/ Outdoor			AC/C(4)			A facility holding 4 or more domestic animals over 4 months of age for boarding, breeding, sale, or treatment.
Veterinarian Hospital or Clinic	P-I		P(5)		P	A building used to provide health care services to animals.
Automotive Services						
Automobile Rental Agency	P-I				P	A rental and incidental storage agency which provides motor vehicle rentals under 10,000 lbs.
Automobile Repair and Services	P-I				P(6)	An establishment that provides a variety of levels of repair, sales, handling, maintaining, or disposing of motor vehicles.

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Automobile Sales and Service, New or Used	P-I				P/C(7)	An establishment that sells new or used motorized vehicles as its primary use, and allows for minor or major repairs, or paint and body work.
Automobile Service Station	P-I		P(35)			A building that sells or supplies fuels, lubricants, air, water, and other operating commodities for motor vehicles or boats.
Car Wash	P-I		P		P	A building, or portion thereof, for washing automobiles utilizing mechanical devices.
Parking Lots, Garages	P-I	AC	P/AC	AC	AC	A building, or area beneath a building, except those described as a private garage, used for the parking only of automotive vehicles.
Cultural/Entertainment						
Art Gallery	P-I		P		P	A room or building devoted to the exhibition of works of art or an institution or business exhibiting or dealing in works of art.

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Game, Video Arcade	P-I		P		P	A venue where people play indoor table games and/or arcade video games.
Live Entertainment	P-I		AC(9)	AC(9)	AC(9)	Music, comedy, readings, dancing, acting, or other entertainment performed at an establishment such as a theater or concert hall.
Museum	P-II		P		P	A nonprofit, noncommercial establishment operated as a repository or a collection of natural, historic, scientific or works of art.
Night Club	P-I		P		P	A business conducted inside a building that has the capacity for at least 30 persons seated at tables, includes a bar, employs a bartender and maintains table service, dancing, and/or live entertainment.
Theater	P-I		P		P	A building or part of a building, devoted to showing motion pictures, or for dramatic, musical or live performances.
Hotels and Guest Houses						

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Bed and Breakfast	P-III		P(2)(10) (11)		C(2)(10) (11)	A building other than a hotel or nursing home where meals and short-term lodging of more than 2 rooms are provided for compensation.
Hotel	P-I		P/C(7)		P	Any building containing more than 6 guest rooms intended to be used, rented or hired out to be occupied for sleeping purposes.
Industrial						
Food and Beverage Processing Facility	P-III				C	Means sorting, packaging, bottling or labeling raw or semi-processed food or beverages into a product.
Manufacturing, Light	P-II	P(12)			P(12)	A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including process, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.
Communication Technology (TV broadcasting, radio station, video production,	P-I				P	An industry consisting of the technological and commercial

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
internet or movie production or other similar technologies)						broadcasting institutions or filmmaking.
Office						
Professional Office	P-I	P	P	P	P	A business providing expertise to clients for a fee for service in any of the following related categories: accounting, architecture, engineering, planning, law, music, art, interior design, real estate, writing, education, or any similar type of business.
Health Care Office	P-I	P	P	P	P	Health care services such as primary care clinics, mental health clinics, community health centers, dentist, orthodontist, nutritionist, physical therapy, optometrists, or similar medical practices excluding hospitals.
Hospital	P-III	C	C	C	C	A facility providing primary health services and medical or surgical care to persons, primarily inpatients suffering from illness, disease, injury, deformity, other abnormal physical or mental conditions, chemical or

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Personal Services						
Assisted/Independent Living		C	P/C(7) (17)		P(17)	A state licensed group residence for adults per Chapter 18.20 RCW.
Salon	P-I	P	P	P	P	An establishment where hair cutting, coloring and styling, facials, manicures, lashes, and/or spa services are provided.
Daycare Center	P-I	P(13)	P(13)	P(13)	P(13)	Care of children under the age of 12, or seniors, located in a facility which accommodates 13 or more persons.
Laundromat/Dry Cleaner	P-I	P(14)	P	P	P	An establishment providing dry cleaning businesses or washing, drying machines on the premises for rental use to the general public.
Equipment Rental	P-I		P		P	Equipment rental is a service providing machinery, equipment and tools of all kinds and sizes for a

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
						limited period of time to individual consumers.
Health/Athletic Club	P-I		P		P	Gymnasiums (except those related to educational institutions), private clubs (athletic, health, or recreational), reducing salons, and weight control establishments.
Funeral Home	P-I		P			A building used for the preparation of the deceased for burial, the display of the deceased, and ceremonies connected therewith before burial or cremation; crematories are not considered part of a funeral home or an accessory.
Janitorial Services	P-I		P			A company providing janitorial services such as the cleaning of offices or other building establishments.
Mail/Small Shipping Store	P-I		P		P	An establishment that provides shipping, shredding, printing, fax, passport photos, personal and business mailboxes, and notary services.

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Private Clubs	P-I		P		P	Organizations that are privately owned and operated by their members and not operated for profit such as clubs, lodges, lounges, and halls.
Tattoo and Piercing Parlors	P-I		P		P	A business designing and creating permanent graphic images on the human body; may include piercing.
Public Facilities						
Governmental Use	P-I	P	P(7)		P	Public facilities that are utilized for daily administration and operation of government business.
Park and Ride Facility	P-II					A parking area designated for commuters using public transportation.
Post Office	P-I		P(7)		P	A facility authorized by a postal system for posting, receipt, sorting, handling, transmission, and delivery of mail and offering mail-related services.
Public Safety Station (Police and Fire)	P-II	P/C(15)	P/C(15)		P/C(15)	A facility used for police and fire services.

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Public Transit Storage and Maintenance Facility	P-II				P	A facility used for public transit storage and maintenance.
Public Transit Terminal	P-II		P			A terminal used for public transit.
Quasi-Public						
Meeting Hall	P-II	P/C(7)	P			A building or grounds used for social, civic, or recreational purposes and owned and operated by a nonprofit organization and open to the general public.
House of Worship/Church	P-III	C(7)	P/C(7)	P/C(7)	P/C(7)	A building or structure wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship.
Recreation						
Amusement Park or Center	P-II				P	A group of amusement devices for children and/or adults and their accessory uses.
Bowling Alley	P-I		P			A recreational facility which includes bowling lanes, and may include a

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
						small lounge, restaurant or snack bar, video games and pool tables.
Community Garden	P-I	P	P		P	Land set aside for collective use for an organization or for the general public to grow produce and/or flowers. Excluding marijuana.
Open Space	P-I	P	P	P	P	A common, accessible area that is shared by residents of a subdivision and/or by the public and is left in its natural or undisturbed state.
Park, Community	P-II	P	P	P	P	Regional park facility that serves an area of over 10,000 in population and is 20 to 100 acres.
Park, Urban	P-II	P	P	P	P	A park providing public access and recreational, educational, cultural, historical, or aesthetic amenities.
Private/HOA Parks	P-I	P	P		P	A park area under common ownership by a homeowners association.
Trail	P-II	P	P	P	P	A paved or unpaved path used for walking, hiking, running, bicycling and/or horseback riding.

