

City of Stanwood



City Council Packet

Stanwood City Council Regular Meeting

Thursday, February 11, 2021



AGENDA
CITY COUNCIL REGULAR MEETING
Thursday, February 11, 2021 – 7:00 p.m.
This meeting will be conducted by telephone
and online, connection information will be
posted on City Website—
<https://www.stanwoodwa.org>

Stanwood City Hall
10220 270th St. NW, Stanwood, WA 98292

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF THE AGENDA**
4. **CITIZEN COMMENTS**
Anyone wishing to provide written or oral public comment, must pre-register by 9:00 a.m. the day of the meeting, by calling 360-454-5213, or by clicking on this link: <https://stanwoodwa.org/FormCenter/City-Clerk-5/City-Council-Meeting-Remote-Public-Comme-61>
5. **COMMITTEE REPORTS**
 - a. Public Safety Committee Meeting Minutes January 28, 2021 5-1
 - b. Public Works Committee Meeting Minutes January 4, 2021 5-4
and February 1, 2021
 - c. Planning Commission Meeting Minutes January 11, 2020 5-8
6. **CONSENT AGENDA**
 - a. Approve Vouchers and Payroll Checks 6-1
 - b. Approve January 28, 2021 Regular City Council Meeting Minutes 6-5
7. **PUBLIC HEARING**
Anyone wishing to provide written or oral public comment, must pre-register by 9:00 a.m. the day of the meeting by, by calling 360-454-5213, or by clicking on this link: <https://stanwoodwa.org/FormCenter/City-Clerk-5/Council-Meeting-Public-Hearing-Public-Co-69>
 - a. 2019-2020 Docket Comprehensive Plan Amendments and Zoning 7-1
Code Amendments
 - i. Receive Public Comment on the Proposed Ordinance
 - ii. Second Reading and Final Adoption of Ordinance 1491 and 1492
8. **CITIZEN CLOSING COMMENTS – REMOVED VIA MOTION AT THE 3-26-20 MEETING**
9. **REPORTS OF OFFICERS AND COMMITTEES**
 - a. Mayor's Report
 - b. City Administrator's Report
 - c. Councilmember Reports/Questions
10. **ADJOURN**

Upcoming Meetings:

February 25, 2021 Regular Meeting
March 11, 2021 Regular Meeting
March 25, 2021 Regular Meeting
April 08, 2021 Regular Meeting
April 22, 2021 Regular meeting



CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

ITEM NUMBER: 5a

DATE: February 11, 2021

SUBJECT: Public Safety Committee Meeting Minutes

CONTACT PERSON: Rob Martin, Police Chief

ATTACHMENTS: A – January 28, 2021 Public Safety Minutes

SUMMARY STATEMENT

Minutes from the January 28, 2021 Public Safety Committee Meeting are attached to this staff report for approval as presented.

**CITY OF STANWOOD
PUBLIC SAFETY COMMITTEE MEETING MINUTES**

January 28, 2021

LOCATION:

The Public Safety Committee meeting was held via ZOOM meeting.

ATTENDANCE:

- City Councilmember- Dianne White
- City Councilmember- Steve Shepro
- City Councilmember – Darren Robb
- Stanwood Police- Chief Rob Martin
- North County Regional Fire- Chief John Cermak

AGENDA:

1. PD – general update
2. Fire – general update
3. Select new committee chair

CALLED TO ORDER:

Meeting called to order at 6:00 pm

DISCUSSION:

- Chief Martin provided a general overview of proposed police reform bills being considered in the 2021 Legislative Session. The chief attended a virtual meeting this week where Representative Lovick and members of WASPC spoke about specific bills which could negatively impact public safety throughout the state. Representative Lovick assured everyone there is lot of meaningful discussion and acknowledged the rules and laws that govern policing are too important to be rushed. Chief Martin will continue to follow progress made and provide updates on any bills which may impact the city negatively.
- Chief Martin stated the 2021 goals of the police department included community engagement, traffic safety and an emphasis on DUI enforcement. Councilmember White asked Stanwood assisting Camano Island deputies on calls for service. That number has gone down significantly, although we will assist if needed. Island County has increased their staffing on Camano. Discussion regarding traffic concerns on Pioneer Hwy and Cedarhome triangle.
- Chief Cermak provided an update on COVID vaccination efforts in Snohomish County. He updated the committee on the status of the new training facility and the two new fire engines acquired last year. Chief Cermak updated committee members on the status of Arlington Fire joining the RFA, which will be going to a vote soon. North County and Arlington came together, sharing resources, during the COVID response.

- Councilmember Shepro inquired about the status of the SR 532 renaming project. The chief said this is still in process.
- Councilmember Shepro nominated Councilmember White as Public Safety Committee Chair, second by Councilmember Robb. Councilmember White accepted the position.

OTHER BUSINESS:

- Meeting adjourned at 6:47 pm



CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

ITEM NUMBER: 5b

DATE: February 11, 2021

SUBJECT: Public Works Committee Meeting Minutes

CONTACT PERSON: Kevin Hushagen, Public Works Director

ATTACHMENTS: A – January 4, 2021 Public Works Committee Minutes
B – February 1, 2021 Public Works Committee Minutes

SUMMARY STATEMENT

Minutes from the January 4, 2021 and February 1, 2021 Public Works Committee Meetings are attached to this staff report for approval as presented.



Public Works Committee
Meeting Minutes
January 4, 2021

Councilmembers Present: Rob Johnson, Time Pearce, Judy Williams

Staff present: Kevin Hushagen, Shawn Smith, Jennifer Ferguson, Lisa Sokolik

Call to order at 5:31 pm

Agenda

1. Perteet Task Order for Design of 276th St. Overlay and ADA Improvements

Staff informed the Committee that a task order will be issued to Perteet Engineering, one of the On-Call PS firms, and will be brought to full council for approval. The task order is for the design of the 276th St. Overlay and ADA Improvements. Council previously accepted a TIB grant for the construction of this project. Staff will advertise for bids as soon as the design is completed.

The committee is in favor of bringing the Task Order issued to Perteet to full council.

2. No Cost Supplemental No. 11 with Perteet for Viking Way Phase I

Staff informed the Committee that Perteet's contract for the Viking Way Phase I project is about to expire. The project is not complete, so a supplemental agreement for a no cost, time extension will be issued to allow Perteet to continue to work until the project is complete.

3. T. Bailey 297 Reservoir Project Final Acceptance

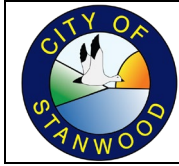
Staff informed the Committee that the 297 Reservoir project is complete and final acceptance will be brought to full council for approval. The project came in under budget.

