

1. Agenda

Documents:

[2-9-2017 CDC AGENDA.PDF](#)

2. Meeting Materials

Documents:

[CODE EDITS.PDF](#)

[PLANNING COMMISSION 2017 WORK PLAN.PDF](#)

[SCHMAKEIT ANNEXATION.PDF](#)



City Council Committee Meeting Agenda

Community & Economic Development Committee

Stanwood-Camano School District
Administration Building Board Room
26920 Pioneer Highway, Stanwood

Thursday February 9, 2017 6:00 PM

1. Schmakeit Annexation
2. Sign Code, Traditional Neighborhood (TN) zone and miscellaneous edits
3. Planning Commission 2017 Work Plan



**CITY OF STANWOOD
COMMUNITY DEVELOPMENT COMMITTEE
AGENDA STAFF REPORT**

DATE: February 9, 2017

SUBJECT: Code Edits to Sign Code, Traditional Neighborhood (TN) zone and miscellaneous edits

CONTACT PERSON: Ryan C. Larsen, Community Development Director

ATTACHMENTS:

- A. Proposed Edits to Sign Code
- B. Proposed Edits to Traditional Neighborhood zone
- C. Proposed Edits to Miscellaneous code sections
- D. Map of TN Zoned Property

ISSUE

The issue before the Community Development Committee is to review and provide feedback to City staff on the proposed amendments recommend for approval by the Planning Commission to the Sign Code, Traditional Neighborhood (TN) zone, and several minor changes to Title 17 and a single change to Title 16.

RECOMMENDATION

1. Review and discuss proposed amendments to the Sign Code, Traditional Neighborhood (TN) zone, and several minor changes to Title 17 and a single change to Title 16.
2. Provide a recommendation to City Council on the proposed changes.

SUMMARY STATEMENT

City staff has been in the process of making several changes to the Land Use Code for the City of Stanwood over the last several months. These edits have been in front of both the Planning Commission and the Community Development Committee. These changes include edits to the Sign Code, Traditional Neighborhood (TN) zone, and several minor changes to Title 17 and a single change to Title 16. Further description of these changes are below.

Staff introduced the changes to both the Planning Commission and Council Community Development Committee late last year and received feedback on the proposed edits. Based on the Commission and Committees comments staff made a few minor changes to the proposals and have included revised proposals in the attachment below.

A SEPA threshold determination of non-significance was issued on December 27, 2016. The proposed changes have been sent to the Department of Commerce for the required review period on December 22, 2016. The City asked for expedited review (10 business

day review) for all of the edits. The SEPA threshold determination of non-significance also included a notice for the public hearing to be held on January 23, 2017. The Planning Commission made the following recommendation to the City Council at the end of the public hearing:

“I MOVE TO RECOMMEND CITY COUNCIL APPROVE THE PROPOSED CODE EDITS TO TITLE 17 FOR THE SIGN CODE (CHAPTER 17.110) ATTACHMENT A, TRADITIONAL NEIGHBORHOOD (CHAPTER 17.47) ATTACHMENT B WITH THE PREFERRED OPTION A, AND MISCELLANEOUS AS IDENTIFIED IN ATTACHMENT C.”

The following schedule remains for the proposed edits:

- City Council Community Development Committee review February 9, 2017
- City Council review on February 23, 2017
- City Council 1st reading March 9, 2017
- City Council 2nd reading March 23, 2017
- Ordinance becomes effective on April 3, 2017

DISCUSSION

Sign Code

General Background for Change:

Tiny Arizona church wins Supreme Court case on signs

WASHINGTON — The Supreme Court ruled Thursday that cities and towns generally cannot limit roadside signs based on what they say. The justices unanimously said the town of Gilbert, Ariz., violated the First Amendment by giving signs promoting a church's worship services vastly inferior treatment compared to political campaign signs. Writing for the court's majority, Justice Clarence Thomas said the town law limiting the size of the church's signs and the length of time for which they could be displayed was a "content-based" restriction on the church's speech. He said the town had no justification for such a restriction, and it was therefore unconstitutional. The case was touted by lawyers for Good News Community Church as a major test of religious freedom, but the justices didn't treat it that way. Rather, they said local governments must be able to justify the disparate treatment accorded organizations seeking to spread their messages.

The Arizona town restricts signs advertising upcoming events far more than political or ideological signs. Though political signs can be 32 square feet and remain up for five months, the town limits directional signs to 6 square feet and 13 hours. The church, which relies on those signs to attract a few dozen worshipers, argued that the ordinance treats political speech as more valuable than religious speech. "Speech discrimination is wrong regardless of whether the government intended to violate the First Amendment or not, and it doesn't matter if the government thinks its discrimination was well-intended," said David Cortman, a lawyer for Alliance Defending Freedom, which had advocated for the church. Justice Samuel Alito, in a separate opinion, laid out a short guide to the types of sign laws that could still pass constitutional muster, including those limiting their size or the locations in which they can be displayed.

Despite that, lawyers for state and local governments said the court's decision was a major defeat. Lisa Soronen, executive director of the State and Local Legal Center, said it "**will upset many sign codes nationwide.**"

Description of Changes:

ATTACHMENT A

City staff had our City attorney draft changes to the sign code base on the court case out of Arizona which mainly deals with temporary signage.

The first changes to the sign code are to three definitions. The changes effect the definition for "sign", "sign, temporary", and "Sign, temporary community promotional display" under 17.20.200 "S" definition. Deleted the old definition for "Sign" and added new definition; rewrote definition for "Sign, temporary"; and deleted the definition for "Sign, temporary community promotional display". The main reason for changing these definitions is to conform to the court case out of Arizona and are based on the proposed model ordinance (which we are not adopting).

All edits to the sign code deal with temporary signage and the court case out of Arizona. Our city attorney removed many sections of the code dealing with temporary signs and created a new section 17.110.150 Temporary signs to move all items dealing with temporary signs to one section. Below is a list of sections that were changed in order to comply with this court case. The following code sections have been edited with the addition of the new section 17.110.150 Temporary signs:

17.110.010 Purpose

Made minor change to purpose statement for clarity of sign code.

17.110.050 Minimum requirements for all signs, including signs exempted from permit Requirements.

Made change in subsection (8) for wind speed from 85 to 100 miles per hour to match building code requirements.

17.110.060 Exemptions.

Deleted subsections (1)-(3) which dealt with temporary sign issues. A new section 17.110.150 was written to address temporary sign. Created a new subsection (1) to point readers to new temporary section. Deleted subsections (8), (9), and (11) which deals with temporary type signs. Renumbered entire section accordingly.

17.110.070 Prohibited signs.

Modified subsection (3)(b) to just address flags and not specific to National, state, and official organization, which makes this more consistent with the federal court case out of Arizona. Added new subsection(6) addressing permanent signs on vacant lots, parcels, or easements.

17.110.080 Permitted business signs.

Deleted a portion of the purpose statement. Modified subsection(3)(i) and (ii) to clarify language for wall signs and limitations around placement and project above sidewalks. Deleted subsection(4) dealing with gable signs since wall signs addresses gables.. Deleted subsection (6) dealing with temporary sign and created a new section 17.110.150 addressing temporary signs. Modified subsection(5)(e) to limit the number

of “A” boards signs to two.. Deleted subsection(8) dealing with temporary community promotional display. Renumbered subsections accordingly.

17.110.085 Banners on or within the public right-of-way

Modified subsection(1) to be more consistent with changes made to other sections. Modified subsection (1)(b) to be consistent with the Port Susan Geographic area for special events rather than just limited to the City limits. Deleted subsection(2) Renumbered subsections accordingly.

17.110.150 Temporary signs.

Created a new subsection dealing specifically with Temporary signs. Main issue for temporary signs is the length of time a temporary sign may be posted. All temporary signs have to be treated equal so the length of time as well has to be treated equal. This can be difficult to pick a specific length of time since the City has treated most temporary signs different. Conversations with the Commission and City Council subcommittee, it was determined that six months would generally work (because temporary political signs tend to be posted for about this length of time). The Commission will need to review this section one last time and determine if the length of time meets the expectation for the proposed code changes.

Traditional Neighborhood (TN) zone

ATTACHMENT B

Proposed edits have been made to the Traditional Neighborhood (TN) zoning. Staff was tasked by the Planning Commission to look into potentially making modifications to this zoning district. Also, staff has discussed the TN zone with multiple developers looking to potentially develop in those areas. The City Council Community Development Committee has discussed potential changes they would like to see the TN zone as well. Based on this feedback, staff is suggested a few code sections to consider for modification. Staff changes are proposed in strikethrough (for deletion) and underline (for addition) in attachment B below. Also, based on some feedback from a few of the Councilmember, they wanted to see the requirement for either three types of housing units or two types of housing units and commercial space. This is reflected in section 17.47.040 and two options are being suggested for consideration.

17.47.020 Application procedures for TN subdivisions

Made edits to subsection(1) to clarify Planning Commissions role in review of TN project applications. Made change to subsection(5) by making site development permit and option but a requirement since adding a new subsection(6) that requires the submittal of construction plans.

17.47.025 Minimum tract size

Deleted this section since not requiring minimum size to TN zoned projects.

17.47.030 Permitted uses

Added new subsection(4) to allow for the construction of public facilities without providing residential units.

17.47.040 Mix and location of uses
(OPTION A)

Subsection(1) was changed to require a minimum of 15 percent of any one type of unit vs the maximum of 35 percent. This will allow for more flexibility in a development. Also, only requiring two types of units vs the previous of three types of units. Finally, allowing for cottage comes to be considered separate type of residential structure. Added new subsection(5) to allow for congregate care, assisted living, and independent living facilities a separated residential unit types.

(OPTION B)

Subsection(1) was changed to require a minimum of 15 percent of any one type of unit vs the maximum of 35 percent. This will allow for more flexibility in a development. The Change in Option B is to still require three types of uses with at least two being residential for projects over 25 acres and for projects under 25 acres only two types. Finally, allowing for cottage comes to be considered separate type of residential structure. Added new subsection(5) to allow for congregate care, assisted living, and independent living facilities a separated residential unit types.

17.47.050 Street standard

Made edits to subsection(1) to address the requirement for grid streets. Changes will still allow for grids but does not make them a requirement. Deleted from subsection(3) the requirement which does not allow for cul-de-sacs. Change will allow for cul-de-sacs. Renumber accordingly.

17.47.055 Common open space

Made change to subsection(4) to require transit shelters to be located in lighted areas.

17.47.060 Civic uses and/or landmarks

Deleted this section since Council should decide where and when civic building would be required.

17.47.065 Building standards

Made edits to subsection(2) to not require alleys but leaves as an option. Changed subsection(4) to make the place of similar housing types on the same side of the street not a mandatory requirement.

17.47.070 Parking location

Changed subsection(1) to clarify it pertains to multi-family. Deleted subsection(2) since alleys are no longer a requirement.

Miscellaneous Edits

There are several miscellaneous code changes. The first change is to Section 16.10.030 Lots. This change modifies subsection (8) requiring a minimum street frontage of 35 feet with an average of 85 feet for lots in subdivision and short plats. The change would only require 20-feet of street frontage. The 85 foot average requirement is larger than any lot width requirement the City has for four of the five residential zones.

The second change is to 17.60.020 Residential development standards dealing with height. This change would be to add a footnote 12 dealing with the height of a high school by allowing the structure to be up to 60-feet. The school district is looking at building a new high school and the allowance up to 60-feet would create the opportunity for multiple floors.

Third set of changes is to 17.30.040 Zoning Use Table. Several changes are being made which include: creation of a new use for assisted/independent living facilities in the MR, TN, MB II and GC zones; added Congregate care facility as a conditional use in the TN zone; adding permitted use in the GC zone for community garden, conservation area, open space, park community, park urban, and recreation area/facility; added permitted use in the GI zone for community garden, conservation area, open space, park community, park urban, playground, and recreation area/facility; adding congregate care facility as a permitted use in the TN zone; adding Electric Substations as a permitted use in the LI zone; and adding Electric Transmission Lines as a permitted use in the LI and GI zones.