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Repair Services						
Minor Service Repairs Within the Confines of a Building; No Outside Storage or Repair	P-I	P	P	P	P	An establishment providing minor repair services such as shoe repair, tailoring, bicycle repairs, computer repairs or similar type uses.
Residential						
Adult Family Home	P-I	P	P	P	P	A residential home in which a person or persons provide personal care, special care, room, and board to more than 1 but not more than 6 adults who are not related by blood or marriage to the person or persons providing the services.
Assisted Living/ Independent Living	P-II				P	A state licensed group residence for adults per Chapter 18.20 RCW.
Boarding House	P-I		P(16)			A building other than a motel, where lodging and meals are provided for more than 5 persons for compensation on a long-term basis.
Congregate Care Facility	P-III	C	P/C(7) (17)		P(17)	A residential facility for the elderly and/or handicapped persons.

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Daycare, Family	P-I	P	P(13)	P		A residence used for the care of children under the age of 12 or seniors located in the family dwelling of the person or persons under whose direct care the child or children are placed, accommodating 12 or fewer, such numbers to include those members of the resident family who are under the age of 12 years old.
Dwelling, Accessory	P-I	AC(18)	P			A secondary living unit that is located on the same property as the primary dwelling.
Dwelling, Cottage	P-II	P(20)				A minimum of 4 small detached single-family homes located together in a neighborhood format around common open space.
Dwelling, Duplex	P-I	P	P(39)		P(21) (39)	A detached building, designed for 2 families living independently of each other and divided by a common wall.
Dwelling, Triplex	P-I		P(39)		P(21) (39)	A detached building, designed for 3 families living independently of each other and divided by a common wall.

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Dwelling, Multiple-Family	P-II	P(7)	P(39)			A building designed for 3 or more families living independently of each other, including apartment houses but not including hotels, trailers, or mobile/manufactured homes.
Dwelling, Single-Family	P-I	P				A detached building designed for or occupied exclusively by 1 family.
Dwelling, Townhouse	P-I	P	P		P(21) (39)	A dwelling unit that is: occupied by 1 family; has no units above or under it; and is attached to other units by common side walls.
Emergency Housing	P-I		C(7)		C(7)	A facility whose primary purpose is to provide temporary shelter and supportive services to those experiencing homelessness for no more than 60 days.
Enhanced Service Facility Conversion Category 1 - Existing Nursing Home Conversion of Up to a 16-Bed Facility (21)	P-III	C	P		P	A facility licensed under Chapter 70.97 RCW that provides support and services to persons for whom acute inpatient treatment is not medically necessary.
Enhanced Service Facility Conversion Category 2 -	P-II	C	P		P	A facility licensed under Chapter 70.97 RCW that provides support and

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Existing Assisted Living Conversion of Up to a 16-Bed Facility (21)						services to persons for whom acute inpatient treatment is not medically necessary.
Enhanced Service Facility Conversion Category 3 - Existing Adult Family Home Conversion of Up to a 6-Bed Facility (21)	P-I	P				A facility licensed under Chapter 70.97 RCW that provides support and services to persons for whom acute inpatient treatment is not medically necessary.
Group Care Facilities		P	P			Shared living quarters (without separate kitchen or bathroom facilities for each room or unit) for 7 or more persons with physical or mental impairments that substantially limit 1 or more of such person's major life activities when such persons are not living together as a single household unit.
Group Home	P-I		P(19)		P(19)	A facility licensed by the state to provide 24-hour training, care, custody, correction or control, or any combination of those functions, to 1 or more persons. This term shall not include schools, hospitals, prisons or other social service facilities.

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Home Occupation	P-I	AC(22)	AC(22)		AC	A business carried on within a dwelling unit or accessory building which is incidental and secondary to the residential use.
Live/Work Units	P-1		P(38) (39)		P(21) (38) (39)	"Live/work unit" means a single dwelling unit in a detached building, or in a multifamily or mixed-use building, that also accommodates limited commercial uses within the dwelling unit. The predominate use of a live/work unit is residential, and commercial activity is a secondary use.
Mixed-Use	P-II	P	P(39)		P(39)	Residential and commercial uses within a single building or development that may occur either within 1 story as a horizontal mix, in 1 structure with multiple stories as a vertical mix or in more than 1 detached structure.
Retail Trade Establishments						

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Retail Shop – Boutique Style Less Than 3,000 Square Feet	P-I		P	P		Small scale retail uses such as boutiques, bakeries, florists, convenience stores, pharmacies, and more.
Retail Shop – Mid-Range Between 3,000 and 10,000 Square Feet (Non-Strip Mall Design)	P-I	P	P		P	Mid-sized retail uses such as grocery stores, sporting goods store, large thrift stores, office supplies, and more.
Retail – Strip Mall or Big Box Greater Than 10,000 Square Feet	P-III				P	Large scale retail uses such as supermarkets, construction supply stores, furniture stores, and more.
Agricultural Produce Stand	P-I	P	P	P	P	A farm stand that sells produce including fresh, dried or bottled vegetables and fruits and plants/flowers.
Farmer’s Market	P-I	P	P	P	P	Retail area, outdoors or indoors, where vendors sell produce, baked goods, food and/or limited crafts to the public.
Kiosk/Vending Machine	P-I	AC(23)	AC(23)	AC(23)	AC(23)	Mobile units such as kiosks and vending machines that dispense products for sale including but not limited to beverages, food and video.