4. Viking Way Change Order #7

Staff informed the committee that a \$215,517.41 change order will be brought to council for approval. The change order is the result from delays, material change, and to go around Zippy's vault.

Councilmember Williams asked if our utilities maps have been updated and Councilmember Johnson asked if we are contracting with a GIS company? Staff said they are considering working with Snohomish County for GIS services, the county has hired staff to assist us, but nothing has been finalized. It's in the City's workplan to assess our GIS needs and where we need to be long term.

Councilmember Pearce asked if we call for locates before we start a project, how could we not know about the Zippy vault? Staff will be meeting with Perteet regarding this issue.

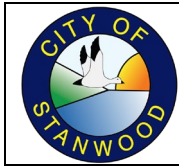


Public Works Committee
Meeting Minutes
January 4, 2021

Discussion:

- Committee nominated and unanimously voted Councilmember Johnson as Chair of the PWC.
- The Committee set the meeting day and time for 2021 to the 1st Monday off the month at 5:30pm.
- Councilmember Johnson has asked staff several times over that last few years to do a study of the city's water supply, capability and the usage projection. He would like to see a report on our water supply, where are we at, what we doing, and where are we going?

Meeting ended at: 5:55 pm



Public Works Committee Meeting Minutes February 1, 2021

Councilmembers Present: Rob Johnson, Time Pearce, Judy Williams

Staff present: Kevin Hushagen, Shawn Smith, Jennifer Ferguson, Lisa Sokolik

Call to order at 5:34 pm

Agenda

1. On-Call Electrical Contracts

Staff informed the Committee that an RFP was issued through the MRSC for an On-Call Electrical Services, three bids were received, staff will be bringing two contracts to full council for approval.

2. IS4 Phase III Project – PACE Engineers Task Order

Staff updated the Committee on the Irvine Slough Stormwater Separation project (IS4).

- Phase I: Retrofit of the current lift station, this phase is almost complete.
- Phase II: Design for a pump station by Mod Pizza on 92nd Ave is at 60%. This pump station is associated with the force main that goes under the highway out to the Stillaguamish River. This phase will require extra time and effort to be put into permitting, so construction has been put off until 2022.
- Phase III: Run piping under highway into downtown, it's not in a critical area, so permitting should be easy. While waiting for Phase II permitting, staff would like to move forward with the design of Phase III.

Phase III is associated with Phase I and is independent of Phase II, it can be designed and ready to go in case the permitting in Phase II takes longer.

3. SR 532 Berm Project Update

Staff updated the Committee on the SR532 Berm Project. The project is almost complete, a bench needs to be installed, pavement patching on the east end, and a final walkthrough. Staff will issue an RFP through MRSC for a landscaper for the plantings on the highway side of the berm.

4. Pioneer Highway Sewer Project Update

Staff updated the Committee on the Pioneer Highway Sewer Project which will upsize the sewer line from the Fox Hill Development to viaduct. Advertisement for bids was issued on January 25th and bids are due February 11th.

Meeting ended at: 5:56 pm



CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

ITEM NUMBER: 5c
DATE: February 11, 2020
SUBJECT: Planning Commission Meeting Minutes
CONTACT PERSON: Patricia Love, Community Development Director
ATTACHMENTS: A – January 11, 2020 Meeting Minutes

SUMMARY STATEMENT

Minutes from the January 11, 2020 Planning Commission Meeting are attached to this staff report for approval as presented



Planning Commission Meeting Minutes January 11, 2021

Call to Order 6:34 pm

Roll Call

Present: Marcus Metz

Larry Sather

Monae Birkhofer

Patrick Hosterman

Staff Present: Patricia Love

Amy Rusko

Amy Bergemeier

Tansy Schroeder

Absent: Linda Utgard

Also known to be present: Steve Shepro, Peggy Wendel, Cody Davis

Approval of Minutes:

The Minutes of the November 16th, 2020 Planning Commission Meeting were approved as presented with a motion by Larry Sather and a second by Patrick Hosterman.

New Business:

- Electing a new Chair and Vice Chair for 2021:

Larry Sather nominated Marcus Metz for the Chair position and it was seconded by Monae Birkhofer. Patrick Hosterman was nominated by Marcus Metz for the Vice Chair position and it was seconded by Larry Sather. Both members accepted their nominations and it was passed unanimously.

2020 Year in Review: Director, Patricia Love Went over the items that got accomplished in 2020 and below is that year in review.

The Planning Commission is an advisory commission to the City Council. Their responsibilities include making recommendations to the City Council on Comprehensive Plan Amendments and Zoning Regulations / Municipal Code Amendments. In addition, the Planning Commission provides a forum for public review of development projects outside of the formal public hearing process.

In 2020, the Planning Commission's work included:

Code Amendments / Comp Plan Amendments / Other:

- Park Impact Fee Ordinance (Up to the Public Hearing Process)
- Floodplain Regulations Update
- Buildable Lands Review & Discussion
- Planning 101 Review
- Stanwood History 101 Review
- City Beautification Action Program
- Permit Review Process Update (Outline and General Direction Complete)
- 2020 Comprehensive Plan, Rezone Amendments and Associated Code Amendments
- Housing Affordability Discussion with the Alliance for Housing Affordability (AHA)



Planning Commission Meeting Minutes January 11, 2021

Public Meetings on Development Projects:

- Hamilton Park
- WDFW Boat Launch Project
- Irvine Slough Stormwater Separation Project
- Madison Place Mixed Use Building
- Upper Left Apartments
- Schenk Packing Annexation
- Wolfkill Industrial Development

Delayed Items to 2021:

- Park Impact Fee Update
- Permit Review Process

Due to the Covid-19 global pandemic, the city converted to holding on-line Planning Commission meetings in April of 2020. This led to limited public hearings, which in turn resulted in a delay in adoption of the park impact fee ordinance and the permit process update. These two items have been added to the Planning Commissions 2021 work plan.

Permit Activity Review: The city issued more single family residential permit this year than in previous years, however the total permit volume was down. This appears to be caused by the Covid-19 global pandemic that slowed the economy and forced many people out of work. The upswing in single family residential permits was due to two major plats: Cedarhome Square (125 Lots) and Mineral Point (~88 Lots) off of 68th Avenue. We are expecting this trend to continue in 2021 due to the Schmitt plat (78 SFR Lots) currently under construction and the Chandlers Reserve plat (91 Lots) that was recently approved by the Hearing Examiner.

2021 Work Plan:

Associated with the 2021 – 2022 Biennial Budget is a corresponding work plan for each department. Included in that work plan are items subject to review by the Planning Commission. The Planning Commission holds two meetings a month, traditional work plan and permit items are generally scheduled for the first meeting of the month and the longer range comprehensive plan update items are reviewed on the second meeting of the month.