Final miscellaneous changes is adding four new definitions (assisted living facility, independent living facility, skilled nursing facility, and short term rehab facility) and modified the congregate care facility definition.

FINANCIAL IMPACT

None.

COMMITTEE RECOMMENDATIONS

- 1) Support the Planning Commission recommendation to City Council for the proposed amendments to the Sign Code, Traditional Neighborhood (TN) zone, and several minor changes to Title 17 and a single change to Title 16.
- 2) Do not support the Planning Commission recommendation and direct staff to revise language and provide alternative language to consider for a recommendation to City Council.
- 3) Recommend denial of any of the edits to City Council for the amendments to the Sign Code, Traditional Neighborhood (TN) zone, and several minor changes to Title 17 and a single change to Title 16.

RECOMMENDED ACTION

"I move to support the Planning Commission's recommendation to City Council."

ATTACHMENT A

Chapter 17.20

CONSTRUCTION OF LANGUAGE – DEFINITIONS

17.20.200 “S” definitions

~~“Sign” means any writing, pictorial representation, illustration, emblem, symbol, design or other figure of similar character which is a structure or a part represented on a building or other structure, and is placed out of doors in view of the general public and is used for purposes of advertisement, announcement, declaration, demonstration, display, identification or expression.~~

“Sign” means letters, figures, symbols, trademarks, or logos, with or without illumination, intended to identify any place, subject, person, firm, business, product, article, merchandise or point of sale. A sign also includes balloons attached to sign structures, products, streamers, spinners, pennants, flags, inflatables or similar devices intended to attract attention to a place or business, as well as architectural or structural forms, illuminated panels, spandrels, awnings and other structural or architectural features not common to classic vernacular or non-corporate regional architecture and that are intended to convey a brand, message or otherwise advertise a location or product, whether or not such features include text or graphics and whether or not they serve other practical purposes such as lighting, covering or enclosure of persons or products. A sign includes any device which streams, televises or otherwise conveys electronic visual messages, pictures, videos or images, with or without sound or odors. A sign does not include letters, figures, symbols, trademarks, or logos wholly within the interior of a building and not visible from the exterior of a building or visible but more than three (3) feet away from a transparent door or window.

Sign, Temporary. “Temporary sign” means any sign, banner, pennant, or other advertising display constructed of cloth canvas, light fabric, cardboard, wallboard, or other light material, with or without frames, intended to be displayed for a limited period of time. “Temporary sign” means any sign that is used temporarily and is not permanently mounted, painted or otherwise affixed, excluding signs addressed in sections 17.110.080 and 17.110.085, including any poster, banner, placard, stake sign or sign not placed in the ground with concrete or other means to provide permanent support, stability and rot prevention. Temporary signs may only be made of non-durable materials including, but not limited to, paper, corrugated board, flexible, bendable or foldable plastics, foamcore board, vinyl canvas or vinyl mesh products of less than 20 oz. fabric, vinyl canvas and vinyl mesh products without polymeric plasticizers and signs painted or drawn with water soluble paints or chalks. Signs made of any other materials shall be considered permanent and are subject to the permanent sign regulations of Chapter 17.110.

~~“Sign, temporary community promotional display” means a type of business signage system utilizing a single prototypical sign shaped as an animal, caricature, or cartoon, which is customized with business identification and/or holiday decoration and displayed in multiple copies at different locations within a defined geography for the combined purpose of business identification and community identity. Temporary community promotional display excludes all other forms of business signs including but not limited to wall, monument and freestanding~~

~~signs, readerboards, temporary business signs, "A" boards and other portable signs, and exempt signs including those for special events, philanthropic campaigns or other community activity.~~

Chapter 17.110 SIGN STANDARDS

- 17.110.010 Purpose.
- 17.110.020 Permits required.
- 17.110.030 Application required for sign and sign-related building permits.
- 17.110.040 Protection of First Amendment rights.
- 17.110.050 Minimum requirements for all signs, including signs exempted from permit requirements.
- 17.110.060 Exemptions.
- 17.110.070 Prohibited signs.
- 17.110.080 Permitted business signs.
- 17.110.085 Banners on or within the public right-of-way.
- 17.110.090 Other advertising structures considered signs.
- 17.110.100 Revocation of permit.
- 17.110.110 Permit expiration.
- 17.110.120 Variances.
- 17.110.130 Unlawful signs on city property or public right-of-way.
- 17.110.140 Nonconforming signs.
- 17.110.150 Temporary signs.

17.110.010 Purpose.

The purpose of these standards is to establish regulations for the design, construction, installation, and maintenance of ~~all exterior signs~~, as defined in this Title 17, in the city of Stanwood in order to:

- (1) Balance the right of individuals to identify their businesses and convey their messages and the right of the public to be protected against the unrestricted proliferation of signs;
- (2) Further the objectives of the comprehensive plan;
- (3) Protect the public health, safety, and welfare;
- (4) Reduce traffic hazards;
- (5) Facilitate the creation of an attractive and harmonious community;
- (6) Protect property values;
- (7) Promote economic development; and
- (8) Preserve the right of free speech exercised through the use of signs containing noncommercial messages.

17.110.020 Permits required.

- (1) Sign Permit. It shall be unlawful for any person to erect, relocate, or structurally alter any sign or other advertising structure considered a sign, as defined in this code, without first

obtaining a sign permit from the community development director. No permit is required for repair, repainting, or maintenance.

(2) Sign Modification Permit. A permit for modification to an existing sign shall be allowed only to:

- (a) Replace existing copy; and/or
- (b) Replace a removable sign face surface with a comparable surface using the same materials and having the same size, thickness, and quality, provided:
 - (i) The sign has a valid permit; and
 - (ii) The proposed modification does not alter the sign cabinet; and
 - (iii) The sign does not advertise a business closed more than 30 days and/or a product no longer available on the premises, consistent with SMC 17.110.050(2); and
 - (iv) The modification uses existing connection hardware; and
 - (v) The modification does not require review by the building official for wind load and/or structural components; and
 - (v) The modification does not require upgrading of any support or electrical features.

(3) Electrical Permit. All illuminated signs and any other sign in which electrical wiring and connections are to be used shall require an electrical permit submitted to the building official or designee along with the sign and building permit applications.

(4) Building Permit. All signs that include a sign structure as required by the building official shall require a building permit.

17.110.030 Application for sign and sign-related building permits.

The following information must be included in an application for a sign permit:

- (1) Name, address, and telephone number of the applicant;
- (2) Address of property and location of building, structure, or lot to which or upon which the sign or other advertising structure is to be attached or constructed;
- (3) Position of the sign or other advertising structure in relation to nearby buildings or structures;
- (4) Four copies of plans no larger than 11 inches by 17 inches showing color, design, lettering and size of the sign face and treatment of sign edges, casing or cabinets;
- (5) Specifications and method of construction and attachment to the building or in the ground; and
- (6) When a sign structure is required, the following additional information is required:
 - (a) Copy of stress sheets and calculations showing that the structure is designed to meet the wind pressure and dead load requirements of this and all other laws and codes of the city;
 - (b) Name of the person constructing the structure;
 - (c) Written consent of the owner of the building or land on which the structure is to be erected;
 - (d) Any required electrical permit;
 - (e) Such other information as the building official or designee shall require to show full compliance with this chapter and all other laws and codes of the city.

17.110.040 Protection of First Amendment rights.

Any sign allowed under this chapter may contain any lawful noncommercial message that does not direct attention to a business operated for profit or to a commodity or service for sale and that complies with all other requirements of this chapter.

17.110.050 Minimum requirements for all signs, including signs exempted from permit requirements.

- (1) Maintenance. No temporary or permanent sign or other advertising structure shall be inadequately maintained so as to show evidence of deterioration, including peeling, rust, dirt, fading, discoloration, or holes.
- (2) Outdated Signs. No sign or other advertising structure shall advertise a business or product which is no longer in existence. Such signage shall be removed from the premises within 30 days after close of the business or removal of the product.
- (3) Restriction of Ingress and Egress from Buildings. No sign or other advertising structure shall be constructed, relocated or maintained so as to prevent free ingress to or egress from any door, window, or fire escape. No sign of any kind shall be attached to a standpipe or fire escape.
- (4) Traffic Hazards. No sign or other advertising structure shall:
 - (a) Obstruct free and clear vision at any street or driveway intersection;
 - (b) Interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device because of its position, shape, or color;
 - (c) Make use of the words “stop,” “look,” “danger” or any other word, phrase, or symbol or character in a manner that interferes with, misleads, or confuses traffic; or
 - (d) Restrict ingress to and egress from any driveway.
- (5) Unsafe Signs. No sign or other advertising structure shall constitute a hazard to safety or health by reason of inadequate design, construction, repair, or maintenance.
- (6) Glare into Surrounding Area. No sign or other advertising structure shall be illuminated with lights which glare into or upon the surrounding area or any residential premises or distract operators of vehicles or pedestrians on the public right-of-way.
- (7) Obscene Signs. No sign or other advertising structure shall display any matter in which the dominant theme of the material taken as a whole appeals to a prurient interest in sex, or is patently offensive because it affronts contemporary community standards relating to the description or representation of sexual matters, and is utterly without redeeming social value.
- (8) Wind Pressure and Dead Load Requirements. Signs and other advertising structures shall be designed and constructed to withstand a wind speed of ~~85~~ 100 miles per hour and to receive dead loads as required in the latest edition of the International Building Code (IBC) or other documents or other codes of the city of Stanwood.

17.110.060 Exemptions.

The following signs are exempt from the permit requirements of these standards:

~~(1) Temporary real estate signs not exceeding four square feet in area which advertise the sale, rental, or lease of the premises upon which the sign is located. Such signs shall be removed no later than seven days following the sale or rental of the subject property.~~

~~(2) Temporary political signs concerning candidates for public office and ballot issues and not exceeding four square feet in area. Such signs shall be erected no earlier than 60 days prior to an election or referendum and removed no later than seven days after the election or referendum.~~

~~(3) Temporary signs advertising date, time, and location of garage or yard sales and not exceeding four square feet in area. Such signs shall be posted no more than three days prior to and removed one day after the sale.~~

(1) Temporary signs on private property or public property, meeting the requirements in Section 17.110.150 (Temporary Signs).

~~(42) Signs attached to the inside of a window which do not exceed 50 percent of the total window area of the business.~~

~~(53) Signs that are an integral part of the historic character of a landmark building or historic district.~~

~~(64) Public signs regulating vehicular or pedestrian traffic or designating or giving direction to streets, schools, hospitals, historic sites, or public facilities.~~

~~(75) Flags of any government or governmental agency or any patriotic, religious, charitable, civic, educational, or fraternal organization not exceeding 40 square feet in area.~~

~~(8) Signs for Community and Special Events.~~

~~(a) Eligible signs include temporary signage for events, including philanthropic campaigns, festivals, community events, volunteer based youth activities, or other similar community activity when located on private property with the property owner's consent, unimproved or nontraveled portions of city right-of-way or approved with a special event permit.~~

~~(b) Banners hung within the public right-of-way are excluded from this category.~~

~~(c) Exempted signage is limited to events located within the Stanwood city limits or located at the Stanwood/Camano Fairgrounds.~~

~~(d) Sign Standards.~~

~~(i) Portable "A" board or "stick in the ground" signs limited to a maximum size of four square feet per sign.~~

~~(A) Twenty signs per event when no wall/fence signs are used.~~

~~(B) Ten signs per event when one wall/fence sign is used.~~

~~(C) Five signs per event when two wall/fence signs are used.~~

~~(ii) A maximum of either two wall/fence signs or banners per event up to a maximum of 60 square feet in area for each sign.~~

~~(iii) Signs shall display the date of the event.~~

~~(iv) Signs shall not be erected more than 14 days in advance of the event, and shall be removed within three days after the termination of the event.~~

~~(v) Signs shall be located 10 feet from driveway entrances.~~

~~(vi) Signs are prohibited on sidewalks.~~

~~(9) Temporary displays or decorations customarily associated with any national, state, local, or religious holiday or celebration. Such signs shall be erected no more than 45 days before and removed no later than 14 days after the celebration.~~

~~(106)~~ Hand-held signs not set on or affixed to the ground and not exceeding 10 square feet in area.