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Marijuana Retailer	P-I		C(40)			As set forth in RCW 69.50.101 . – a person licensed by the board to sell marijuana concentrates, usable marijuana, and marijuana-infused products in a retail outlet.
Plant Nursery	P-I		P			An enterprise, establishment, or portion thereof that conducts the retailing or wholesaling of plants grown on the site, as well as accessory items (but not farm implements) directly related to their care and maintenance.
Retail Prepared Food/Beverage Establishments						
Bars and Cocktail Lounges	P-I		P		P	A business conducted entirely within a building wherein primarily alcoholic beverages are sold at retail for consumption on the premises. Limited food service and live entertainment may be provided as an accessory use. Excludes night clubs, restaurants, and taverns.
Catering	P-I	P(24)	P	P	P	An establishment that prepares food on site and delivers it to another

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
						location for consumption. Caterers may also provide party planning and occasional hourly labor for special events.
Beverage Stand	P-I	P(24)	P(24)(25)(26)	P(25)(26)	P(25)(26)	Restaurants specializing in coffee, tea, and other assorted beverage products, accessory baked goods and concessions.
Restaurant	P-I	P(24)(26)	P(24)(25)	P(25)(26)	P(25)(26)	An establishment whose primary business is the sale of food and beverages to patrons for consumption on the premises.
Tavern	P-I		P		P	A business conducted entirely within a building where beer and/or wine is served to the public, which holds a class "A" or "B" license from the Washington State Liquor and Cannabis Board. Limited food service and live entertainment may be provided as an accessory use. Excludes bars/cocktail lounges, night clubs and restaurants.
Schools						

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Elementary School	P-III	C				Any school, public or private, intended for the education of children from kindergarten through the fifth grade.
Preschool Facility	P-II/ P-III		P(27)			An educational establishment that provides instruction and daytime care, for 4 or more children between the ages of 2 and 5 years.
School, Other	P-I		P(27)			Places for systematic instruction, to include trade, vocational/technical, art, music, dance, and business schools or similar type institutions.
Wholesale Storage/Distribution Facilities						
Detached Commercial Accessory Storage	P-III		C(28)	C(28)	C(28)	Storage structure that is subordinate and incidental to a commercial or industrial use. This use is not a mini-warehouse storage unit facility.
Utilities						
Electrical Equipment and Pole Storage Yard Associated With an Electrical Substation	P-I	P(29)(36)	P(29)(36)	P(29)(36)	P(29)(36)	Area used for the storage of equipment and support poles associated with permitted electrical substations.

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Electrical Substation	P-II	P(29)	P	P	P	A facility that provides transmission and distribution of electric power.
Electrical Transmission Lines	P-II		P		P	Lines which connect the power produced at generating facilities to substations.
Recycle Collection Stand	P-II		AC	AC	AC	A movable kiosk for the collection of recyclable materials or donations such as newspapers, clothing or books.
Sewage Lift Station	P-II	P(29)	P	P		The station in a sewer system where the wastewater needs to be pumped (lifted) to a higher elevation so that gravity can be used to bring the wastewater to the treatment plant.
Water Well and Pump Station	P-II	P				Infrastructure used to move water from a ground water source and convey water within a utility system.
Water, Drainage or Sewage Infrastructure	P-II	P	P	P	P	Pipes, installations and other infrastructure that are part of a system used for the purpose of water, drainage or sewage.
Wireless Communications Facilities						

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Co-Location PWCA	P-I	P(30)	P(30)	P(30)	P(30)	The placement and arrangement of multiple providers' antennas and equipment on a single support structure or equipment pad area.
Minor Facilities	P-I	P(31)	P(31)	P(31)	P(31)	Wireless communications facility consisting of up to 3 antennas within specified size limitations.
Single PWCF	P-II	P(32)	P(32)	P(32)	P(32)	A wireless communications facility for the transmission and/or reception of radio frequency signals associated with personal wireless services and which may include antennas, equipment shelter or cabinet, transmission cables, a support structure, reception and transmission devices and antennas and temporary or portable service facilities.
Monopole Towers	P-III	C(33)	C(33)	C(33)	C(33)	Any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities.

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Small Cell Facilities	P-I	P(34)	P(34)	P(34)	P(34)	A personal wireless services facility that meets the requirements of Chapters 17.200 through 17.220 SMC.
Other						
Indoor Emergency Shelters	P-I	P	P	P	P	“Emergency shelter” means a facility that provides a temporary shelter for individuals 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.
Indoor Emergency Housing	P-I		P	P	P	“Emergency housing” means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that are intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require

Permitted Use Table: Commercial and Mixed-Use Zones

Land Use	Permit Type	TN	DMU	NB	GC	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
						occupants to enter into a lease or an occupancy agreement.
Temporary Uses	P-I	P	P	P	P	A use established for a fixed period of time with the intent to discontinue such use upon the expiration of such time.
Transitional Housing	P-I	P			P	Housing and supportive services to homeless persons or families for up to 2 years and that has as its purpose facilitating the movement of homeless persons and families into independent living.

Commercial and Mixed-Use Zoning Use Conditions:

- (1)** Subject to animal services grooming parlor conditions in Chapter [8.70](#) SMC.
- (2)** Retail trade establishments are limited to 50,000 square feet gross floor area per individual establishment. A business license and compliance with conditions in Chapter [17.100](#) SMC for permitting a bed and breakfast use are required. Bed and breakfast residence use is limited to four rooms per residence. Bed and breakfast inn use is limited to six rooms in the SR 5.0 zone, 10 rooms in the MR zone and 16 rooms in the GC zone.
- (3)** *Repealed by Ord. 1538.*
- (4)** A hobby kennel license is required for a total of four or more dogs and four or more cats over three months of age. A maximum of four animals is allowed when the parcel is under one acre, five animals per acre are allowed when the parcel is one to five acres and 25 animals are allowed when the parcel is over five acres. These maximums may be exceeded with special hobby kennel permit issued administratively by the planning and community development director pursuant to Chapter [8.20](#) SMC; provided, however, that in all cases exceeding the maximum standard by six animals requires a conditional use permit. All indoor and outdoor kennels shall comply with the animal control and licensing standards contained in SMC Title [8](#). Three or fewer animals are allowed as an accessory use without a kennel license as pets.
- (5)** No outdoor kennels.
- (6)** Automobile repair is limited to minor repair services in the general commercial zone.
- (7)** Minimum land area of 20,000 square feet is required. This standard may be modified through the conditional use permit process.
- (8)** *Repealed by Ord. 1538.*
- (9)** Subject to standards in SMC [17.100.055](#).
- (10)** A business license and compliance with conditions in SMC [17.100.060](#) for permitting a bed and breakfast use are required.
- (11)** Restaurants that serve lunches and/or dinner shall be allowed in bed and breakfast accommodations.
- (12)** In the general commercial zone east of 72nd Avenue, light manufacturing is limited to assembly and fabrication of products such as medical equipment, optics, electrical and electronic goods. In the TN – mixed-use designation light manufacturing uses are limited to 30 percent of the site and shall consist of incubator businesses wholly contained within the building; no outdoor storage.
- (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.
- (14)** Limited to drop-off and pick-up with no on-site dry cleaning allowed.
- (15)** Twenty thousand square feet of land area are required. This minimum land area requirement may be reduced through the conditional use permit process provided the lot meets the minimum lot size standard for the zone.