Below is the tentative 2021 work plan and associated schedule:

2021 Planning Commission Work Plan Items

Work Plan Item	Tentative Timing
<i>Role: Formal Public Hearing and Recommendation to City Council</i>	
Zoning Entitlement Process Update	January - June
Permitting Use Matrix Update	January - June
Park & Traffic Impact Fees	April - September
Sign Code Update	June - December
<i>Role: Advisory Review</i>	



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Buildable Lands Analysis	January - June
Street and Utility Standards Update	January - September
Animal Code Update (2020 Docket Item)	February - May
Parks Feasibility Study	February - April
1% for the Arts Code	June - December
FEMA Strategy	March - December
80 th Avenue & 64 th Avenue Traffic Study	March - May

With the above work plans for 2021, Director Love went over the 2021 items and gave the Commission a brief description of each item and what their role would be dealing with each topic.

Permitted Use Matrix Options Discussion: As part of the Departments 2021 work plan, staff is working on an update to the City's permitted use matrix and permit review procedures. Much of the work on the permit review procedures was started in 2020, however due to limited public hearings and Comprehensive Plan Amendment, this item was pushed to 2021 for completion.

In addition, the interim Enhanced Service Facilities ordinance requires the city to update our permitted use matrix within six months of initial adoption (October 2020). Work on the permitted use matrix code amendment is now being done simultaneously with the permit review procedures.

To address Enhanced Service Facilities, the permitted land use table currently has multiple uses that are outdated and some uses that are not recognized in the table but are required by state law. This can cause confusion for property owners, new applicants and city staff when analyzing if a use can be placed in a particular zone of the city. Use, site and development standards will be proposed that address: Enhanced Service Facilities, Adult Family Homes, and Congregate Care, Group Homes and/or other state regulated uses.

Director Love discussed that the goal of staff is to condense the three chapters into a single chapter that describes the permit process from the intake to the Certificate of Occupancy/Final Permit. The goal is also to marry the Permit Review Procedures with the Permitted Land Use Matrix making it easier for not only staff, but for residents to know and understand. Director Love will work directly with Commissioner Birkhofer and new Commissioner Davis to bring them up to speed on this subject.

Chapter 17.80 Permit Review Procedures proposed amendments.

In review, staff and the Community Development Committee reviewed the proposed amendments to the permit review process which includes:

- Consolidate the three permitting procedures chapters into a single chapter that follows the permitting steps.
- Eliminate duplicative and conflicting code sections.
- Include easy to read tables detailing permit types and process.
- Move the following non-procedural permit processes out of the administrative code sections and create new chapters:



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- Grading Regulations
- Development Agreements
- Variance and Conditional Use Criteria
- Amendments to Annexations (Similar to Comprehensive Plan Amendments)
- Create flow charts for each permit type (Completed).
- Adopt new permit procedures following the following outline:
 - Article I: General Provisions
 - Article II: Application Provisions and Procedures
 - Article III: Permit Review Procedures
 - Article IV: Post Permit Requirements

Chapter 17.30 Permitted Land Use Matrix proposed amendments.

In evaluating how to amend the City's permitted land uses chapter, staff is proposing the following amendments:

- Re-organize of the permitted land use table; three options are being proposed.
- Review the allowed permitted and conditional uses.
- Review how the permitted uses are reflected in the permit process chapter.
- Review and update conditions, footnotes or explanations.
- Consider amendments to the definitions chapter to ensure consistency with the permitted use matrix.
- Consider adding uses or footnotes to the permitted use chapter which could eliminate the overlay zones, which include: Adult Entertainment Overlay, Historic Downtown Overlay, Master Plan Overlay and Transit Overlay. Elimination of the overlay zones can simplify the interpretation of the zoning map and what uses may apply.

Director Love added that part of the reason we are looking at this early in this year is we have the Interim Regulations for Enhanced Service Facilities (buildings that can hold up to 8 beds for people that have mental health or drug issues etc.) and we only have 6 months to update our code for that. We also don't have a code that's up to date for other types of care facilities.

In considering changes to the permitted use matrix, staff is proposing the following three options that Senior Planner, Amy Rusko and Director Love described for the Commission:

Option 1: Use the current table format and update uses. The current table is based on specific uses and zones.

- Pros – The table is familiar and allows the user to determine if a use is allowed in a particular zone.
- Cons – The table has specific uses and any uses not listed are prohibited in the city or requires an administrative interpretation. It allows for very little discretion while trying to figure out if a use is allowed in a zone or not. There are some uses that are somewhat similar, but we cannot approve or requires an interpretation.
- Commissioner Hosterman asks, what is an example that is currently not included in the matrix now? Director Love pointed out that the Enhanced Service Facilities is one of the types of uses that isn't currently in the matrix.



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- Senior Planner, Amy Rusko describes the current codes and how the table is currently being used.
- Director Love summarized that option one is using the existing format and then relooking at the uses within the matrix.

Option 2: Consolidate the use types into broader categories, such as retail sales, and following the existing format.

- Pros – The table would remain much the same, but would reduce the uses into more general categories. Uses would then be separated out to exclude uses that are not wanted. This would act more like a form based code where uses are not as heavily regulated but the site development standards control the overall look and feel of the property.
- Cons – This would recognize broad uses, which may allow for a use that was not intended for a particular zone and may cause the same confusion of the current table. The excluded uses may end up having the same amount of uses that we have currently and my not simplify the table.
- Senior Planner, Rusko describes option two as using a similar format as option 1, but combining uses into a more general category for example condensing Automobile types of categories into one or two broader categories. Then the more detailed descriptions would be put into the definitions of what each broader category means.
- Commissioner Hosterman asks, where does “39” go? Amy Rusko answered, the Footnotes would still be in place in order to explain the conditions of a use.
- Senior Planner, Rusko summarized that Option 2 would use the same format as Option 1 while condensing the categories into a more generalized categories.

Option 3: Change the table to follow the comprehensive plan and zoning districts, with permitted uses for each zone.

- Pros – A table would be created for each zone type: Residential, Commercial, Industrial, Public Facilities and possibly a special table for unusual uses. This would then allow a table for each general zone category with permitted uses for each zone. This would resemble the zoning standards tables in chapter 17.60 and provide consistency throughout the code. This could be potentially be easier for users of the code to determine uses by zoning category.
- Cons – This would change the way the current table looks and functions. The table would be based on zone category first and then by use: a reverse from the current permitted use matrix.
- Senior Planner, Rusko describes how Option 3 will be a completely different table to be broken down by zones; Residential, Commercial, Industrial, Public and Park zones.
- Director Love explains, part of the reason we came up with this option is it goes along with our development standards of our codes. Option 3 is changing the Matrix so it follows the categories broken down.
- Commissioner Metz feels Option 2 and 3 are strong improvements over the current Option 1, but likes option 3 the best.