~~(11)~~ Temporary signs identifying the architect, engineer, developer, lender, or contractor, when placed upon construction sites and not exceeding 64 square feet in area. Such signs shall not be erected prior to city approval of the site and shall be removed no later than seven days after completion of the project.

~~(127)~~ Memorial or commemorative plaques or tablets denoting a building name and/or date of construction or a location of historic significance and not exceeding four square feet in area.

~~(138)~~ Signs located on baseball field fencing within city parks. Signs shall be no greater than four feet by eight feet, only up during baseball season, and remain in good condition. The city shall have the right to remove signage that they deem to be in poor condition.

17.110.070 Prohibited signs.

The following signs are prohibited:

(1) Vehicular Signs and Mobile Trailer Signs. No sign or other advertising structure shall be painted on or attached to a motor vehicle used primarily for the display of such sign; provided, that this section shall not prohibit the identification of a business or its products or services on its vehicle(s) operated and parked in a manner appropriate to the normal course of business.

(2) Moving and Flashing Signs.

(a) Moving Signs. No sign or other advertising structure shall have visible moving, revolving, or rotating parts or visible mechanical movement of any kind, except for the movable hands on street clocks, or other apparent visible movement achieved by electrical, electronic or mechanical means, except for time/temperature/date signs and except as permitted in SMC 17.110.080(2).

(b) Flashing Signs. No sign or other advertising structure shall have lights or illuminations that flash, move, rotate, scintillate, blink, flicker, vary in intensity or color, or use intermittent electrical pulsations, except as permitted in SMC 17.110.080(2).

Time/temperature/date signs are not considered to be flashing signs under this chapter.

(3) Flags, Banners, Pennants, and Balloons. Flags, banners, pennants, balloons, and other related advertising shall be prohibited, except under the following conditions:

(a) Banners or pennants used for temporary purposes such as carnivals, fairs, grand openings, or other special events not to exceed 30 days in duration;

(b) ~~National, state, and official organizational~~ Flags as exempted under SMC 17.110.060;

(c) Balloons or inflatables may be used for a maximum of three days for the purposes of carnivals, fairs, grand openings, or other special events. Balloons and inflatables are not permitted to exceed the height of the roofline or to be located on top of roofs.

(4) Roof Signs. No signage of any type shall be allowed on the roof of any structure except when authorized by variance pursuant to SMC 17.110.120.

(5) Billboards and Off-Premises Signs. Billboards and off-premises signs are prohibited. This prohibition includes all surfaces whereon advertising matter is set in view conspicuously and which advertising does not apply to the premises or any use of the premises wherein it is displayed or posted. Existing billboards and off-premises signs must comply with the requirements of SMC 17.110.140. This ban does not apply to authorized noncommercial off-

premises signs, such as signs that are for public service or community use, direction, or identification of locations within the city.

(6) Permanent signs on vacant lots, parcels or easements. No permanent sign shall be located on a lot, parcel or easement as the principal use of that lot, parcel or easement. Signs may only be established as an accessory use to a principally permitted use.

17.110.080 Permitted ~~business~~ signs.

The following signs and advertising structures may be permitted in compliance with the requirements of this chapter, ~~as on-site business signs that direct attention to a business, commodity, service or activity conducted or offered upon the premises where the sign is located.~~

(1) Freestanding and Monument Signs.

(a) General Standards.

(i) Number of Signs Allowed. Only one freestanding or monument sign per property shall be allowed, unless the property has more than one frontage. For properties having more than one frontage, no more than two freestanding or monument signs will be allowed.

(ii) Letter/Figure Attachment. All letters, figures, characters, or representations in cut-out or irregular form, maintained in conjunction with, attached to, or superimposed upon any sign, shall be safely and securely built or attached to the sign structure, except for readerboard signs, when lettering is designed to be temporary.

(iii) Landscaping. All landscaping shall utilize shrubs, flowers, other plantings, and/or other features such as decorative concrete, wood or brick bases, planter boxes, benches, or ornaments expressing the sign theme, but not containing advertising copy. Landscape improvements shall be installed and inspected in six months. All freestanding and monument signs shall include at a minimum one-half square foot of landscaping for each square foot of sign face (as measured from one side).

(iv) Maintenance. Freestanding and monument signs and their surrounding premises shall be maintained in a clean, sanitary, and inoffensive condition, and free and clear of all obnoxious substances, rubbish, and weeds.

(v) Construction Standards.

(A) Braces, Anchorage, and Supports. Signs shall be securely built, constructed, and erected upon posts and standards.

(B) Wood Preservative. All wooden posts, anchors, and braces that rest upon or enter into the ground shall be treated with a commercially available wood preservative. If creosote or any other restricted-use substance is used, it shall be applied by a state-certified handler.

(vi) Base Materials. Monument bases and frames shall be constructed of a durable material, such as concrete blocks, wood, or brick, or other material as permitted by the community development director.

(b) Freestanding Sign Standards.

(i) Heights.

- (A) Signs along SR 532 shall not exceed heights greater than 15 feet above the level of the street upon which the sign faces, or above the adjoining ground level, if such ground level is above the street level.
- (B) Signs on commercial streets other than SR 532 shall not exceed heights greater than 12 feet above the level of the street upon which the sign faces, or above the adjoining ground level, if such ground level is above the street level.

(ii) Setbacks.

- (A) Signs along SR 532 shall be set back at least 10 feet from the property line of the property on which the sign is erected and may be raised an additional foot in elevation to a maximum of 20 feet for each additional foot of setback provided.
- (B) Signs along commercial streets other than SR 532 shall be set back at least 10 feet from the property line of the property on which the sign is erected and may be raised an additional foot in elevation to a maximum of 15 feet for each additional foot of setback provided.

(iii) Area Limitations.

- (A) Freestanding signs for a single business shall not exceed 40 square feet per side in area.
- (B) Freestanding signs advertising more than one business shall not exceed 85 square feet per side in area.

(iv) Space Between Sign and Ground and Other Signs and Structures.

Freestanding signs shall have an open space not less than two feet between the baseline of the sign and the ground level. This open space may be filled in with a platform or decorative latticework that does not close off more than one-half of the square footage of the open space. No freestanding sign shall be closer than two feet to any other sign, building, or structure.

(c) Monument Sign Standards.

(i) Height, Location, and Size Requirements.

- (A) Height. Monument signs shall not exceed six feet, measured from the average ground elevation to the top of the frame.
- (B) Location. Monument signs may not be located closer than three feet from any driveway and must meet the sight distance requirements of SMC 17.145.130.
- (C) Size. The square footage of the sign face of a monument sign shall not exceed 40 square feet (per side).

(ii) Design Incentives. The community development director may approve an increase in sign face size up to a total of 60 square feet (per side) and up to a total of eight feet in height for signs utilizing the following design mitigation:

- (A) No internally lit cabinets. External lighting from the ground or by lamp attached to the outside of the sign is permitted.
- (B) Architectural frame and base, utilizing architectural features and/or natural materials, such as metal, stone, trellis, etc.
- (C) Muted color scheme approved by the director.

(2) Readerboard and Electronic Signs.

- (a) No more than three lines of text shall be permitted in any approved sign.

- (b) Text shall be a minimum of 10 inches in height, utilizing a single color on a black background.
- (c) No images or logos shall be utilized.
- (d) Text shall fade in and out (not scroll or flash) no more than once every 90 seconds.
- (e) Electronic signs shall be limited to no more than one per property or group of adjacent properties held by a single land owner.
- (f) Electronic signs shall be designed as part of a larger sign with the electronic portion consuming a maximum of 75 percent of the sign face. The remaining 25 percent shall adhere to the other applicable sections of this chapter.
- (g) Readerboard signs that are attached to pole signs and meet the standards of SMC 17.110.070(2) and subsection (1) of this section shall be permitted.
- (h) Readerboard signs that are converted into monument signs that meet the standards of SMC 17.110.070(2) and subsection (1) of this section shall be permitted.
- (i) The advertisement contained on any readerboard sign shall pertain only to the business conducted on or within the premises on which such sign is erected or maintained.

(3) Wall Signs.

(a) Location.

(i) Limitation on Placement Area. No wall sign shall cover wholly or partially any wall opening, nor project beyond the ~~ends or top edges~~ of the wall to which it is attached. No wall sign shall exceed 125 square feet in area.

(ii) Projection Above Sidewalk ~~and Setback Line~~. No wall sign shall be permitted to ~~extend project~~ more than ~~six inches~~ 16" beyond the building line. If a wall sign projects more than six inches from the wall it must be attached to a the wall at a height of less than at least eight and one-half feet above the sidewalk or ground.

(b) Construction of Sign.

(i) Supports and Attachment. Wall signs shall be safely and securely attached to the building wall by means of metal anchors, bolts, or expansion screws of not less than three-eighths-inch diameter, embedded into the wall at least five inches.

(c) Mixed Use Buildings. See SMC 17.112.050(17) for additional requirements for signs on mixed use buildings.

~~(4) Gable Signs.~~

~~(a) Height and Area Limitations. No gable sign shall have a surface or facing exceeding 125 square feet, nor have its highest point extended above the roof level.~~

~~(b) Construction of Sign.~~

~~(i) Bracing, Anchorage, and Supports. Gable signs shall be thoroughly secured to the building by iron or other metal anchors, bolts, supports, rods, or braces.~~

(54) Projecting Signs and Blade Signs.

(a) Construction.

(i) All projecting and blade signs, including frames, braces and supports, shall be two-faced.

(ii) Signs shall be designed by a structural engineer when the building official determines that engineering is required to meet wind pressure and dead load standards in SMC 17.110.050(8) and/or building code requirements.

(iii) Illumination.

(A) Illumination shall concentrate upon the area of the sign and prevent glare upon the street, sidewalk or adjacent property.

(B) No floodlight or spotlight nor reflectors of the gooseneck type shall be permitted.

(iv) Glass Lettering Requirements. The lettering or advertising designs to be illuminated may be composed of glass. Any glass forming a part of any sign shall be safety glass or plate glass at least one-quarter-inch thick, and in case any single piece or pane of glass has an area exceeding three square feet, it shall be wired glass. One section, not exceeding three square feet in area, constructed of wire glass or safety glass shall be permitted on each side of a sign.

(v) Movable Parts to Be Secured. Any movable part of a sign such as the cover of a service opening shall be securely fastened by chains or hinges.

(vi) Thickness Limitation. The distance measured between the principal faces of any sign shall not exceed 18 inches.

(vii) Bracing, Anchorage, and Supports. Bracing, anchorage and supports of signs shall conform to the requirements of SMC 17.110.050(8), Wind Pressure and Dead Load Requirements.

(b) Location/Height/Clearance.

(i) Projecting signs shall be placed at least eight feet above the sidewalk or walkway over which they are extended, and no more than two feet from the face of the wall to which attached, measuring from the point of the sign nearest the wall, unless modified as provided in subsection (5)(b)(iv) of this section.

(ii) Blade signs shall be hung a minimum of eight feet above the sidewalk or walkway with no more than one foot from the soffit or other architectural feature from which they are hung unless modified as provided in subsection (5)(b)(iv) of this section.

(iii) Blade and projecting sign shall be at least one foot away from the curblin and at least 15 feet above any driveway, alley, or thoroughfare over which it is erected.

(iv) Upon written request, the height clearance requirement for projecting and blade signs over sidewalks or walkways may be reduced by the community development director or designee to 84 inches if all the following findings are made:

(A) The projecting or blade sign is mounted on a building existing in the historic downtown overlay prior to September 1, 2010, and the building has a roof line, projecting soffit or eave that is too low to allow clearance of eight feet.