- (16)** Boarding/rooming houses shall be allowed only as second or third floor activities over retail trade, personal service or business professional service establishments, and not as ground floor uses.
- (17)** Limited to 30 rooms/increment of minimum land area.
- (18)** One accessory dwelling unit per lot is allowed. Accessory dwelling units shall comply with the criteria and design standards set forth in SMC [17.95.470](#) through [17.95.480](#).
- (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](#).
- (23)** Kiosks/vending machines are permitted only as accessory uses inside a building.
- (24)** No drive-through service allowed on 271st between 88th Avenue and 84th Avenue and 270th from 99th Avenue to 102nd Drive.
- (25)** Drive-up windows allowed subject to the supplemental standards for drive-through facilities provided in SMC [17.100.040](#).
- (26)** Outside dining is limited to areas designated for such use, shall be in keeping with the exterior architectural theme of the building, and shall not permit the consumption of food or beverages within automobiles.
- (27)** Permitted when located in the historic downtown areas as depicted in SMC [17.105.110](#), provided there is no outdoor display or storage.
- (28)** Detached accessory storage shall comply with nonresidential performance standards in SMC [17.100.075](#), conditions for permitting detached storage structures in commercial zones, and the additional architectural standards in SMC [17.112.030](#) in the DMU zoning district, and SMC [17.112.040](#) in the GC zoning district.
- (29)** Minimum land area of 10,000 square feet required.
- (30)** Subject to the wireless communications facilities standards in Chapter [17.220](#) SMC.
- (31)** Minor facilities are limited to co-location on an existing monopole and are subject to the wireless communications facilities standards in Chapter [17.220](#) SMC.
- (32)** Limited to one personal wireless communications facility (PWCF) on existing light standards and power poles within the public right-of-way and subject to the wireless communications facilities standards in Chapter [17.220](#) SMC.
- (33)** All small wireless communication facilities shall be subject to the requirements of Chapters [17.200](#), [17.205](#), and [17.210](#) SMC.
- (34)** Monopole towers only are permitted. Guy and lattice towers are prohibited. Limited to locations on properties with existing public use, except in the general commercial and general industrial zones subject

to a conditional use permit, and subject to the wireless communications facilities standards in Chapter [17.220](#) SMC.

(35) 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 the measurement of setback requirements.

(36) Pole yards and storage areas shall be screened from adjacent residential or commercial uses. Chain link fences with slats are not allowed.

(37) *Repealed by Ord. 1538.*

(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. 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.

(40) Subject to standards in SMC [17.100.045](#).

(Ord. 1538 § 2 (Exh. B), 2024; Ord. 1499 § 2 (Exh. B), 2021).

17.30.080 Industrial use zoning table established.

Permitted Use Table: Industrial Zones

Land Use	Permit Type	PI	GI	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Animal Services				
Kennel, Commercial Indoor/ Outdoor	P-I	P(1)		A building holding 4 or more domestic animals over 4 months of age for boarding, breeding, sale, or treatment.
Veterinarian Hospital or Clinic	P-II	P		A building used to provide health care services to animals.
Automotive Services				
Automobile or Truck Repair and Services	P-I	P(2)	P(2)	An establishment that provides a variety of levels of repair, sales, handling, maintaining, or disposing of motor vehicles.

Permitted Use Table: Industrial Zones

Land Use	Permit Type	PI	GI	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Automobile Sales and Service, New or Used	P-I	P	P	An establishment that sells new or used motorized vehicles as its primary use, and allows for minor or major repairs, or paint and body work.
Automobile Service Station	P-I	P(3)		A building that sells or supplies fuels, lubricants, air, water, and other operating commodities for motor vehicles or boats.
Car Wash	P-I	AC		A building, or portion thereof, for washing automobiles utilizing mechanical devices.
Impound, Storage, Tow Yards	P-I	AC(4)	AC(4)	A lot used for temporary storage of vehicles which have been towed by a towing company or for impounded vehicles.
Parking Lots, Garages	P-I	AC	AC	A building, or area beneath a building, except those described as a private garage, used for the parking only of automotive vehicles.
Parking Structure, Commercial	P-I	P	P	A standalone structure used for the storage or parking of motor vehicles.
Towing	P-I	P(6)	P(6)	A service that provides the towing of a disabled vehicle or trailer.
Wrecking	P-I		P(6)	The dismantling/wrecking of 1 or more motor vehicles or trailers; and/or the storage, sale, or dumping of dismantled vehicles or their parts.
Cultural/Entertainment				
Adult Entertainment Facility	P-I		P(7)	A room or building devoted to the exhibition of works of art or an institution or business exhibiting or dealing in works of art.

Permitted Use Table: Industrial Zones

Land Use	Permit Type	PI	GI	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Live Entertainment	P-I	AC		Music, comedy, readings, dancing, acting, or other entertainment performed at an establishment such as a theater or concert hall.
Hotels and Guest Houses				
Bed and Breakfast	P-I	P	P	A building other than a hotel or nursing home where meals and short-term lodging of more than 2 rooms are provided for compensation.
Hotel	P-I	P(8)		Any building containing more than 6 guest rooms intended to be used, rented or hired out to be occupied for sleeping purposes.
Resort	P-III	P(8)		A hotel that serves as a destination point for visitors; generally provides recreational facilities for paying guests on vacation.
Industrial				
Building Construction Yard	P-I		P	An outdoor area consisting of short-term parking and storage of equipment and supplies used in the construction industry and may contain an office.
Food and Beverage Processing Facility	P-I	P	P	Means sorting, packaging, bottling or labeling raw or semi-processed food or beverages into a product.
Freezer Plant/Cold Storage/Food Mill	P-I	C	P	An industrial business providing refrigeration and storage of food or products requiring refrigeration/freezing and may include food processing.
Laboratory	P-I	P	P	A place devoted to experimental study, such as testing and analyzing, as well as physical diagnostic facilities. Manufacturing of any