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- Commissioner Hosterman agrees, he likes Option 3 the best.
- Commissioner Sather offered that when it comes to uses that wouldn't be allowed. He feels the City Council and the Commission need to be careful when putting specific uses that would or wouldn't want to be allowed. He feels Option 3 is the best way to go as it makes it consistent and clear.
- Commissioner Birkhofer really likes Option 3 as well and feels it would be much easier to understand.
- Senior Planner, Rusko explains that when you look at some of the excluded uses we can add the section of uses not allowed in the City.

Director Love added, In addition, the way the code is written right now, if it isn't clear, it falls on the staff to make the determination on anything currently not in the code. This might be an option to change so the Planning Commission is more involved in the decision process along with the City staff to make decisions on items not currently listed. Further discussion is definitely needed on the options and implementation of a new format.

Commissioner Metz followed up on Commission Sather's concerns about when using Option 2 that if by listing specific exclusions, anything not specifically defined one way or another that it would be allowed to happen, however that isn't the case. Currently anything that isn't currently defined, it falls on Director Love and other City staff to make a decision.

Commissioner Sather offered a great example of what if someone came to the City and asks "Can I build a casino in the City of Stanwood", how is that handled as it's not currently defined as a specific use. Senior Planner answered, exactly... it is currently not listed so the answer would be no. Commissioner Sather said it is even a question perhaps for the City Council if the City of Stanwood would even want to allow a casino type of establishment within the city limits.

In following, Director Love hears that the overwhelming choice of the Commission is Option 3 to be the favored choice and Staff will start working on this and bring some samples back to the Commission as soon as possible.

Old Business: Discussed

Miscellaneous Business: N/A

Recent Council Action on Commission Items: No Planning Commission Action, but a code change for the Adoption of the 2018 building and fire codes is in front of the Council. The Governor's actions may be delaying the adoption of the new codes until July.

Upcoming Items:

The Permitting process will be the main focus for the upcoming quarter.

A motion to adjourn was made by Larry Sather and seconded by Patrick Hosterman.

Adjourn: 7:45 pm

Amy Bergemeier, Administrative Assistant



CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

ITEM NUMBER: 6a

DATE: February 11, 2021

SUBJECT: Approval of Voucher and Payroll Checks

CONTACT PERSON: Reina Barber, Accounting Specialist

ATTACHMENTS: A - Voucher Check Detail

SUMMARY STATEMENT

Approve issuance of Washington Federal Bank electronic funds transfers and Washington Federal Bank voucher checks 33613 through 33651 in the amount of \$515,651.17. Approve issuance of Washington Federal Bank electronic payroll funds transfers in the amount of \$34,600.00.

RECOMMENDED MOTION

I MOVE TO APPROVE ISSUANCE OF WASHINGTON FEDERAL BANK ELECTRONIC FUNDS TRANSFER AND WASHINGTON FEDERAL BANK VOUCHER CHECKS 33613 THROUGH 33651 IN THE AMOUNT OF \$515,651.17. APPROVE ISSUANCE OF WASHINGTON FEDERAL BANK ELECTRONIC PAYROLL FUNDS TRANSFERS IN THE AMOUNT OF \$34,600.00.

CHECK REGISTER

City Of Stanwood

Time: 10:26:01 Date: 02/04/2021

01/22/2021 To: 02/03/2021

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
345	01/27/2021	Claims	3	EFT	WA St Dept of Revenue **	15,513.59	B&O & Excise Tax - December 2020; 2020 4th Qtr Leasehold
365	01/26/2021	Claims	3	EFT	HSA Bank	2.50	Service Fee January
346	01/27/2021	Claims	3	33613	Aramark Uniform Services Inc	187.60	937963000
347	01/27/2021	Claims	3	33614	Office Depot	101.68	36274097
348	01/27/2021	Claims	3	33615	RPM Performance LLC	2,291.61	City Of Stanwood
349	01/27/2021	Claims	3	33616	Safeway	21.62	191483
350	01/27/2021	Claims	3	33617	Sno Co Clerks/Finance Officers Assoc	45.00	City Of Stanwood
351	01/27/2021	Claims	3	33618	Sno Co District Court	1,163.31	DCT34003
352	01/27/2021	Claims	3	33619	Sno Co Prosecuting Attorney *	1,196.28	City Of Stanwood
353	01/27/2021	Claims	3	33620	Sno Co Sheriff's Office - CB	1,571.20	City Of Stanwood
354	01/27/2021	Claims	3	33621	Sound Employment Solutions, LLC	1,800.00	City Of Stanwood
355	01/27/2021	Claims	3	33622	Stanwood Camano News	699.35	255834
356	01/27/2021	Claims	3	33623	Taylor's Excavators Inc	183,339.90	City Of Stanwood
357	01/27/2021	Claims	3	33624	WA St Auditor's Office	6,890.90	City Of Stanwood
358	01/27/2021	Claims	3	33625	WA St Dept of Ecology *	232,514.67	City Of Stanwood; City Of Stanwood
359	01/27/2021	Claims	3	33626	WA St Dept of Licensing *	492.00	City Of Stanwood
360	01/27/2021	Claims	3	33627	Washington State Patrol *	79.50	STA301
361	01/27/2021	Claims	3	33628	Weed, Graafstra & Associates, Inc., P.S	15,768.50	3868-0000M
362	01/27/2021	Claims	3	33629	Zumar Industries Inc	207.06	000683
426	02/03/2021	Claims	3	33630	Advanced Analytical Solutions	109.00	001204
427	02/03/2021	Claims	3	33631	Cascade Natural Gas Corp	1,689.97	931 607 9072 6; 839 440 0000 5; 498 440 0000 7; 022 201 7579 4; 953 540 0000 2; 608 440 0000 4; 127 540 0000 3
428	02/03/2021	Claims	3	33632	Cascade Septic, LLC	140.00	City Of Stanwood
429	02/03/2021	Claims	3	33633	Global diving & salvage, Inc	2,878.48	STANWO
430	02/03/2021	Claims	3	33634	Grainger Inc	901.30	848089215
431	02/03/2021	Claims	3	33635	HB Jaeger	2,568.83	CITSTA
432	02/03/2021	Claims	3	33636	Harmen LLC	1,200.00	City Of Stanwood
433	02/03/2021	Claims	3	33637	Office Depot	300.51	36274097; 36274097; 36274097
434	02/03/2021	Claims	3	33638	PUD Of Snohomish County *	17,919.01	202882056; 202670675; 202694204; 202727285; 221041510; 202579512; 200142180; 200633634; 202423729; 200794063; 202982351; 222277832; 220923312; 200208858
435	02/03/2021	Claims	3	33639	RH2 Engineering Inc	1,943.91	City Of Stanwood
436	02/03/2021	Claims	3	33640	Ricoh USA, Inc.	879.74	1316669-3660090; 1316669-3660140
437	02/03/2021	Claims	3	33641	SRV Construction, Inc.	16,948.61	City Of Stanwood
438	02/03/2021	Claims	3	33642	Snohomish County Treasurer	10.27	City Of Stanwood
439	02/03/2021	Claims	3	33643	Stanwood Camano News	232.71	261981; 261981; 261981
440	02/03/2021	Claims	3	33644	Stilly Auto Parts Napa	45.27	27197
441	02/03/2021	Claims	3	33645	Uline	561.17	9638073
442	02/03/2021	Claims	3	33646	WA St Dept of Labor & Industries	367.99	City Of Stanwood
443	02/03/2021	Claims	3	33647	WA St Dept of Transportation *	1,588.90	916001509
444	02/03/2021	Claims	3	33648	WA St Treasurer	760.16	City Of Stanwood
445	02/03/2021	Claims	3	33649	Wave Broadband	142.65	3201-0316545-01
446	02/03/2021	Claims	3	33650	Ziply Fiber	143.41	360-629-4907-072497-5
447	02/03/2021	Claims	3	33651	Zumar Industries Inc	433.01	000683
001 General Fund						25,843.22	
101 Street Fund						5,452.89	
103 Street Construction Fund						18,883.61	
104 Park And Trail Improvement Fund						192,218.40	