(B) The reduced clearance is the minimum necessary to allow identification of the business entry.

(C) The condition of the building, walkway and landscaping allow reasonable unobstructed clearance that meets minimum Municipal Uniform Traffic Control Device Standards.

(c) V-Shaped Signs Prohibited. V-shaped signs consisting of two single-faced signs erected without a roof and a ceiling shall not be permitted.

(d) Size and Number of Signs.

- (i) Area Limitations. Signs shall be limited in area as follows:
 - (A) Horizontal projecting signs shall not exceed 25 square feet on each side.
 - (B) Vertical projecting signs shall not exceed 50 square feet on each side.
 - (C) Blade signs shall not exceed four square feet.
- (ii) Number of Signs.
 - (A) One projecting sign is allowed on each business entry.
 - (B) One blade sign is allowed on each business entry.
- (e) Projecting and Blade Signs Over the Public Right-of-Way.
 - (i) Indemnification and Hold Harmless. Owners of projecting and blade signs that extend, hang and/or project over city public right-of-way shall assume and are responsible for liability for damage resulting from their construction, placement, and/or use. Prior to issuance of a sign permit, the applicant shall execute and deliver to the city, upon a form supplied by the city, a written agreement to defend, indemnify and hold harmless the city and its officers, elected officials, employees and agents from any and all claims, actions, or damages of any persons and/or entities by reason of or related to the construction, placement and/or use of the sign.
 - (ii) Public Liability Insurance.
 - (A) Prior to the issuance of a sign permit for a projecting and/or blade sign that extends, hangs and/or projects over city public right-of-way, the applicant shall provide the city with a certificate of public liability insurance. The permittee shall maintain said insurance coverage while the sign is in place and is in use.
 - (B) The public liability insurance shall be written on an occurrence basis, shall name the city as an additional insured, and shall contain a provision prohibiting cancellation of the policy except upon 30 days' prior written notice to the city.
 - (C) The public liability insurance shall have the following minimum insurance limits coverage: \$1,000,000 commercial general liability insurance per occurrence combined with single limits, and \$2,000,000 aggregate.

~~(6) Temporary Signs.~~

~~(a) Standards.~~

- ~~(i) Area Limitations. No temporary sign shall exceed four feet in one of its dimensions or 60 square feet in area.~~
- ~~(ii) Weight Limitation. Temporary signs weighing in excess of 50 pounds must be approved by the building official or designee as conforming to the safety requirements of the building code of the city of Stanwood.~~
- ~~(b) Location—Projection Over Public Property. No temporary sign shall extend over or into any street, alley, sidewalk, or other public thoroughfare more than four inches from the wall upon which it is erected, and shall not be placed or project over any wall opening. A temporary banner would be allowed to extend across a roadway if it is at least 16 feet above the road surface.~~

~~(c) Construction, Anchorage, and Support. Every temporary sign shall be attached with wire or steel cables. No strings, ropes, or wood slats for anchorage or support purposes shall be permitted.~~

~~(d) Duration of Temporary Signs. Temporary signs shall be allowed one time only for a period not to exceed 45 days; provided, that the community development director or designee may extend a temporary sign permit for a period of up to 45 days subject to the following criteria:~~

~~(i) The applicant has a permanent sign permit application pending or the business has a special event that will last longer than 45 days; and~~

~~(ii) The applicant has a new business and/or remodeled business and has a reasonable need for temporary signage exceeding 45 days; and~~

~~(iii) The temporary sign does not replace permanent signage.~~

~~(e) Advertising Permitted. The advertisement contained on any temporary sign shall pertain only to the business, industry, or pursuit conducted on or within the premises on which such sign is erected or maintained. This requirement for on-site signage shall not apply to signs of a civic, political, or religious nature.~~

~~(75) “A” Board Signs and Portable Signs.~~

~~(a) “A” board and portable signs are allowed only as temporary and supplemental advertising for businesses within the city that have permitted permanent signage. The advertisement contained on any “A” board or portable sign shall pertain only to the business conducted on or within the premises on which such sign is erected or maintained. A separate sign permit is required.~~

~~(b) “A” board and portable signs must be a minimum of 30 inches in height and not exceed 48 inches in height when displayed. They must be at least 18 inches in width and not exceed 30 inches in width, and shall not be located within 10 feet of a driveway or other access point.~~

~~(c) “A” board and portable signs shall not be located within the paved portion of the vehicular right-of-way or upon traffic islands or crosswalk areas.~~

~~(d) Any “A” board or portable sign located on a sidewalk must be located to provide a minimum of five feet of clearance on at least one side for wheelchair and walking access.~~

~~(e) No more than one “A” board or portable sign per 25 linear feet of property frontage shall be permitted. No more than two “A” board or portable signs shall be permitted for a given business.~~

~~(f) “A” board and portable signs shall be removed nightly.~~

~~(g) Owners of “A” board signs located upon the city sidewalk shall assume liability for damage resulting from their use as part of the permit process and shall provide the city with an appropriate document holding the city harmless from such resulting loss. The city shall not assume any liability for any accident incurred in conjunction with an “A” board sign.~~

~~(8) Temporary Community Promotional Display.~~

~~(a) Signage for community promotional displays, sponsored by the Stanwood/Camano Chamber of Commerce or similar business association, may be approved for a uniform sign system incorporating a single base sign customized for specific businesses that may be displayed in multiple locations within a promotional area.~~

~~(b) Promotional signage shall meet the following standards:~~

~~(i) The promotional area is limited to commercial zones.~~

~~(ii) Signage allowed in the promotional area shall be allowed for up to 180 nonconsecutive days per year.~~

~~(iii) Business names/phone numbers may be placed on the signs at the owners' discretion consistent with the sign type proposed by the sponsoring group.~~

~~(iv) Signage is limited to three on-site signs for each participating business with business owners' permission.~~

~~(v) Signs displayed as part of the community association permit may be used for holiday promotion and decorated to fit the holiday theme consistent standards with SMC 17.110.060(9). Such display shall be erected no more than 45 days before and removed no later than 14 days after the celebration and shall count toward the total 180 noncontiguous days allowed for promotional signage.~~

~~(vi) Temporary promotional signage shall be consistent with "A" board sign standards in subsections (7)(a) through (g) of this section with the following exceptions:~~

~~(A) One master permit for an approved sign system is required rather than one sign permit per sign.~~

~~(B) The sponsor shall assume liability for damage resulting from their use on city sidewalks and shall provide the city with an appropriate document holding the city harmless from such resulting loss.~~

~~(C) Signs may displayed after business hours if they are secured to a structure and designed to meet the minimum dead load and wind resistance requirements in SMC 17.110.050(8). Signs not secured in this manner shall be removed at the end of the business day.~~

~~(vii) Signage shall be consistent with minimum maintenance and safety requirements for all signs in SMC 17.110.050.~~

~~(viii) One master permit for an approved sign system is allowed within a designated promotional area each calendar year.~~

(96) Feather Banner Signs.

(a) Feather banner signs are allowed only as supplemental advertising for businesses within the city that have permitted permanent signage. The advertisement contained on any feather banner sign shall pertain only to the business conducted on or within the premises on which such sign is erected or maintained. A separate sign permit is required.

(b) Feather banner signs shall be securely anchored and not greater than 20 feet in height and shall not exceed 40 square feet.

(c) Feather banner signs shall not be located within the paved portion of the vehicular right-of-way or upon traffic islands or crosswalk areas.

(d) Feather banner signs shall not be located within 10 feet of a driveway or other access point and not obstruct views from a driveway to ensure safe ingress and egress from the premises.

(e) Any feather banner signs shall not be located on public sidewalks.

(f) No more than two feather banner signs shall be permitted for a given business.

(g) Feather banner signs shall be removed nightly.

17.110.085 Banners on or within the public right-of-way.

(1) Horizontal over the right-of-way banners are permitted for ~~noncommercial messages~~ for the following events:

- (a) Special events as defined in Chapter 5.06 SMC when located within the city;
- (b) ~~Community e~~Events which are excluded from the definition of special events when located ~~on school district property, within “meeting halls” within the city as defined in SMC 17.20.140, or located at the Stanwood/Camano Fairgrounds or at Warm Beach Camp and Convention Center within the Port Susan geographical area.~~

~~(2) City sponsored vertical and horizontal banners are permitted within city and state right-of-way for seasonal promotion, city marketing, city sponsored farmer’s market, and city wayfinding and gateway promotion.~~

~~(32)~~ Application shall be made for city installation and removal of banners over or within the public right-of-way on a form provided by the city and according to administrative procedures published by the city. Application shall be made a minimum of 14 days prior to the event.

~~(43)~~ Banners that are displayed on or over the public right-of-way require a sign permit and a temporary encroachment permit. Review of sign and encroachment permits may be combined and issued with one permit and fee.

~~(54)~~ Sign Standards for Banners.

- (a) Banners shall meet the minimum standards in SMC 17.110.050, including but not limited to wind load.
- (b) Banners shall be three feet high and 20 feet wide and shall not exceed 60 square feet.
- (c) Materials shall be resistant to ultraviolet rays, mold and mildew and have sewn loops or equivalent for attachment.
- (d) Banners shall not be erected more than 14 days in advance of the event, and shall be removed within three days after the termination of the event. Vertical banners on light poles used for city marketing may be exempted from this requirement.
- (e) A temporary banner shall hang a minimum of at least 16 feet above the road.

~~(65)~~ The applicant shall maintain general liability insurance for property damage and bodily injury or death throughout the term the banner is in place over the roadway in an amount and terms determined by administrative procedures published by the city.

17.110.090 Other advertising structures considered signs.

The following on-premises advertising structures may be permitted in compliance with the requirements of this chapter.

(1) Marquees.

(a) Construction.

- (i) Materials Required. Marquees, including the anchors, bolts, supports, rods and braces, shall be designed by a structural engineer and illuminated.
- (ii) Drainage. Marquee roofs shall be properly guttered and connected by downspouts to a storm sewer so that rainwater will not drip or flow onto public property.
- (iii) Roofs – Use and Construction. Marquee roofs shall be used for no other purpose than to form and constitute a roof, and at least 25 percent of the area of the roof of every marquee shall be of glass or other transparent substance.

(b) Location.

- (i) Height Above Sidewalk. No portion of a marquee shall be less than eight and one-half feet above the level of the sidewalk or other public thoroughfare over which it is erected.
- (ii) Setback from Curbline. No marquee shall be permitted to extend beyond a point three feet inside the curbline.
- (iii) Width. No marquee shall be wider than the entrance or entrances of the building plus five feet on each side. No marquee shall extend beyond the edge of the facade onto which it is attached. However, where the entrances to a building are not more than 20 feet apart, a marquee may be made a continuous single structure between the entrances.

(c) Construction.

- (i) Bracing, Anchorage, and Supports. Marquees shall be supported solely by the building to which they are attached, and no columns or posts shall be used as supports.
- (ii) Roof Live Load Requirement. Marquee roofs, except the glass area required, shall be designed and constructed to support a live load of not less than 100 pounds per square foot. Marquees shall be designed to meet the wind pressure requirement provided in SMC 17.110.050(8).
- (iii) Anchorage to Wood Structure Prohibited. No marquee shall be erected on any building of wood frame construction unless attached to the masonry, concrete, or steel supports of the building.

(d) Signs Attached to the Marquee. Signs attached to or hung from a marquee shall be completely within the borderline of the marquee outer edge and shall in no instance be lower than eight and one-half feet above the sidewalk or public thoroughfare. No sign or advertising material shall exceed five feet in height, exclusive of the name of the establishment exhibiting such marquee. No advertising material shall be placed upon the roof of any marquee.

(2) Awnings and Canopies.

(a) Construction.