Permitted Use Table: Industrial Zones

Land Use	Permit Type	PI	GI	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
				product is not considered part of this definition.
Laundry Plant	P-I		P	An establishment for the mechanized washing and/or dry cleaning of clothing and the like.
Lumber and Wood Products Processing	P-I		P	A facility that fabricates wood products and/or provides mill work or construction and assembly of products made of wood.
Manufacturing, Heavy	P-II		P	A use engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials, or a use engaged in the storage of, or manufacturing processes that potentially involve, hazardous or commonly recognized offensive conditions.
Manufacturing, Light	P-II	P(9)	P(9)	A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including process, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.
Communication Technology (TV Broadcasting, Radio Station, Video Production, Internet or Movie Production or Other Similar Technologies)	P-I	P		An industry consisting of the technological and commercial broadcasting institutions or filmmaking.
Printing, Publishing, and Allied Industry	P-I	P	P	An establishment providing printing and publishing services.
Office				

Permitted Use Table: Industrial Zones

Land Use	Permit Type	PI	GI	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Professional Office	P-I	P	P	A business providing expertise to clients for a fee for service in any of the following related categories: accounting, architecture, engineering, planning, law, medicine, music, art, interior design, real estate, writing, education, or any similar type of business.
Health Care Office	P-I	P		Health care services such as primary care clinics, mental health clinics, community health centers, dentist, orthodontist, nutritionist, physical therapy, optometrists, or similar medical practices excluding hospitals.
Hospital	P-III	C		A facility providing primary health services and medical or surgical care to persons, primarily inpatients suffering from illness, disease, injury, deformity, other abnormal physical or mental conditions, chemical or substance dependency or abuse, and including as an integral part of the institution related facilities such as laboratories, outpatient facilities, and training facilities.
Personal Services				
Daycare Center	P-I	P(5)	P(5)	Care of children under the age of 12, or seniors, located in a facility which accommodates 13 or more persons.
Equipment Rental	P-I	P	P	Equipment rental is a service providing machinery, equipment and tools of all kinds and sizes for a limited period of time to individual consumers.
Funeral Home	P-I	P		A building used for the preparation of the deceased for burial, the display of the

Permitted Use Table: Industrial Zones

Land Use	Permit Type	PI	GI	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
				deceased, and ceremonies connected therewith before burial or cremation; crematories are not considered part of a funeral home or an accessory to a funeral home.
Health/Athletic Club	P-I	P		Gymnasiums (except those related to educational institutions), private clubs (athletic, health, or recreational), reducing salons, and weight control establishments.
Janitorial Services	P-I	P	P	A company providing janitorial services such as the cleaning of offices or other building establishments.
Laundromat/Dry Cleaner	P-I	P	P	An establishment providing dry cleaning businesses or washing, drying machines on the premises for rental use to the general public.
Mail/Small Shipping Store	P-I	P		An establishment that provides shipping, shredding, printing, fax, passport photos, personal and business mailboxes, and notary services.
Salon	P-I	P	P	An establishment where hair cutting, coloring and styling, facials, manicures, lashes, and/or spa services are provided.
Tattoo and Piercing Parlors	P-I	P	P	A business designing and creating permanent graphic images on the human body; may include piercing.
Public Facilities				
Courthouse	P-III	P		A building in which courts of law are regularly held.

Permitted Use Table: Industrial Zones

Land Use	Permit Type	PI	GI	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Post Office	P-I	P		A facility authorized by a postal system for posting, receipt, sorting, handling, transmission and delivery of mail and offering mail-related services.
Public Safety Station	P-II	P	P	A facility used for police and fire services.
Public Transit Storage and Maintenance Facility	P-II		P	A facility used for public transit storage and maintenance.
Public Transit Terminal	P-II	P	P	A terminal used for public transit.
Quasi-Public				
Meeting Hall	P-II	P(10)		A building or grounds used for social, civic, or recreational purposes and owned and operated by a nonprofit organization and open to the general public.
Recreation				
Bowling Alley	P-I	P		A recreational facility which includes bowling lanes, and may include a small lounge, restaurant or snack bar, video games and pool tables.
Go-Kart Track	P-I	P		Tracks used for go-kart racing.
Open Space	P-I	P	P	A common, accessible area that is shared by residents of a subdivision and/or by the public and could be left in its natural or undisturbed state, used as community gardens or conservation areas.
Park, Community	P-II	P	P	Regional park facility that serves an area of over 10,000 in population and is 20 to 100 acres.

Permitted Use Table: Industrial Zones

Land Use	Permit Type	PI	GI	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Park, Neighborhood	P-II	P	P	A park of five to 20 acres serving an area of 2,000 to 10,000 population within a quarter to one-half mile service area.
Park, Urban	P-II	P	P	A park providing public access and recreational, educational, cultural, historical, or aesthetic amenities.
Skating Rink	P-I	P		A surface used for ice skating or roller skating located indoors or outdoors.
Swimming Pool	P-II	P		Any in-ground or above-ground structure designed for swimming, wading, or other aquatic recreational purposes.
Trail	P-II	P	P	A paved or unpaved path used for walking, hiking, running, bicycling and/or horseback riding.
Repair Services				
Minor Service Repairs Within the Confines of a Building; No Outside Storage or Repair	P-I	P		An establishment providing minor repair services such as shoe repair, tailoring, bicycle repairs, computer repairs or similar type uses.
Small Appliance and Tool	P-I	P		An establishment repairing a wide variety of electrical, gas and mechanical appliances and tools.
Small Engines	P-I	P	P	An establishment repairing small engines (excluding automobiles).
Residential				
Caretaker's House	P-I	P(11)	P(11)	An accessory building for the sole use of a person employed on the premises.