CHECK REGISTER

City Of Stanwood

Time: 10:26:01 Date: 02/04/2021

01/22/2021 To: 02/03/2021

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
		401 Sewer Fund				249,277.76	
		403 Sewer Construction Fund				1,588.90	
		410 Drainage Fund				2,647.34	
		421 Water Fund				16,444.82	
		422 Water Construction Fund				1,284.42	
		630 Agency Fund				2,009.81	
							Claims: 515,651.17
		* Transaction Has Mixed Revenue And Expense Accounts				515,651.17	

CERTIFICATION: I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or the labor performed as described herein and that the claim is a just, due and unpaid obligation against the City of Stanwood, and that I am authorized to authenticate and certify to said claim.

() Finance Director () Auditing Officer Scott James Date: Feb 4, 2021
() Deputy Finance Director

CHECK REGISTER

City Of Stanwood

Time: 10:26:58 Date: 02/04/2021

01/22/2021 To: 02/03/2021

Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
187	01/22/2021	Payroll	3	EFT		3,000.00	January 2021 Draw
188	01/22/2021	Payroll	3	EFT		1,400.00	January 2021 Draw
189	01/22/2021	Payroll	3	EFT		1,000.00	January 2021 Draw
190	01/22/2021	Payroll	3	EFT		1,700.00	January 2021 Draw
191	01/22/2021	Payroll	3	EFT		2,000.00	January 2021 Draw
192	01/22/2021	Payroll	3	EFT		1,000.00	January 2021 Draw
193	01/22/2021	Payroll	3	EFT		1,850.00	January 2021 Draw
194	01/22/2021	Payroll	3	EFT		3,500.00	January 2021 Draw
195	01/22/2021	Payroll	3	EFT		1,600.00	January 2021 Draw
196	01/22/2021	Payroll	3	EFT		1,000.00	January 2021 Draw
197	01/22/2021	Payroll	3	EFT		2,000.00	January 2021 Draw
198	01/22/2021	Payroll	3	EFT		2,000.00	January 2021 Draw
199	01/22/2021	Payroll	3	EFT		800.00	January 2021 Draw
200	01/22/2021	Payroll	3	EFT		1,000.00	January 2021 Draw
201	01/22/2021	Payroll	3	EFT		2,000.00	January 2021 Draw
202	01/22/2021	Payroll	3	EFT		2,300.00	January 2021 Draw
203	01/22/2021	Payroll	3	EFT		500.00	January 2021 Draw
204	01/22/2021	Payroll	3	EFT		3,450.00	January 2021 Draw
205	01/22/2021	Payroll	3	EFT		1,500.00	January 2021 Draw
206	01/22/2021	Payroll	3	EFT		1,000.00	January 2021 Draw

001 General Fund

34,600.00

34,600.00 Payroll: 34,600.00

CERTIFICATION: I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or the labor performed as described herein and that the claim is a just, due and unpaid obligation against the City of Stanwood, and that I am authorized to authenticate and certify to said claim.

() Finance Director () Auditing Officer Scott James Date: Feb 4, 2021
() Deputy Finance Director



**CITY OF STANWOOD
COUNCIL AGENDA STAFF REPORT**

ITEM NUMBER: 6b

DATE: February 11, 2021

SUBJECT: City Council January 28, 2021 Regular Meeting Minutes

CONTACT PERSON: Sara Robinson, City Clerk

ATTACHMENTS: A – Council Regular Meeting Minutes

SUMMARY STATEMENT

Minutes of the January 28, 2021 Regular City Council Meeting are attached.

RECOMMENDED MOTION

I MOVE TO APPROVE THE MINUTES OF THE JANUARY 28, 2021 COUNCIL MEETING AS PRESENTED.

CITY OF STANWOOD
Regular Meeting of the City Council
Thursday, January 28, 2021 – 7:00 p.m.
Zoom Online Meeting & Telephone
MINUTES

1. Call to Order

Mayor Elizabeth Callaghan called the meeting to order at 7:00 p.m.

2. Roll Call

City Clerk Sara Robinson called the roll with the following Councilmembers present: Rob Johnson, Diane White, Darren Robb, Timothy Pearce, Steve Shepro, Sid Roberts and Judy Williams. The meeting was quorate.

Also present: Community Development Director Patricia Love, Public Works Director Kevin Hushagen, Assistant Public Works Director Shawn Smith, Fire Chief John Cermak, Fire Marshall Mike Makela, Police Chief Rob Martin, Senior Planner Amy Rusko, City Administrator Jennifer Ferguson and City Clerk Sara Robinson.

3. Approval of the Agenda

Motion by Councilmember Pearce, second by Councilmember Johnson to approve the agenda. Motion carried unanimously.

4. Citizen Comments

The City did not receive written comments or any citizens who would like to verbally address the Mayor and City Council. Citizens who wished to speak verbally, were required registered on the City Website by 9:00 am today, must be visible on camera and identify them-self with name and address.