- (i) Materials (Awnings). Awnings may be constructed of cloth or metal hood; provided, however, all frames and supports shall be of metal.
- (ii) Materials (Canopies). Canopies may be constructed of cloth or metal hood; provided, however, all frames and supports shall be of metal.

(b) Location.

- (i) Height Above Sidewalk (Awnings). No portion of an awning shall be less than eight and one-half feet above the level of the sidewalk or public thoroughfare over which it is erected.
- (ii) Height Above Sidewalk (Canopies). No portion of a canopy shall be less than eight and one-half feet above the level of the sidewalk or public thoroughfare over which it is erected.
- (iii) Setback from Curbline. No awning or canopy shall be permitted to extend beyond a point one foot inside the curbline.
- (iv) Width. No limitation on width of awnings; provided, however, full compliance with the wind pressure and dead load requirements of SMC 17.110.050(8). No canopy shall be permitted to exceed eight feet in width.

(c) Construction of Sign.

(i) Support (Awning). Awnings shall be securely attached to and supported by a building. Posts or columns beyond the building line shall not be permitted for awnings. No awning shall be attached to wood jambs, frames, or other wood members of a building (frame buildings excepted) when such building is less than 10 feet from public property.

(ii) Support (Canopies). The frameworks of canopies shall be designed by a structural engineer and approved by the building official and in compliance with the building code of the city of Stanwood. All frames and supports shall be of metal and designed to withstand a wind pressure as provided in SMC 17.110.050(8).

(d) Advertising. No advertising shall be placed on any awning or canopy, except that the name of the owner and the business, industry, or pursuit conducted within the premises may be painted or otherwise permanently placed in a space not exceeding 24 inches in height on the front and side of the awning or canopy.

(3) Street Clocks.

(a) Construction.

(i) Regulation of Size of Dial. The dial of such clocks shall be not less than 30 inches, nor more than 40 inches, in diameter.

(ii) Glass Requirements. Any glass forming a part of a clock shall be safety glass or plate glass at least one-quarter-inch thick, and in case any single piece or pane of glass has an area exceeding three square feet, it shall be constructed of wire glass, securely held in place.

(iii) Movable Parts to Be Secured. The cover or service openings of street clocks shall be securely fastened by metal hinges.

(b) Location.

(i) Clocks Erected on Walls. Clocks supported on the corner of any building or structure at the intersection of two streets shall not be less than 15 feet nor more than 20 feet above the sidewalk and shall not project from the face or wall of the building or structure more than five feet.

(ii) Clocks Erected on Sidewalk. Clocks erected on the sidewalk shall be supported upon a post of ornamental design, shall be not less than 15 feet in height, shall be not more than 20 inches from the outer edge of the curb, and shall be at least 20 feet from the point of intersection of the lines of any street, measured parallel with the street.

(c) Construction of Sign.

(i) Clocks Erected on Walls. Clocks erected on the corner of any building or structure shall comply with the requirements set forth in SMC 17.110.080(3), Wall Signs, or SMC 17.110.080(~~54~~), Projecting Signs, whichever is applicable.

(ii) Wind Pressure and Dead Load Requirements. Street clocks, whether erected on exterior walls or on the sidewalk, shall comply with the requirements of SMC 17.110.050(8).

(d) Limitation on Permits – Clocks on Sidewalks. Any person erecting a street clock on any public sidewalk shall obtain the special written permission of the city council in addition to all other permits required by this title.

(e) Limitation on Permits – General. No person shall be permitted to erect more than one street clock at any one business location.

(f) Must Keep Accurate Time. Street clocks shall keep accurate time and shall be properly repaired or removed if this requirement is not complied with.

17.110.100 Revocation of permit.

The community development director or designee may revoke any permit where there has been a violation of the provisions of these standards or a misrepresentation of fact on the permit application.

17.110.110 Permit expiration.

If the work authorized under a sign permit and/or building permit is not completed within 180 days after the date of issuance, the permit shall become null and void.

17.110.120 Variances.

- (1) The community development director may grant a variance to allow the following:
 - (a) Setback less than that required under this title; or
 - (b) Area or height of a sign to be increased by up to 50 percent of the maximum allowable height or area subject to the following finding:
 - (i) The unusual shape or topography of the property in question prevents signage allowable under the provisions of these standards from adequately identifying the business or other activity located on such property.
- (2) Off-Site Signage. A variance may also be allowed for off-site signage when the business has no other visible alternative for the placement of signage, as determined by the community development director.
- (3) Roof Signage. The community development director may grant a variance to allow roof signs when the business has no other alternative for the placement of signage. Such approval shall be granted based on the finding that no alternatives are available to the applicant other than roof signage. If roof signage is permitted, it shall conform to all requirements for signs under this chapter.

17.110.130 Unlawful signs on city property or public right-of-way.

If the community development director or designee finds that any sign or other advertising structure located on city property or public right-of-way is prohibited by or is not in compliance with the provisions of this chapter, the said official may cause such sign to be removed with or without notice to the owner of the sign.

17.110.140 Nonconforming signs.

- (1) Nonconforming On-Site Signage.
 - (a) Any on-site signage that does not conform to this chapter, but was legally in place before the effective date of the provision to which the signage does not conform, shall be considered legal nonconforming signage. Such existing signage may be maintained and/or repaired but at such time as a merchant replaces or modifies the signage, then the

signage must conform to the requirements of this code except as provided in subsection (1)(b) of this section. No temporary signage shall be considered as legal nonconforming signage under this section. "Legally in place" shall mean:

- (i) Installed prior to the existence of sign regulation within the city;
 - (ii) Installed pursuant to a permit issued by the city.
- (b) Modification of legal nonconforming signage is limited to change of copy, change of sign background associated with a change of copy, or reduction in cabinet size associated with a change of copy.
- (c) Change of copy or sign background for legal nonconforming signs shall be processed as a modification to a sign permit if the modification meets the criteria in SMC 17.110.020(2) and shall be subject to the sign modification permit fee unless there is alteration of the cabinet, or change in connection hardware, or the building official determines that windload must be reviewed. In these instances the modifications shall be processed as provided in SMC 17.110.020(1) subject to a sign permit fee and building permit fee.
- (d) The nonconforming status of a sign shall not be affected by cleaning or other normal maintenance and repair; provided, that the original design function, operational capability, and structure of the sign are maintained and the sign is not otherwise enhanced or upgraded except as provided in subsection (1)(b) of this section.
- (2) Nonconforming Billboards and Off-Premises Signs. Any billboard or off-premises sign legally in existence shall be removed, so as to conform with the provisions of this chapter, within six years of said date.

17.110.150 Temporary Signs.

- (1) No Permit required. No sign permit is required for temporary signs.
- (2) Removal. Temporary signs shall be removed if the sign is in need of repair, is worn, dilapidated or creates a public nuisance.
- (3) City property (excluding City right-of-way). Temporary signs on City-owned property (excluding City right-of-way) are allowed only in conjunction with an approved Special Event permit.
- (4) City Right-of-Way outside of the Roadway. Temporary signs on City Right-of-Way placed outside of the Roadway, must comply with the following requirements:
- (a) Location. Allowed only between the property line and the back of the nearest curb, or where no curb exists, between the property line and the nearest edge of the pavement. Signs may not be placed on sidewalks, driveways or other paved areas designed for pedestrian or vehicular use, or as conditioned in a right-of-way use permit.
 - (b) Type. Signs on stakes that can be manually pushed or hammered into the ground are allowed. All other signs are prohibited, unless specifically allowed by a right-of-way use permit.
 - (c) Size and height. Limited to four (4) square feet, and three (3) feet in height.
 - (d) Dilapidated or Nuisance signs. Any temporary sign in the right-of-way that is dilapidated or a nuisance, shall be removed by the person responsible for placement of the sign.
 - (e) Other signs. The City may allow other signs in City right-of-way with a Right-of-Way use permit.

(5) Residential zones. Temporary signs may be placed on property residentially zoned in accordance with the requirements of this Section and the following:

(a) Freestanding signs (includes post-mounted and stake signs).

(i) Single-family zones: Temporary free-standing signs shall not exceed four (4) square feet in size and five (5) feet in height, if the sign is mounted on the ground, and not to exceed three (3) feet in height if the sign is stake-mounted.

(ii) Multi-family zones: Temporary free-standing signs shall not exceed six (6) square feet in size and five (5) feet in height if the sign is post mounted on the ground, and not to exceed three (3) feet in height if the sign is stake-mounted.

(b) Surface-mounted signs. Limited to sites two (2) acres or larger:

(i) Size. No larger than thirty-two (32) square feet.

(ii) Location. Must be flatly affixed to walls below the fascia or parapet line, or flatly affixed to on-site fences either facing or abutting the street, or facing inward to the subject site. Signs shall not be attached or tethered to other site improvements.

(6) Non-residential zones. Temporary signs are allowed on non-residentially zoned property in accordance with the requirements of this Section and the following:

(a) Window signs. Limited to fifty (50) percent of the window area, subject to the window sign requirements of Section 17.110.060(2).

(b) Freestanding signs (including post-mounted and stake signs): Size/height. Limited to four (4) square feet and five (5) feet in height if the temporary sign is mounted in the ground.

(c) Surface-mounted signs:

(i) Size. Limited to thirty (30) square feet.

(ii) Location. Must be flatly affixed to walls below the fascia or parapet line, or flatly affixed to on-site fences either facing the abutting street, or facing inward to the subject site. Signs shall not be attached or tethered to other site improvements.

(7) Temporary signs on large properties, residential or non-residentially zoned properties. The following temporary signs may be placed on any site at least two (2) acres in size, in accordance with the requirements of this Section and the following:

(a) Type. Any type.

(b) Size/height. Not to exceed sixty-four (64) square feet and up to eight (8) feet above ground level.

(c) Exclusivity. The sign allowed under this subsection is in lieu of and shall not be displayed with or be in addition to other temporary signs allowed by this Section.

(8) Duration of Temporary Signs. Temporary signs shall be allowed one time only for a period not to exceed six months in any consecutive twelve month period.

ATTACHMENT B

Chapter 17.47 TN (TRADITIONAL NEIGHBORHOOD) ZONING DISTRICT

Sections:

- 17.47.010 *Repealed.*
- 17.47.020 Application procedures for TN subdivisions.
- ~~17.47.025 Minimum tract size.~~
- 17.47.030 Permitted uses.
- 17.47.035 *Repealed.*
- 17.47.040 Mix and location of uses.
- 17.47.045 Pedestrian orientation.
- 17.47.050 Street standards.
- 17.47.055 Common open space.
- ~~17.47.060 Civic uses and/or landmarks.~~
- 17.47.065 Building standards.
- 17.47.070 Parking location.

17.47.010 General description of the purpose and intent of the zoning district.
Repealed by Ord. 1294. (Ord. 1251 § 5, 2009).

17.47.020 Application procedures for TN subdivisions.

- (1) Prior to the submittal of a subdivision application within the TN zone, a pre-application meeting is required with the planning commission. The planning commission shall ~~identify any needed landmarks or civic buildings to be included in the development~~ provide feedback as to the design and layout of the proposed project.
- (2) Applications shall meet the submittal requirements of Chapter 16.15 SMC for preliminary plats.
- (3) All TN subdivision applications shall follow the permit review and hearing procedures and meet the requirements as provided in Chapter 16.15 SMC for preliminary plat applications.
- (4) Preliminary plats for TN subdivisions shall be approved by the hearing examiner utilizing criteria set forth in SMC 16.15.090.
- (5) An approved site development permit ~~shall~~ may be required prior to construction.
- (6) Construction plan approval shall be required prior to any construction.
- (7) Final plat applications and city council approval shall be subject to the requirements of Chapter 16.20 SMC. (Ord. 1251 § 5, 2009).