Permitted Use Table: Industrial Zones

Land Use	Permit Type	PI	GI	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Emergency Housing	P-I	C(8)		A facility whose primary purpose is to provide temporary shelter and supportive services to those experiencing homelessness for no more than 60 days.
Mixed-Use	P-II	P(5)		Residential and commercial uses within a single building or development that may occur either within one story as a horizontal mix, in 1 structure with multiple stories as a vertical mix or in more than 1 detached structure.
Retail Trade Establishments				
Retail Shop – Boutique Style Less Than 3,000 Square Feet		P		Small scale retail uses such as boutiques, bakeries, florists, convenience stores, pharmacies, thrift stores, and more.
Retail Shop – Mid-Range Between 3,000 and 10,000 Square Feet (Non-Strip Mall Design)		P	P	Midsized retail uses such as grocery stores, sporting goods store, large thrift stores, office supplies, and more.
Retail – Strip Mall or Big Box Greater Than 10,000 Square Feet		C	C	Large scale retail uses such as supermarkets, construction supply stores, furniture stores, sporting goods store, and more.
Farmer’s Market	P-I	P		Retail area, outdoors or indoors, where vendors sell produce, baked goods, food and/or limited crafts to the public.
Kiosk/Vending Machine	P-I	AC(13)	AC(13)	Mobile units such as kiosks and vending machines that dispense products for sale including but not limited to beverages, food and video.
Plant Nursery	P-I	P(12)		An enterprise, establishment, or portion thereof that conducts the retailing or wholesaling of plants grown on the site, as

Permitted Use Table: Industrial Zones

Land Use	Permit Type	PI	GI	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
				well as accessory items (but not farm implements) directly related to their care and maintenance.
Retail Prepared Food/Beverage Establishments				
Bars and Cocktail Lounges	P-I	P	P	A business conducted entirely within a building wherein primarily alcoholic beverages are sold at retail for consumption on the premises. Limited food service and live entertainment may be provided as an accessory use. Excludes night clubs, restaurants, and taverns.
Catering	P-I	P	P	An establishment that prepares food on site and delivers it to another location for consumption. Caterers may also provide party planning and occasional hourly labor for special events.
Beverage Stand	P-I	P	P(14) (15)	Restaurants specializing in coffee, tea, and other assorted beverage products, accessory baked goods and concessions.
Restaurant	P-I	P	P(14) (15)	An establishment whose primary business is the sale of food and beverages to patrons for consumption on the premises.
Schools				
Bus Transportation and Maintenance Facility	P-I	P	P	Any building and adjacent outdoor space required for the servicing, washing, and the overnight parking of buses or other mass transit vehicles that are used for transporting the public, tourists, school children, the elderly, and/or handicapped or construction workers.

Permitted Use Table: Industrial Zones

Land Use	Permit Type	PI	GI	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Middle School	P-II		P	Any school, public or private, intended for the education of children from the sixth through eighth grade.
Post-Secondary School	P-II	P		An institution providing a post-secondary level of education that is provided at academies, universities, colleges, seminaries, institutes of technology, and certain other collegiate-level institutions, such as vocational schools, trade schools, and career colleges, that award academic degrees or professional certifications.
Preschool Facility	P-I	P(5)	P(5)	An educational establishment that provides instruction and daytime care, for 4 or more children between the ages of 2 and 5 years.
School, Other	P-I	P		Places for systematic instruction, to include trade, vocational/technical, art, music, dance, and business schools or similar type institutions.
Wholesale Storage/Distribution Facilities				
Detached Commercial Accessory Storage	P-I	C(16)	C(16)	Storage structure that is subordinate and incidental to a commercial or industrial use.
Equipment and Machinery Storage	P-I		P	An establishment handling heavy machinery used in agriculture, trucking, industry and manufacturing, and providing short-term storage in addition to sales. The use occurs both indoors and outdoors, and may include storage yards.
Freight Distribution Center	P-II		P	An industrial business receiving, storing and delivering a wide variety of goods to other wholesale or retail outlets typically by truck

Permitted Use Table: Industrial Zones

Land Use	Permit Type	PI	GI	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
				or train. Facilities may include a loading dock.
Fuel Storage Facility	P-III		C	An area used for the storage and distribution of petroleum products used for the powering of motor vehicles, boats and ships, and aircraft, and for the operation of electrical generating plants. The facilities may be above-ground or underground storage tanks of propane, gasoline and other petroleum storage and distribution.
Moving Van and Storage Facilities	P-I	P(17)	P	An establishment providing trucking to move household or business furniture and both short-term or long-term storage facilities.
Warehouse Operations	P-II	P(17)	P	The storage of goods and materials. Warehouse operations may also include office and maintenance areas as accessory functions.
Wholesale Operations	P-II	P(17)	P	An establishment that includes large storage and distribution areas for receiving goods (such as produce) and shipping these goods to places such as grocery stores and restaurants or large facilities to provide items for sale to the public at wholesale prices. This definition excludes retail sales or clubs that sell wholesale goods to members as a retail transaction.
Utilities				
Electrical Equipment and Pole Storage Yard	P-I	P(24) (25)	P(24) (25)	Area used for the storage of equipment and support poles associated with permitted electrical substations.

Permitted Use Table: Industrial Zones

Land Use	Permit Type	PI	GI	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Electrical Generating Plant	P-II		C	An establishment or utility that provides electricity.
Electrical Substation	P-II	P	P	A facility that provides transmission and distribution of electric power.
Electrical Transmission Lines	P-II	P	P	Lines which connect the power produced at generating facilities to substations.
Recycle Collection Stand	P-II	AC		A movable kiosk for the collection of recyclable materials or donations such as newspapers, clothing or books.
Sewage Lift Station	P-II	P		The station in a sewer system where the wastewater needs to be pumped (lifted) to a higher elevation so that gravity can be used to bring the wastewater to the treatment plant.
Sewage Treatment Plant	P-II		C(18)	Any arrangement of devices and structures used for treating sewage and does not include the definition of "septage facility."
Solid Waste Disposal/Recycling Center	P-II		C	A facility providing solid waste disposal or sorting and/or processing of recycled material for resale.
Water Well and Pump Station	P-II	P		Infrastructure used to move water from a ground water source and convey water within a utility system.
Water, Drainage or Sewage Infrastructure	P-II	P	P	Pipes, installations and other infrastructure that are part of a system used for the purpose of water, drainage or sewage.
Wireless Communication Facilities				
Co-Location PWCA	P-I	P(19)	P(19)	The placement and arrangement of multiple providers' antennas and equipment on a

Permitted Use Table: Industrial Zones

Land Use	Permit Type	PI	GI	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
				single support structure or equipment pad area.
Minor Facilities	P-I	P(20)	P(20)	Wireless communications facility consisting of up to 3 antennas within specified size limitations.
Single PWCF	P-II	P(21)	P(21)	A wireless communications facility for the transmission and/or reception of radio frequency signals associated with personal wireless services and which may include antennas, equipment shelter or cabinet, transmission cables, a support structure, reception and transmission devices and antennas and temporary or portable service facilities.
Monopole Towers	P-III	C(22)	C(22)	Any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities.
Small Cell Facilities	P-I	P(23)	P(23)	A personal wireless services facility that meets the requirements in Chapters 17.200 through 17.220 SMC.
Other				
Indoor Emergency Housing	P-I	P		“Emergency housing” means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

Permitted Use Table: Industrial Zones

Land Use	Permit Type	PI	GI	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Indoor Emergency Shelter	P-I	P		"Emergency shelter" means a facility that provides a temporary shelter for individuals 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.
Transitional Housing	P-I	P		Housing and supportive services to homeless persons or families for up to 2 years and that has as its purpose facilitating the movement of homeless persons and families into independent living.
Temporary Uses	P-I	P	P	A use established for a fixed period of time with the intent to discontinue such use upon the expiration of such time.