5. Staff Reports

- a. Police Compstat Report – December, 2020

Councilmember Shepro asked for an update on the Citizen Committee that had been discussed at a past Public Safety Meeting. Chief Martin stated that the decision was to use the Public Safety Committee in that capacity instead and hold occasional Listening Café's to engage the public.

Councilmember Robb asked why the drug arrest numbers were down about 1/3 less than 2019. Chief Martin explained that deputies are being less pro-active in that area.

Stanwood City Council Meeting Minutes – January 28, 2021

6. Committee Reports

- a. Parks and Trails Advisory Committee Meeting Minutes- November 16, 2020

7. Consent Agenda

- a. Approve Vouchers and Payroll Checks
- b. Approve January 14, 2020 Regular Meeting Minutes
- c. Authorize the Mayor to Sign On-Call Professional Services Agreement Extensions

Councilmember Shepro request that the January 14, 2021 Regular City Council Meeting Minutes be amended to add New Business item 10d Election of Mayor Pro Tempore.

Motion by Councilmember White, Second by Councilmember Johnson, to approve the Consent Agenda items a thru c amending the 01-14-2021 City Council Meeting minutes as noted.

Motion carried unanimously.

8. Old Business

- a. Approval of Change Order #7 with SRV Construction on the Viking Way Project

Public Works Director Kevin Hushagen explained that this item is for approval of Change Order #7 with SRV Construction on the Viking Way project. The project is substantially complete with just some minor punch list items and contractor training requirements outstanding. During construction several unforeseen issues arose that caused delays and inefficiencies to the contractor's workflow. SRV is seeking compensation for these issues and our construction management firm, KBG, has worked through the details and provided a justification packet consistent with contract and WSDOT language dealing with allowable and recoverable charges. The Public Works Committee reviewed this at their meeting on January 4th and recommended bringing it to full Council. However, there was a calculation error on the information provided at that meeting and the change order amount increased by \$4,000.

Councilmember Pearce – Yes, Councilmember Shepro –Yes, Councilmember Roberts – Yes, Councilmember Williams – Yes, Councilmember Johnson- Yes, Councilmember White – Yes, Councilmember Robb - Yes.

Motion carried unanimously.

Stanwood City Council Meeting Minutes – January 28, 2021

9. Public Hearing

The public was invited to submit written public comments or by registering to speak via the City website.

The City Clerk did not receive any Public Comment written submissions or registrations to speak for the Public Hearing being held tonight.

- a. 2018 International Building and Fire Codes
 - i. Receive Public Comment on the Proposed Ordinance
 - ii. Second Reading and Final Adoption of Ordinance 1494

Community Development Director, Patricia Love explained that this agenda item is for the Council adoption of the 2018 International Building and Fire Codes as mandated by the State of Washington. Every three years the International Code Council (ICC) updates the International Building and Fire Codes which is the standard by which all building permits are reviewed against in the United States. The State of Washington mandates that all counties, cities and towns adopt the updates by July 1 of the code cycle year. This year the State delayed adoption until February 1, 2021 due to the Covid-19 global pandemic. These codes establish the public safety standards for building construction and occupancy of structures throughout the nation. The Council approved the First Reading of this ordinance at the January 14, 2021 Council meeting.

*Motion by Councilmember Shepro, second by Councilmember Johnson approve the Second Reading and Final Adoption of Ordinance 1494 as set forth in attachment "A" amending chapter 14.04 of the Stanwood municipal code, uniform codes.
Motion carried unanimously.*

- b. 2019-2020 Docket Comprehensive Plan Amendments and Zoning Code Amendments
 - i. Receive Public Comment on the Proposed Ordinance
 - ii. First Reading of Ordinance 1491 and 1492

Community Development Director, Patricia Love gave an overview of the proposed Ordinances 1491 and 1493 adoption of the 2020 Comprehensive Plan and Zoning Code Amendments. All amendments to the Comprehensive Plan shall be considered concurrently and no more than once per year, except in the event of an emergency, so that their cumulative effects can be ascertained. The 2020 Comprehensive Plan Amendment includes the following Future Land Use Map amendments, Zoning Map Amendments and implementing zoning regulation amendments. As part of the 2019/2020 Docket advertisement, five (5) rezone applications were received.

The Council Community Development Committee's September and October 2020 meetings included a briefing on the proposed 2020 Comprehensive Plan and Zoning

Stanwood City Council Meeting Minutes – January 28, 2021

Code Amendments update. At that meetings the Committee recommended forwarding the code amendments to the full Council for adoption.

The Planning Commission held a Public Hearing on the 2020 Comprehensive Plan and Code Amendment proposals at their November 16, 2020 meeting. The Planning Commission recommends approval of the proposed amendments to City Council. Council discussed the proposed Ordinances.

Motion by Councilmember Robb, Second by Councilmember Shepro to approve the first reading of Ordinance 1491 as set forth in attachment “A” amending the land use element, future land use map, zoning map, and capital facilities element of the Stanwood Comprehensive Plan and proceed with the second and final reading of the ordinance on February 11, 2021.

Motion carried unanimously.

Motion by Councilmember Robb, Second by Councilmember Pearce to approve the first reading of Ordinance 1492 as set forth in attachment “B” amending chapters 17.10, 17.30, 17.60, 17.79 and 17.100 of the Stanwood municipal code and proceed with the second and final reading of the ordinance on February 11, 2021.

Motion carried unanimously.

10. New Business

- a. Authorize the Mayor to Sign PSA Amendment #3 with Mackenzie for the Stanwood Civic Campus Site Design Alternatives Analysis

Community Development Director, Patricia Love explained that the purpose of this agenda item is for Council consideration of a new scope of work by Mackenzie to prepare an alternative analysis for siting the future Police Station and City Hall. In 2019 the City began a design effort to locate a combined Police Station / City Hall. In April of 2020 that effort was placed on hold due to Covid-19 and concerns about putting a bond request on the November 2020 ballot in the middle of a global pandemic. Mackenzie has prepared a scope of work that reboots the discussion on how best to provide public services to the community. This work includes a robust discussion with Council regarding siting of Police and City Hall facilities, timing and a rough magnitude of cost estimate. Love explained the different options that will be discussed. This renewed discussion is anticipated to take approximately 7 months. After which, a new scope of work will be prepared to either move forward with the existing plan or prepare revisions.

Staff recommends approving the design contract with Mackenzie which will allow work to begin on Civic Campus project and allow enough time to prepare for the February 11 Council workshop. Council discussed the proposal.