~~17.47.025 Minimum tract size.~~

~~TN developments shall incorporate a minimum of 10 acres of contiguous land. (Ord. 1251 § 5, 2009).~~

17.47.030 Permitted uses.

- (1) TN developments shall provide a mix of residential uses in accordance with the zoning use table provided in SMC 17.30.040.
 - (2) TN developments may include a mix of commercial and public uses in addition to residential uses in accordance with the zoning use table provided in SMC 17.30.040.
 - (3) TN developments located within 200 feet of SR 532 shall be allowed to utilize the general commercial (GC) zoning uses provided in SMC 17.30.040, Zoning use table.
 - (4) Public Facilities identified as a permitted use within the TN zone in 17.30.040 Zoning Use Table are allowed to be constructed outright and without providing residential units or commercial uses. Public Facilities are not required to meet the standards set forth in Chapter 17.47 TN Zone.
- (Ord. 1398 § 16, 2015; Ord. 1294 § 15, 2011; Ord. 1251 § 5, 2009).

17.47.035 Table of density and dimension requirements for TNs.

Repealed by Ord. 1294. (Ord. 1251 § 5, 2009).

OPTION A

17.47.040 Mix and location of uses.

- (1) All TN development shall provide a mix of residential unit types. A ~~maximum~~ minimum of ~~35~~ 15 percent of any one type of residential units is allowed and shall include at least two types of residential units. Residential units incorporating home occupations shall not count as a separate unit type. Cottage housing shall be permitted and considered a separate residential unit type. Cottage housing units shall comply with the requirements in SMC 17.95.450.
 - (2) Up to 20 percent of the acreage of the TN development may be devoted to commercial uses (not including home occupations).
 - (3) Up to 50 percent of the acreage of the TN development located within 200 feet of SR 532 may be devoted to commercial use and/or general commercial uses (not including home occupations).
 - (4) Except for home occupations, commercial uses that are included shall be located along collectors, at corners, or adjacent/across from common open spaces.
 - (5) Congregate care, assisted living, and independent living facilities are to be considered separate residential unit types.
- (Ord. 1398 § 17, 2015; Ord. 1251 § 5, 2009).

OPTION B

17.47.040 Mix and location of uses.

- (1) All TN development shall provide a mix of residential unit types. A ~~maximum~~ minimum of ~~35~~ 15 percent of any one type of residential units is allowed and shall include at least two types of residential units for projects consisting of less than 25 acres. For projects consisting of more than 25 acres three types of residential units shall

be required or two types of residential and a commercial use consistent with SMC 17.47.040(2). Residential units incorporating home occupations shall not count as a separate unit type. Cottage housing shall be permitted and considered a separate residential unit type. Cottage housing units shall comply with the requirements in SMC 17.95.450.

(2) Up to 20 percent of the acreage of the TN development may be devoted to commercial uses (not including home occupations).

(3) Up to 50 percent of the acreage of the TN development located within 200 feet of SR 532 may be devoted to commercial use and/or general commercial uses (not including home occupations).

(4) Except for home occupations, commercial uses that are included shall be located along collectors, at corners, or adjacent/across from common open spaces.

(5) Congregate care, assisted living, and independent living facilities are to be considered separate residential unit types.

(Ord. 1398 § 17, 2015; Ord. 1251 § 5, 2009).

17.47.045 Pedestrian orientation.

(1) Pedestrian connections shall be made from residential uses along all major streets and from homes to all common open spaces ~~and to all civic and public uses and landmarks~~. Pedestrian connections that cannot be made as sidewalks along vehicle lanes shall be made as alternative access easements such as trails.

(2) Sidewalks shall be provided on both sides of all public streets (except alleys).

(3) No home shall be located more than one-quarter mile from at least one designated open space ~~and the nearest transit stop~~. (Ord. 1251 § 5, 2009).

17.47.050 Street standards.

(1) ~~A hierarchy of interconnected streets that~~ Streets within new TN developments shall form a general grid pattern shall be provided in any TN development, including major collectors (boulevards), local streets, and alleys acceptable to the Public Works Director. In local street patterns, walkable blocks of 500 linear feet or less ~~are~~ should be required.

(2) Major thoroughfares that are provided shall be consistent with the Comprehensive Plan.

~~(3) No cul-de-sacs or dead ends shall be permitted.~~

~~(4)~~ New TN developments must connect to existing neighboring developments where connections are provided and must provide new connections to future neighboring developments.

~~(5)~~(4) Street standards shall be consistent with Stanwood street and utility standards (Chapter 14.14 SMC) except when a different standard is specified in this chapter.

~~(6)~~(5) The public works director may allow for a reduction of local street width to 41 feet, based on a cross-section of two 10-foot vehicle lanes, two six-inch curbs, two five-foot planting/utility strips, and two five-foot sidewalks.

~~(7)~~(6) Parallel parking may be provided on one or both sides of local and major streets.

~~(8)~~(7) Alleys 12 to 20 feet in width ~~shall~~ may be utilized to provide access to residential parking at the back of residential units.

~~(9)~~(8) Applicants shall consult with transit providers, and provisions shall be made for transit stops that will serve current, future, and potential transit lines.

~~(10)~~(9) All TN developments shall meet parking standards of Chapter 17.105 SMC. Shared parking is encouraged where participating users have differing peak parking hours. The community development director may reduce parking requirements, when a parking study prepared by a professional transportation engineer indicates that a reduction in parking will cause no negative impacts to city streets or neighbors. (Ord. 1356 § 18, 2013; Ord. 1251 § 5, 2009).

17.47.055 Common open space.

(1) Common open space shall be provided at the rate of one-half acre for every 10 acres of development or portion thereof.

(2) Common open spaces shall be centrally located to provide access from all sides ("square"); but must provide vehicular access from two sides and pedestrian access to all areas.

(3) No residential units shall be located farther than a one-quarter-mile walk to the nearest open space.

(4) If the area is served by transit, a direct pedestrian connection shall be made between the open space and the transit stop. Also, where transit shelters are provided, they shall be placed in highly visible locations that promote security and shall be well-lighted.

(5) Common open space shall provide a minimum of bench seating, garbage receptacles, tree shade, and at least one aesthetic amenity, such as public art, fountain, etc.

(6) Landscape standards of Chapter 17.145 SMC shall be complied with for all parts of the TN.

(7) Sensitive areas shall be protected per Chapters 17.115 through 17.135 SMC.

(8) This section shall apply in the TN zoning district in lieu of the open space and recreation standards of Chapter 17.147 SMC. (Ord. 1251 § 5, 2009).

~~17.47.060 Civic uses and/or landmarks.~~

~~During the pre-application process, the planning commission shall determine the need for any civic uses or landmarks to be accommodated in the TN. (Ord. 1251 § 5, 2009).~~

17.47.065 Building standards.

(1) All building frontages shall be served by sidewalks or provide pedestrian connection to sidewalks.

(2) ~~All residential garages~~ If alleys are provided, residential garages shall gain access to the rear of lots from alleys.

(3) All structures shall meet the building design guidelines set forth in Chapter 17.112 SMC.

(4) Similar building types (e.g., single-family, multifamily, commercial) ~~shall~~ should be located on both sides of a street instead of using streets to define boundaries. (Ord. 1251 § 5, 2009).

17.47.070 Parking location.

(1) All multi-family parking, including parking in lots, improved or unimproved parking stalls/spaces, and/or parking garages/structures shall occur in the rear or side of the lot and shall be located a minimum of 10 feet behind the front building wall of the primary structure, except for parking located within a mixed use building.

~~(2) All residential garages/structures and residential surface parking lots/parking spaces shall gain access to the rear of lots from alleys. (Ord. 1251 § 5, 2009).~~

ATTACHMENT C

17.30.040 Zoning Use Table.

KEY:

Blank = Not Permitted

AC = Accessory Use

ADC = Administrative Conditional Use

C = Conditional Use

P = Permitted Use

AEO = Adult Entertainment Overlay

HO = Historic Overlay

TO = Transit Overlay

MPO = Master Plan Overlay

MXO = Mixed Use Overlay

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN	MB-I ²⁹	MB-II	NB	GC	LI	GI
Personal Services												
<u>Assisted/Independent Living</u>					<u>C18</u>	<u>C</u>		<u>P11,</u> <u>P18.</u>		<u>P18</u>		
Barber shop, beauty shop					P39MXO	P	P	P	P	P, P39 MXO		P37TO
Daycare center			P12	P12	P12	P12	P12	P12	P12	P12, P39 MXO		P37TO
Daycare, family	AC12	AC12	AC12	AC12	P12		P37TO	P	P12	P12, P39 MXO		P37TO
Daycare, mini				P12	P12	P12	P12	P12	P12	P12, P39 MXO		
Dry cleaner					P39MXO	P35	P	P	P	P, P39 MXO	P	P

Equipment rental								P		P, P39 MXO	P	P
Funeral home							P	P		P, P39 MXO	P	
Health/athletic club					P39MXO		P	P		P, P39 MXO	P	
Janitorial service					P39MXO			P			P	P
Laundromat					P39MXO	P35	P	P	P	P, P39 MXO	P	P37TO
Optician					P39MXO	P	P	P	P	P, P39 MXO		P37TO
Massage clinic/center							P	P		P, P39 MXO		
Photo processing service					P39MXO		P	P		P, P39 MXO	P	
Photocopy/private mail center							P	P		P, P39 MXO		
Printing and publishing					P39MXO		P	P		P, P39 MXO	P	
Private clubs					P39MXO		P	P		P, P39 MXO		
Tattoo parlors					P39MXO			P				P

Travel agencies					P39MXO	P	P	P				
Video sales and rental					P39MXO	P	P37TO	P	P	P, P39 MXO	P37TO	P37TO
Other uses determined to be consistent with the definition of “personal service” as determined in this code							P51HO					

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN	MB-I29	MB-II	NB	GC	LI	GI
Recreation												
Amusement park or center										P		
Athletic field		ADC	ADC	ADC	ADC						P	
Ball park	ADC	ADC	ADC	ADC	ADC				P	P		
Batting cage											P	
Bowling alley								P			P	
Community garden								P		<u>P</u>		<u>P</u>
Conservation area	P									<u>P</u>		<u>P</u>
Go-kart track											P	
Golf course											P	
Open space	P	P	P	P						<u>P</u>		<u>P</u>
Park, community	ADC	ADC	ADC	ADC						<u>P</u>		<u>P</u>

Park, neighborhood	ADC	ADC	ADC	ADC								
Park, urban					P		P	P		<u>P</u>	P	<u>P</u>
Playground	ADC			ADC	ADC		P	P		P	P	<u>P</u>
Recreation area/facility	P	P	P	P	P					<u>P</u>		<u>P</u>
Skating rink											P	
Swimming pool		P	P	P	P						P	
Trail	P	P	P	P	P	P	P	P	P	P	P	P

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN	MB-I ²⁹	MB-II	NB	GC	LI	GI
Residential												
Boarding house							P31	P31				
Caretaker's house											P25	P25
Congregate care facility					C18	<u>C</u>		P11, P18,		P18		
Dwelling, accessory	AC3	AC3	AC3	AC3		AC3						
Dwelling, cottage	P4	P4	P4	P4		P4						
Dwelling, duplex				P15	P	P		P52				
Dwelling, multiple-family					P	P11	P37TO	P		P37TO, P39MXO		P37TO

Dwelling, single-family	P	P	P	P	P	P	P38	P52				
Dwelling, townhouse				C	P	P	P37TO	P		P37TO		P37TO
Group home			P10	P10	P10			P10		P10		P37TO
Home occupation	AC5	AC5	AC5	AC5	AC5	AC5	AC5	AC5		ACTO		ACTO
Manufactured/mobile home	P9	P9	P9	P9								
Manufactured/mobile home park			P9	P9								
Mixed use						P	P	P, P37TO		P37TO		P37TO

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN	MB-I29	MB-II	NB	GC	LI	GI
Utilities												
Electrical generating plant												C
Electrical substation	P	P8	P8	P8	P	P14	P	P	P	P	<u>P</u>	P
Electrical transmission line	P	P	P	P	P		P	P		P	<u>P</u>	<u>P</u>
Recycle collection stand							AC	AC	AC	AC	AC	
Reservoir												
Sewage lift station	P	P	P	P	P	P14		P	P		P	
Sewage treatment plant												C
Solid waste disposal/recycling center												C

Water well and pump station	P	P	P	P	P	P					P	
Water, drainage or sewage infrastructure	P	P	P	P	P	P	P	P	P	P	P	P

17.20.040 “C” definitions.