Industrial Zoning Use Conditions:

1 A hobby kennel license is required for a total of four or more dogs and four or more cats over three months of age. A maximum of four animals is allowed when the parcel is under one acre, five animals per acre are allowed when the parcel is one to five acres and 25 animals are allowed when the parcel is over five acres. These maximums may be exceeded with special hobby kennel permit issued administratively by the planning and community development director pursuant to Chapter [8.20](#) SMC; provided, however, that in all cases exceeding the maximum standard by six animals requires an administrative conditional use permit. All indoor and outdoor kennels shall comply with the animal control and licensing standards contained in SMC Title [8](#). Three or fewer animals are allowed as an accessory use without a kennel license as pets.

2 Automobile repair is limited to minor repair services in the planned industrial zone and minor repair, major repair and paint/body shops are permitted in the general industrial zone.

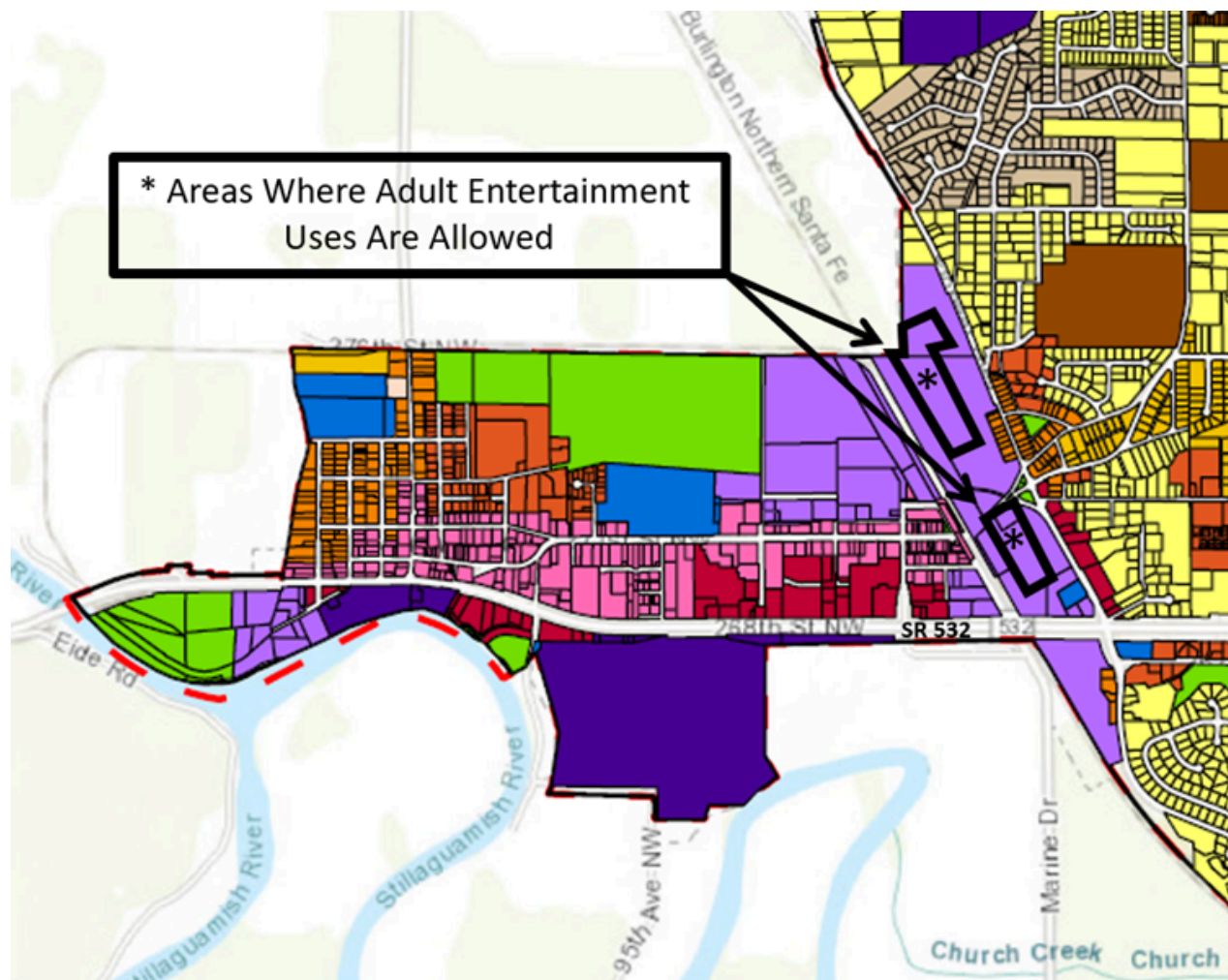
3 The cross-section areas of service station canopy supports where they meet the ground shall be measured as coverage for the purposes of determining maximum lot coverage and also shall be used for the measurement of setback requirements.

4 A six-foot sight-obscuring fence or wall and landscaping consistent with Chapter [17.145](#) SMC, Landscape Performance Standards, shall be required.

5 Permitted in conjunction with a planned industrial park development under SMC [17.50.010](#); no more than 35 percent 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.

6 Twenty thousand square feet of land area are required. This minimum land area requirement may be reduced through the conditional use permit process provided the lot meets the minimum lot size standard for the zone.

7 Adult entertainment uses shall only be allowed in the general industrial zone located between the railroad tracks (east of 84th Avenue) and Pioneer Highway as shown below and shall comply with the requirements in Chapter [5.32](#) SMC.