Motion by Councilmember Johnson, Second by Councilmember Pearce, authorize the mayor to sign the attached amendment #3 to the Professional Services Agreement with

Stanwood City Council Meeting Minutes – January 28, 2021

Mackenzie (contract 2019-49) for the Stanwood Civic Campus site design alternative analysis project in the amount of \$97,300.00.

Councilmember Pearce – Yes, Councilmember Shepro –Yes, Councilmember Roberts – Yes, Councilmember Williams – Yes, Councilmember Johnson- Yes, Councilmember White – Yes, Councilmember Robb - Yes.
Motion carried unanimously.

10. Citizen Closing Comments – Removed via motion at the 3-26-2020 Meeting

11. Reports of Officers and Committees

a. Mayor's Report –

Mayor Callaghan wanted to encourage all Councilmembers to please review the documentation that was presented tonight. If you have any further questions, please contact Patricia Love or Jennifer Ferguson so that they can present Council details needed for the Special Meeting on February 11. The Governor adjusted the phase matrix. Snohomish County is moving forward to Phase 2 on Monday. This means that the restaurants will be open at 25% dining capacity.

b. City Administrator's Report-

City Administrator, Jennifer Ferguson wanted to echo the Mayor's comments about the County moving into Phase 2. The detailed information can be found on the City website.

This is the last call for AWC City Action days. If any Councilmember would like to attend it will be held virtually on February 10- 11. Jennifer has been in constant contact with the State Legislators. The discussion about Broadband is continuing and is becoming more essential with the growth in our area. We are looking at shovel ready projects to promote the dig once project to start putting the fiber into the ground.

Director Sound-Bites-

Public Works Director Kevin Hushagen said that Public Works has been busy shuffling around staff. Shawn Smith is moving into the Engineering Department. Our internal employee Kevin Pellham was also promoted to the Engineering group as an Engineering Technician. Leigh Danielson has also been promoted to Public Works Supervisor.

Patricia Love, Community Development Director noted that the Park and Recreation Feasibility Study proposals were due today. The City received two proposals. Both are from reputable firms. Staff will interview both and bring them back to Council soon for approval.

Police Chief Martin said that there has been a lot of legislation this year around Police Reform. This has been a bad year with community trust with Police.

Stanwood City Council Meeting Minutes – January 28, 2021

Fire Chief Cermak announced that there will be another mass vaccination tomorrow at the Arlington Airport. You can sign up online at the Snohomish County Health District website. The notice about available vaccines usually comes out the day before, so the appointments are usually announced last minute. City Administrator Ferguson noted that the link for this will be posted on the City website.

c. Councilmember Reports and Questions-
None

12. Adjourn –

Mayor Callaghan adjourned the meeting at 8:14 pm.

CITY OF STANWOOD

ATTEST:

Elizabeth Callaghan, Mayor

Sara Robinson, City Clerk



CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

ITEM NUMBER: 7a

DATE: February 11, 2021

SUBJECT: 2020 Comprehensive Plan and Zoning Code Amendments

CONTACT PERSON: Patricia Love, Community Development Director

ATTACHMENTS: A – Ordinance 1491, Adoption of the 2020 Comprehensive Plan Amendments
B – Ordinance 1492, Adoption of the 2020 Implementing Zoning Code Amendments

PURPOSE

The purpose of this agenda item is for Council adoption of the 2020 Comprehensive Plan and Zoning Code Amendments.

BACKGROUND

The Growth Management Act of the State of Washington requires “early and continuous” public participation in the city’s review and adoption of comprehensive plans and development regulations. One planning tool used to meet the “early and continuous” standard is the Docket process. The “Docket” is a public participation procedure required by state law (GMA) that allows residents the opportunity to request amendments to the City’s comprehensive plan and development regulations on an annual basis. The 2019 / 2020 docket application period ran from August 1 through August 31, 2019 and resulted in several rezone requests and city-initiated amendments.

All amendments to the Comprehensive Plan shall be considered concurrently and no more than once per year, except in the event of an emergency, so that their cumulative effects can be ascertained. The 2020 Comprehensive Plan Amendment includes the following Future Land Use Map (FLUM) amendments, Zoning Map Amendments and implementing zoning regulation amendments.

As part of the 2019/2020 Docket advertisement, five (5) rezone applications were received: Three by Scott Wammack for mixed-use rezones in the Uptown Center District, and two (2) by the City of Stanwood to rezone a portion of 271st Street from Light Industrial to Commercial and to create a new Parks and Open Space zoning district for the City’s park lands. The following is a summary of the proposed 2020 Comprehensive Plan Amendments and Rezone requests:

1. Scott Wammack /
Lisa Sather (Sather
Family Trust)

Comprehensive Plan Map Amendment with a concurrent rezone to add the Mixed-Use Overlay designation to 2 vacant parcels currently zoned General Commercial located south of 265th Street NW within the Hagen Complex. Parcel Numbers: 32042900204500 and 32042900207100

Wammack / Sather Rezone Request



2. Scott Wammack /
Brett Sibert

Comprehensive Plan Amendment with a concurrent rezone to add the Mixed-Use Overlay designation to a vacant parcel currently zoned General Commercial located on the southwest corner of 265th Street and 72nd Avenue. Parcel Number: 32042900206000

Wammack / Sibert Rezone Request



3. City of Stanwood

Comprehensive Plan Amendment with a concurrent rezone from Light Industrial to Mainstreet Business II along the north side of 271st Street between 92nd Avenue NW and 90th Avenue NW. Parcel Numbers: 32041900304800, 32041900305100, 32041900308700, 32041900305200, 32041900308900, 32041900305300, and 32041900302600

271st Street (Main Street) Rezone

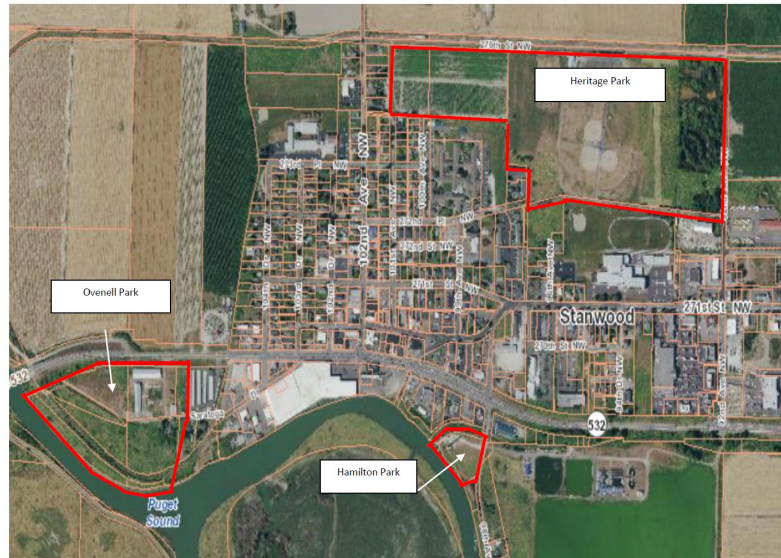


4. City of Stanwood

Comprehensive Plan Amendment with concurrent zone of City park properties from various zoning districts to a new Parks and Open Space designation. Parks subject to this proposal include:

- Heritage Park (Parcel Numbers: 32032400413200, 32032400400100 and 32032400304900),
- Hamilton Landing Park (Parcel Number 32032400414600 and 32032400414700),
- Ovenell Park (Parcel Numbers: 32032400300100, 32032400305600, 32032300401200, 32032300400700, and 32032400300300),
- Church Creek Park (Parcel Number 32042000301800) and
- Lions Park (Parcel Number 00470000200100).