“Congregate care facility” means a residential facility for the elderly and/or handicapped persons. ~~The minimum age limit shall be 55 years of age for residents, with younger spouses permitted. There shall be no age limit for the handicapped.~~ The facility must have a central lobby, common dining area, hobby and/or recreational rooms. The fee structure shall include at least one meal per day in the common dining area. Accessory support uses for the tenants, such as pharmacies, banking and other internal services, may be included. Congregate care facilities may include the definition for Skilled Nursing facility and/or Short Term Rehab facility.

New Definitions

17.20.100 “I” definitions.

“Independent Living Facility” means a group residence where residents are provided housing, monitoring, activities, housekeeping and laundry services with options for meals.

17.20.020 “A” definitions.

“Assisted Living Facility” means a State licensed group residence for adults, in which tenants live in individual apartments but receive some personal-care services, including shared meals, day and night supervision, assistance with medications by Caregivers, and other benefits, which vary according to state regulations. Caregivers are Certified Nursing Assistants or Home Care Aids staffed 24 hours per day. Nurses are LPN or RN and staffed typically 5 days per week.

17.20.200 “S” definitions.

“Skilled Nursing Facility” means a State and Medicare licensed skilled nursing facility where tenants require the services of a licensed nurse (RN and LPN) or therapist (PT,OT,ST) on a daily basis. Direct care for activities of daily living such as bathing dressing and grooming are provided by Certified Nursing Assistants. Residents are provided housing, meals, activities, therapy by an interdisciplinary team of consisting of social workers, activity staff, direct care givers and nurses under the supervision of their doctor.

“Short Term Rehab Facility” means a skilled nursing facility that provides in-patient intensive Physical, Occupational and Speech/Swallowing Therapy and Registered Nurse medication and treatment management under the supervision of the physician after an admission to the hospital. Length of stay is generally 30 days or less before patient returns home.

Chapter 16.10
DESIGN STANDARDS

16.10.030 Lots.

- (1) Lot size, width, shape and orientation shall be appropriate for the location and contemplated use of the subdivision. Each lot shall contain a satisfactory building site and shall conform to the Comprehensive Plan and this code.
- (2) Each lot shall be provided with satisfactory access by means of a public street connecting to an existing public right-of-way or by some other legally sufficient right-of-access that is permanent and conforms to the city of Stanwood public works standards.
- (3) Lot widths, depths and areas shall conform with the zoning requirements applicable to the area within which the property is located. The square footage of land contained in access panhandles shall not be included in the lot size computation.
- (4) Side lot lines shall be substantially at right angles or radial to street lines.
- (5) Double frontage lots shall be avoided, except where essential to provide separation of residential development from traffic arterials, or to overcome specific disadvantages of topography and orientation. For such lots, there shall be a reserve strip designated alongside the lot lines abutting such a traffic arterial to which there shall be no right-of-access.
- (6) Rights-of-way for pedestrian walks, not less than 10 feet wide, shall be required where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities.
- (7) All setbacks shall be as required for the zone that the subdivision is located in as shown in the table of dimensional and density requirements in Chapters 17.30 through 17.50 SMC. ~~Minimum side yard setbacks for corner lots shall be 15 feet.~~
- (8) All lots in a subdivision or short subdivision must have a minimum street frontage of ~~35~~ 20 feet in width ~~and all lots together shall average at least 85 feet in width.~~ (Ord. 1110 § 2, 2002).

Chapter 17.60
ZONING STANDARDS TABLES

17.60.020 Residential development standards.

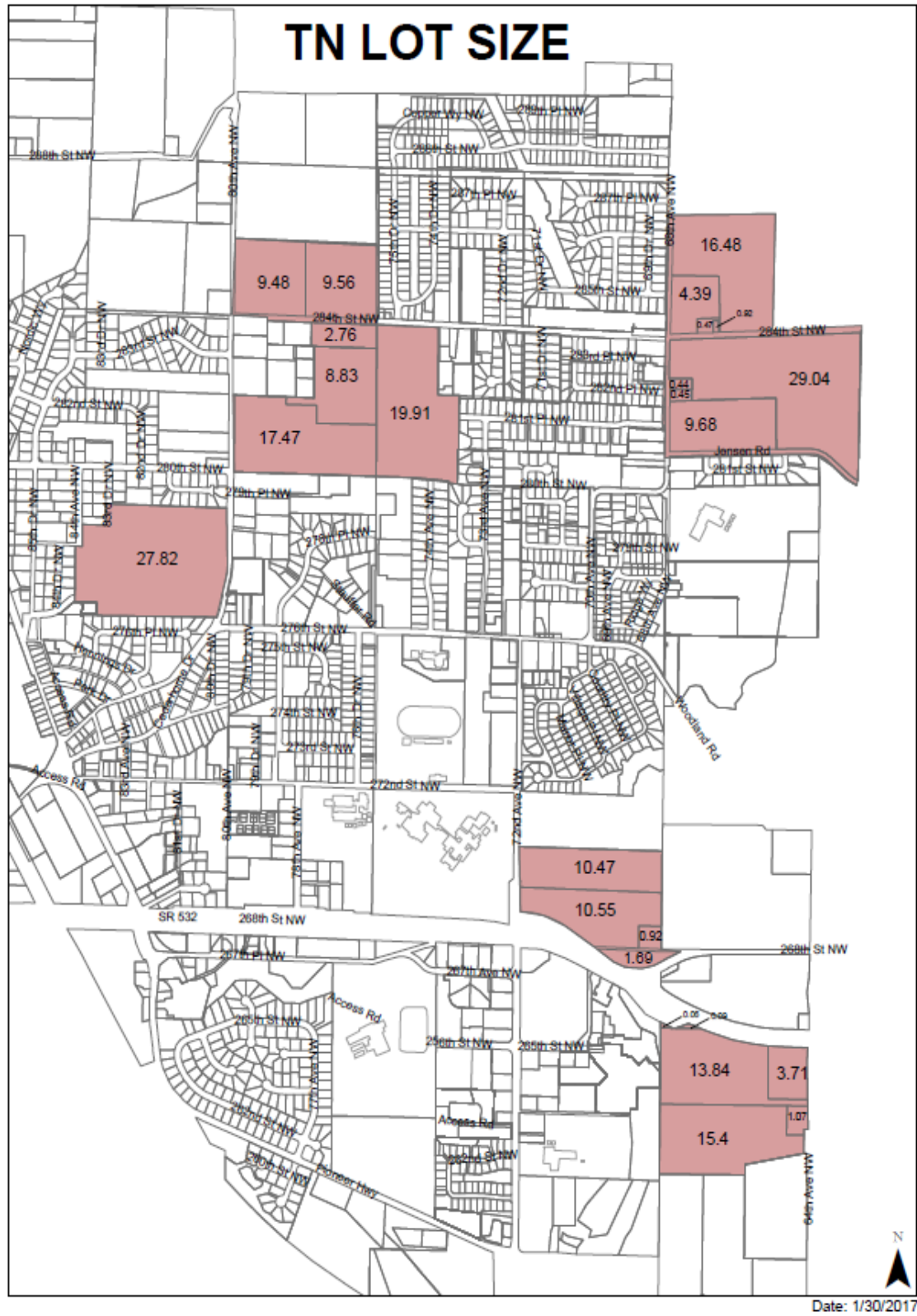
- (1) Development Standards Table – Residential Zones.

	SR 12.4	SR 9.6 ^{10, 11, 12}	SR 7.0	SR 5.0	MR
Maximum Height					
Base Standard⁴	30'	30'	30'	30'	30'
•PRD	30'	30'	30'	N/A	
•Cottage	30'	30'	30'	30'	
•Accessory Structure	20'	20'	20'	20'	

- (2) Development Conditions – Residential Zones.

12. Heights may be increased to 60-feet for High School facilities.

ATTACHMENT D





**CITY OF STANWOOD
COMMUNITY DEVELOPMENT COMMITTEE
AGENDA STAFF REPORT**

ITEM NUMBER:

DATE: February 9, 2017

SUBJECT: Planning Commission Fall 2017 Work Plan

CONTACT PERSON: Ryan C. Larsen, Community Development Director

ATTACHMENTS: A. Planning Commission 2017 Work Plan

ISSUE

The issue is whether or not to support the Planning Commissions 2017 Work Plan.

RECOMMENDATION

1. Review and discuss the proposed Planning Commission 2017 Work Plan
2. Make recommendation to City Council.

SUMMARY STATEMENT

Under Stanwood Municipal Code 2.12.010(8), the Planning Commission shall prepare and submit to the City Council for adoption any additional plans and undertake any plans and studies assigned by the City Council to better accomplish the objectives, intent, purpose, scope, goals, and policies of this code.

(8)Powers and Duties. The planning commission shall advise the mayor and council in matters concerning the comprehensive land use and development of the city and its environs, hold public meetings and hearings when called for by this code when requested by the city council, and provide the council with copies of all minutes of each session of the commission. The commission shall prepare and submit to the city council for adoption any additional plans and undertake any plans and studies assigned by the city council to better accomplish the objectives, intent, purpose, scope, goals, and policies of this code. The commission shall also perform other duties as assigned by city council.

Commission has prepared and supports their 2017 Work Plan and is now asking for City Council to approve this Plan.

DISCUSSION

The Planning Commission has prepared a 2017 Work Plan for the Commission. The Planning Commission reviewed the Plan at their November 22, 2016 meeting and recommended approval of the Plan. Also, the Council Community Development Committee will be reviewing the Plan at their February 9, 2017. Staff is recommending for Council to approve the Plan as prepared.

For the 2017 Planning Commission Work Plan, staff worked with the Commission in October and November to develop items to put in the Plan. Once ideas and suggests were developed, staff prepared the 2017 Work Plan for Planning Commission review and approval at their meeting in November 2016.

FINANCIAL IMPACT

None.

COMMITTEE RECOMMENDATIONS

1. Support the Planning Commission's 2017 Work Plan.
2. Ask full Council for input prior to making a recommendation on the proposed Planning Commission 2017 Work Plan.
3. Do not support the Planning Commission 2017 Work Plan.

RECOMMENDED MOTION

"I move to support the Planning Commission 2017 Work Plan."

ATTACHMENT A
PLANNING COMISSION
2017 WORK PROGRAM

Project Type	Description and Priority	Status
Review Permitted Uses within Zoning District	Review use within each zoning district, how and what you can permit or allow, insure review of industrial zone	
Traditional Neighborhood Zone	Update TN Zone	
Sign Code	Add the date that the code is due to the court case out of Arizona	
Miscellaneous Code Edits	Address building height issue for High School, lot frontage requirement, lot width requirement for townhomes, permitted use for assisted living facility	
Public Speaker Series	County Staff, Master Builders, environmental group, Economic Alliance, Tourism, title company speaker, Farmers Market	
Economic Development Plan Review	Burke Study and the 2003 and 2012 SDAT; economic trends and overview; hotel/motel study briefing	
Video Presentations	Video series through Commerce and others on Planning	
FEMA Flood Insurance	Have someone from FEMA discuss flood insurance	
Growth Management Act Process	How does GMA work and why do we do it?	
Transportation	Future roads and connections	
Public Works Project Updates	Two to Three times during the year have Public Works give an update on projects.	
Growth Plans	How to bring in families: housing trends, vision and comprehensive plan	
CIP	Annual review of CIP and Public Hearing	
Comprehensive Plan 2016/2017	Annual Review of proposed edits - housing short fall and potential rezone	
Comprehensive Plan 2017/2018	Annual Review and establish the Docket/Public Hearing	
Shoreline Master Program	Pre-Conversations for next required update by June 30, 2019	



**CITY OF STANWOOD
COMMUNITY DEVELOPMENT COMMITTEE
AGENDA STAFF REPORT**

ITEM NUMBER:

DATE: February 9, 2017

SUBJECT: Annexation – Schmakeit

CONTACT PERSON: Ryan C. Larsen, Community Development Director

ATTACHMENTS: A. Resolution 2017-XX Intent to Annex and Transmit to
Boundary Review Board
B. Snohomish County Certification of Sufficiency

ISSUE

The issue is whether or not to support the 60% annexation petition for the Schmakeit Annexation and allow staff to submit to the Snohomish County Boundary Review Board for review and consideration.