8 Limited to 30 rooms/increment of minimum land area.

9 Accessory retail limited to 2,000 square feet for goods manufactured, assembled or distributed on site.

- 10** Minimum land area of 20,000 square feet is required. This standard may be modified through the conditional use permit process.
- 11** Caretaker units are limited to one per business.
- 12** Retail trade establishments are limited to 50,000 square feet gross floor area per individual establishment.
- 13** Kiosks/vending machines are permitted only as accessory uses inside a building.
- 14** Outside dining is limited to areas designated for such use, shall be in keeping with the exterior architectural theme of the building, and shall not permit the consumption of food or beverages within automobiles.
- 15** Drive-up windows allowed subject to the supplemental standards for drive-through facilities provided in SMC [17.100.040](#).
- 16** Detached accessory storage shall comply with nonresidential performance standards in SMC [17.100.075](#), conditions for permitting detached storage structures in commercial zones, and the additional architectural standards in SMC [17.112.040](#) in the NB, GC and GI zoning districts and SMC [17.112.045](#) in the PI zoning district.
- 17** Accessory retail limited to 2,000 square feet for goods manufactured, assembled or distributed on site.
- 18** Privately owned and operated sewage treatment plants, including but not limited to septage facilities, are not permitted.
- 19** Subject to the wireless communications facilities standards in Chapter [17.220](#) SMC.
- 20** Minor facilities are limited to co-location on an existing monopole and are subject to the wireless communications facilities standards in Chapter [17.220](#) SMC.
- 21** Limited to one personal wireless communications facility (PWCF) on existing light standards and power poles within the public right-of-way and subject to the wireless communications facilities standards in Chapter [17.220](#) SMC.
- 22** Monopole towers only are permitted. Guy and lattice towers are prohibited. Limited to locations on properties with existing public use, except in the general commercial and general industrial zones subject to a conditional use permit, and subject to the wireless communications facilities standards in Chapter [17.220](#) SMC.
- 23** All small wireless communication facilities shall be subject to the requirements of Chapters [17.200](#), [17.205](#), and [17.210](#) SMC.
- 24** Minimum land area of 10,000 square feet required.
- 25** Pole yards and storage areas shall be screened from adjacent residential or commercial uses. Chain link fences with slats are not allowed.

(Ord. 1538 § 2 (Exh. B), 2024; Ord. 1499 § 2 (Exh. B), 2021).

17.30.090 Public facilities zoning table established.

Permitted Use Table: Parks and Open Space and Public Facilities

Land Use	Permit Type	POS	PF	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Recreation				
Athletic Field	P-I	P		Grounds used for playing sports or games generally but not exclusively outdoors. Generally, playing fields are wide expanses of grass, dirt or sand without many obstructions.
Ball Park	P-II	P		An athletic field or stadium in which games such as baseball or soccer are played.
Batting Cage	P-II	P		An area where pitching machines enable batting practice in a controlled environment for recreational purposes.
Community Garden	P-I	P		Land set aside for collective use for an organization or for the general public to grow produce and/or flowers. No marijuana shall be grown in such gardens.
Conservation Area	P-I	P		A tract of land that has protected status in order to ensure that natural features, cultural heritage or biota are safeguarded. A conservation area may be a nature reserve, a park, a land reclamation project or other area.
Golf Course	P-III	P		A tract of land for the playing of the game of golf, with tees, greens, fairways, hazards, etc. A golf course may be 9 or 18 holes in length.

Permitted Use Table: Parks and Open Space and Public Facilities

Land Use	Permit Type	POS	PF	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Open Space	P-I	P		A common, accessible area that is shared by residents of a subdivision and/or by the public and is left in its natural or undisturbed state.
Park, Community	P-III	P		Regional park facility that serves an area of over 10,000 in population and is 20 to 100 acres.
Park, Neighborhood	P-II	P		A park of 5 to 20 acres serving an area of 2,000 to 10,000 population within a quarter to one-half mile service area.
Park, Urban	P-II	P		A park providing public access and recreational, educational, cultural, historical, or aesthetic amenities.
Playground	P-I	P		A piece of land used for and usually equipped with facilities for recreation especially by children. This definition includes small parcels developed as "tot lots" and may include playground equipment such as swings, slides and climbing structures.
Recreation Area/ Facility	P-I	P		Any privately or publicly owned passive or active park, playground, sports field, access easement, beach, or other recreation area.
Swimming Pool	P-III	P		Any in-ground or above-ground structure designed for swimming, wading or other aquatic recreational purposes.

Permitted Use Table: Parks and Open Space and Public Facilities

Land Use	Permit Type	POS	PF	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Trail	P-II	P		A path paved or unpaved used for walking, hiking, running, bicycling and/or horseback riding.
Schools				
Public School			P	Any public school intended for the education of children from kindergarten through the twelfth grade.
School Administration Buildings			P	A facility used for a school district's administration services.
Utilities				
Electrical Equipment and Pole Storage Yard	P-I	P(1)(2)		Area used for the storage of equipment and support poles associated with permitted electrical substations.
Water, Drainage or Sewage Infrastructure	P-II	P		Pipes, installations and other infrastructure that are part of a system used for the purpose of water, drainage or sewage.
Other				
Temporary Uses	P-I	P		A use established for a fixed period of time with the intent to discontinue such use upon the expiration of such time. Such uses do not involve the construction or alteration of any permanent structure.

Permitted Use Table: Parks and Open Space and Public Facilities

Land Use	Permit Type	POS	PF	Abbreviated Definition (Chapter 17.20 SMC Contains Full Definition)
Government Offices or Facilities			P	Public facilities that are utilized for daily administration and operation of government business.
Public Safety Station (Police and Fire)			P	A facility used for police and fire services.
Cemetery			C	Burial grounds, gravesites or graveyard, where the remains of dead people are buried or otherwise interred.

Public Facilities Use Conditions:

- (1) Minimum land area of 10,000 square feet required.
- (2) Pole yards and storage areas shall be screened from adjacent residential or commercial uses. Chain link fences with slats are not allowed.

(Ord. 1538 § 2 (Exh. B), 2024; Ord. 1499 § 2 (Exh. B), 2021).

The Stanwood Municipal Code is current through Ordinance 1547, passed June 12, 2025.

Disclaimer: The city clerk's office has the official version of the Stanwood Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

[City Website: stanwoodwa.org](http://stanwoodwa.org)

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