RECOMMENDATION

1. Review and discuss the Annexation
2. Make recommendation to City Council.

SUMMARY STATEMENT

The City has received a request from the Paul Schmakeit to annex 49.64 acres into the City on April 27, 2016. The City Council, on June 9, 2016, received the 10% by the proponent and approved circulation of the 60% petition. The applicant has submitted a sufficient 60% petition to the City and Snohomish County Assessors has certified as well. The petition is now ready for a public hearing.

The property is generally located at the north of Jensen Road, east of 68th Avenue NW (Cedarhome Road), and south of approximately 287th Place NW alignment. The proposed annexation consists of seven parcels of land and five of owners.

DISCUSSION

The most frequently used method of annexing territory in first and second class cities and in towns and Optional Municipal Code cities such as Stanwood is by petition of the owners of at least 60 percent of the property value in the area, computed according to the assessed valuation of the property in the proposed annexation area for general taxation purposes.

The applicant (Paul Schmakeit) submitted a completed 60% to the City of Stanwood on November 23, 2016. Upon receipt of the petition City staff sent the petition to the Snohomish County Assessor's office for signature and valuation verification. Snohomish County certified the petition on December 7, 2016 and now the petition/applicant is ready for a public hearing. The public hearing is to allow members of the community to speak in favor or in opposition to the annexation. At the conclusion of the hearing Council will need to either approve Resolution 2017-XX, direct staff to address issues prior to approval, or deny the annexation petition. Even if the Council approves the annexation at this point, the Council will still have another opportunity to either approve or deny the annexation petition.

If the City Council supports Resolution 2017-XX allowing staff to submit the annexation to the Boundary Review Board (BRB), staff will make the submittal within two weeks. Staff will need to complete an analysis of the annexation for submittal to the BRB. This annexation will be processed by the BRB within the required 45 day review period.

Once the annexation is received back from the BRB, the annexation petition will come back to City Council for final consideration. If the Council approves the annexation, an ordinance will need to be approved accepting the new territory into the City limits.

The City has pre-designated all properties within the annexation area as Traditional Neighborhood on the Future Land Use Map and Traditional Neighbor on our zoning map as well. Upon annexation, these designations will be applied to the property.

FINANCIAL IMPACT

The annexation consists of seven parcels totaling 49.64 acres and any fiscal impacts are expected to be minor because the area is intended to be a regional park (passive recreation park). Impacts of annexation are typically associated with water, sewer, staffing needs to police, fire, and general city staff, and property taxes.

COMMITTEE RECOMMENDATIONS

1. Support the Mayor signing Resolution 2017-XX to allow staff to submit to the Snohomish County Boundary Review Board for review and consideration the 60% annexation petition for the Schmakeit Annexation.
2. Ask full Council for input prior to making a recommendation on whether to allow for the annexation to move forward to the Boundary Review Board.
3. Do not support the Mayor signing Resolution 2017-XX.

RECOMMENDED MOTION

"I move to support the Mayor signing Resolution 2017-XX to allow staff to submit to the Snohomish County Boundary Review Board for review and consideration of the 60% annexation petition for the Schmakeit Annexation."

ATTACHMENT A

CITY OF STANWOOD Stanwood Washington

RESOLUTION NO. 2017-XX

A RESOLUTION OF THE CITY OF STANWOOD, WASHINGTON STATING ITS INTENTION TO ANNEX CERTAIN UNINCORPORATED AREA, KNOWN AS THE SCHMAKEIT ANNEXATION, INTO THE CITY, AND TRANSMITTING THE MATTER TO THE WASHINGTON STATE BOUNDARY REVIEW BOARD FOR SNOHOMISH COUNTY FOR APPROVAL

WHEREAS, the City of Stanwood has received a petition for annexation pursuant to RCW 35A.14.120 of certain property generally located north of Jensen Road, east of 68th Avenue NW (Cedarhome Road), and south of approximately 287th Place NW alignment, being located in Sections 17 and 20, Township 32 North, Range 04 East, W.M., said property being contiguous to the city limits and legally described in **Exhibit A** attached hereto; and

WHEREAS, the Snohomish County Assessor has certified the sufficiency of the petition for annexation; and

WHEREAS, the proposed annexation area is comprised of a seven parcels (49.64 acres) with proposed Comprehensive land use designation (320420-001-005-01, 320420-001-005-00, 320417-004-011-00, 320417-004-013-00, 320420-001-006-00, 320420-001-007-00, 320417-004-012-00 and 320417-004-015-00), of Traditional Neighborhood (TN) on the Future Land Use Map and designated as Traditional Neighborhood (TN) on our zoning map upon annexation; and

WHEREAS, a duly advertised public hearing was held on said annexation petition before the Stanwood City Council on February 23, 2017, and the City Council heard testimony from staff, the applicant and the public, and was fully advised in the premises.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STANWOOD, WASHINGTON, AS FOLLOWS:

Section 1. The property legally described in **Exhibit A** and the boundaries depicted on the map attached as **Exhibit B** are hereby approved for annexation into the City of Stanwood and shall be so annexed by ordinance of the City of Stanwood upon receipt of a favorable decision/report from the Washington State Boundary Review Board for Snohomish County.

Section 2. Upon annexation of the property described in **Exhibit A**, it shall be assessed and taxed at the same rate and on the same basis as other property within the City of Stanwood, including assessments or taxes for the payment of its pro rata

share and all outstanding indebtedness of the City contracted or incurred prior to or existing on the effective date of the annexation.

Section 3. Upon annexation, the property described in **Exhibit A** shall be subject to the City of Stanwood Comprehensive Plan and zoning regulations as adopted. Also, upon annexation of the property described in **Exhibit A**, the Zoning and Comprehensive Plan designation of Traditional Neighborhood (TN) shall apply to said property.

Section 4. The Community Development Director is hereby authorized to transmit this Resolution, a County Assessor's map, or other appropriate map, and all files on this annexation proceeding to the Snohomish County Boundary Review Board for consideration and review.

ADOPTED by the City Council and **APPROVED** by the Mayor this ____ day of _____, 2017.

CITY OF STANWOOD

By _____
Leonard Kelley, Mayor

ATTEST:

By _____
David Hammond, City Clerk

Approved as to form:

By: _____
Grant Weed, City Attorney

EXHIBIT A

Schmakeit Annexation

LEGAL DESCRIPTION:

THOSE PORTIONS OF SECTIONS 17 AND 20, TOWNSHIP 32 NORTH, RANGE 4 EAST, W.M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE QUARTER SECTION CORNER COMMON TO SECTIONS 17 AND 20;

THENCE NORTH 87°53'42" EAST ALONG THE NORTH LINE OF SAID SECTION 20, A DISTANCE OF 30 FEET TO THE EAST MARGIN OF 68TH AVENUE NW AND THE EAST LINE OF THE CITY OF STANWOOD PER ORDINANCE NO. 1166 AND THE TRUE POINT OF BEGINNING;

THENCE NORTH 01°26'17" EAST PARALLEL WITH THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 17 ALONG SAID EAST MARGIN AND SAID EAST LINE OF ORDINANCE NO. 1166, A DISTANCE OF 990 FEET;

THENCE NORTH 87°53'42" EAST, PARALLEL WITH THE NORTH LINE OF SECTION 20 A DISTANCE OF 932.81 FEET, MORE OR LESS TO THE WEST LINE OF THE EAST 440.22 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 17;

THENCE SOUTH 01°28'21" WEST, ALONG SAID WEST LINE, A DISTANCE OF 960 FEET MORE OR LESS TO THE NORTH LINE OF THE SOUTH 30 FEET OF SAID SECTION 17 AND THE NORTH MARGIN OF VILLAGE ROAD;

THENCE NORTH 87°53'42" EAST ALONG SAID LINE, A DISTANCE OF 687.29 FEET, MORE OR LESS TO A POINT THAT IS 30 FEET NORTH AND 1,650 FEET EAST OF THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 17;

THENCE SOUTH 0°37'49" WEST, PARALLEL WITH THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 20 A DISTANCE OF 30 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION, LYING 1650 FEET EASTERLY OF THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER;

THENCE CONTINUING SOUTH 0°37'49" WEST, A DISTANCE OF 1202.48 FEET TO THE NORTHEASTERLY MARGIN OF JENSEN ROAD;

THENCE SOUTHWEST, PERPENDICULAR TO JENSEN ROAD, A DISTANCE OF 60 FEET TO THE SOUTHWESTERLY MARGIN OF JENSEN ROAD;

THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY MARGIN TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 20 AND THE EAST LINE OF ORDINANCE 1166;

THENCE NORTH 0°51'44" EAST, ALONG SAID EAST LINE, TO THE NORTH MARGIN OF JENSEN ROAD;

THENCE WESTERLY ALONG SAID NORTH MARGIN AND THE CITY OF STANWOOD ORDINANCE 1166 TO A POINT THAT IS 990 FEET EAST OF THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 20 AND THE EAST LINE OF ORDINANCE NUMBER 1422 TO THE CITY OF STANWOOD;

THENCE NORTH, PARALLEL WITH THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 20 AND THE EAST LINE OF SAID ORDINANCE NUMBER 1422, A DISTANCE OF 440.22 FEET;

THENCE WEST, PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 20 AND THE NORTH LINE OF SAID ORDINANCE NUMBER 1422 TO THE EAST LINE OF THE WEST 30 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 20 AND THE EAST LINE OF ORDINANCE 1166, AND THE EAST MARGIN OF 68TH AVE NW;

THENCE NORTH ALONG SAID LINE, A DISTANCE OF 549.78 FEET TO THE POINT OF BEGINNING.

IT IS THE INTENT OF THIS LEGAL DESCRIPTION TO FOLLOW THE EXISTING CORPORATE LIMITS OF THE CITY OF STANWOOD. REFERENCES HEREIN ARE MEANT TO CONVEY THAT ALTHOUGH PRESENT RIGHTS OF WAY BOUNDARIES MAY BE DIFFERENT, THE RIGHTS OF WAY BOUNDARIES AT THE TIME OF THE ORIGINAL INCORPORATION AND SUBSEQUENTLY ADOPTED ORDINANCES ARE INTENDED TO BE FOLLOWED SO THAT NO GAP OR OVERLAP EXISTS BETWEEN THIS ANNEXATION AND THE EXISTING CITY LIMITS OF THE CITY OF STANWOOD.

Situate in the County of Snohomish, State of Washington
Containing 2,162,521 square feet or 49.64 acres

ATTACHMENT B



Assessor's Office

Linda Hjelle
County Assessor

Cindy Portmann
Chief Deputy

M/S #510
3000 Rockefeller Ave.
Everett, WA 98201-4046

(425) 388-3433
FAX (425) 388-3961

CERTIFICATE OF SUFFICIENCY

I, Chris Huyboom, Snohomish County Deputy Assessor, in accordance with the requirements of RCW 35A.01.040, hereby certify that the Petition for the City of Stanwood, Schmakeit Annexation submitted to the Assessor on November 29, 2016 is signed by the owners of property comprising 65.9% of the total assessed value within the area described in the petition, according to the records of the Snohomish County Assessor. The determination of sufficiency was begun on December 7, 2016.

Dated this 7th day of December 2016.

By 
Deputy Assessor