Heritage Park, Hamilton Park and Ovenell Park Rezone



Lion's Park and Church Creek Park Rezone



5. City of Stanwood

Comprehensive Plan Text and Map amendment to reflect the proposed rezone amendments.

Amendments will include:

- Update Land Use Element Policies
- Updating the Future Land Use and Zoning Maps
- Update Capital Facilities Element Policies
- Adding the Parks and Open Space zone to the listed land use categories
- Create a new General Commercial – Mixed Use Overlay zone over the Uptown Commercial District.

6. City of Stanwood Zoning code amendments to potentially amend the building height and density requirements of the Mixed-Use zoning overlay.
- The Growth Management Act requires cities to monitor their population growth and housing stock to determine if they are meeting their projected growth targets. If Cities are not on a trajectory to meet those targets, we are required by law to adopt reasonable measures to do so. Amending height and density in commercial mixed-use developments is one reasonable measure that can be used.
- 17.10 Zoning Districts
 - 17.30 Permitted Uses
 - 17.60 Zoning Standards
 - 17.79 Mixed Use Overlay
 - 17.100 Non-Residential Performance Standards
7. City of Stanwood Amendments to the Capital Facilities Element of the Comprehensive Plan to update both the 6-year and 20-year Capital Improvement Plan project lists.

ANALYSIS

Comprehensive Plan and Rezone Review Criteria:

Stanwood Municipal Code includes criteria for review of proposed Comprehensive Plan Amendments and rezones. Sections 17.155.090 and 17.157.080, Decision Criteria, states that the City may approve, or approve with modifications or conditions, an application for a Comprehensive Plan amendment and land change if the following criteria are met. The following is a cumulative review of the criteria necessary to approve an amendment to the Comprehensive Plan.

(a) The amendment / zoning reclassification bears a substantial relation to the public health, safety, or welfare.

The State of Washington adopted the Growth Management Act in 1990 to manage growth under a consistent set of statewide goals and policies. The Act originally contained 13 goals that provided guidance to local governments on how to manage: population growth, housing, transportation systems, utilities and other public infrastructure. The City of Stanwood adopted its first GMA compliant Comprehensive Plan on June 1, 1996. Subsequent amendments to the Plan have been adopted through the years as deemed warranted due to changing circumstances or as required by state mandates.

The 2015-2035 Comprehensive Plan establishes a moderate growth scenario that expects the city to reach a population of 10,116 (or 11,085 inclusive of the Urban Growth Area) by 2035. Associated with this growth scenario is the associated level and type of development necessary to reach this population projection. The city anticipated future growth to include a combination of residential and mixed-use developments. The very first policy of the Comprehensive Plan - Land Use Policy 1.1 states that the City shall “establish a density lot size and road access standards that create incentives for infill development in urban areas that are either underdeveloped or underutilized”.

The Comprehensive Plan provides policy direction to determine if proposed amendments are consistent with the City's vision and implementation of the Growth Management Act.

- Wammack Rezones: The three rezone requests by Scott Wammack are located in the General Commercial zone in the Uptown Center District. The proposal is to extend the Mixed-Use Overlay over the parcels to allow a combination of mixed use and standalone multifamily buildings.

Staff has evaluated the proposal and support the rezones as well as extending the Mixed-Use Overlay over the entire General Commercial zone in the Uptown Center consistent with the following policies.

- LUP 10.2: Plan for suburban style site development with the Uptown Center with a combination of private and public street systems and large parcels many of which have access through private drive aisles in parking lots.
- LUP 10.3: Allow a variety of retail, service, office and other commercial uses as well as mixed use, senior housing and assisted living residential uses in the Uptown Center.
- LUP 10.4: Allow surface parking to accommodate an auto-oriented shopping center in the Uptown Center and site planning, with no restrictions on the location of parking.
- LUP 10.5: Allow shared parking and off-site parking in the Uptown Center when approved by the City.
- LUP 10.6: Encourage mixed use development within the Center.

- 271st Street Rezones: This City initiated rezone application is to rezone the property along the north side 271st Street between 92nd Avenue NW and 90th Avenue NW from Light Industrial to Mainstreet Business I (MBI) to avoid industrial uses and land use conflicts along the City's "main street". The proposed rezone is also consistent with the city's adopted vision for a commercial / retail corridor along 271st to connect the two historic downtown centers.

- LUP 4.1: Allow a mix of residential, office, retail, entertainment and service uses to serve incorporated Stanwood, unincorporated Snohomish County and Camano Island in Island County.
- LUP 4.3: Allow light industrial use in areas without strong access for retail or service uses.
- LUP 4.7: Encourage outdoor dining, outdoor street furniture and temporary outdoor displays that create interest and activity.
- LUP 5.5: Encourage small scale specialty retail along the front of 271st Street. Encourage larger-scale retail and service uses between 271st Street (behind store fronts) and SR 532. [Note: Staff made the following language correction to the policy: changing 271st Avenue to 271st Street.]

- Parks Rezones: The proposed Comprehensive Plan amendment and park rezones creates a new Parks and Open Space Zone (POS) and land use designation for city owned parks. Currently all of our public parks are managed under various zoning districts – ranging from Single Family Residential to General Industrial. The City has received state funding for most of these parks from the Recreation and Conservation Office and

have also purchased properties with Snohomish County Conservation Easement Funds which require these properties to be held in public ownership in perpetuity. By creating a new POS zoning category, the public and future law makers can easily see where the City's parks and open space areas are located.

LUP 2.10: Encourage preservation of open space and recreational opportunities.

- **New Land Use Designations:** The Comprehensive Plan amendments includes adopting two new land use designations and associated zoning districts: General Commercial – Mixed Use Overlay (GC-MXO) and Parks and Open Space (POS). These new land use designations better describe the actual land uses on the park properties and anticipates future trends for mixed use developments.

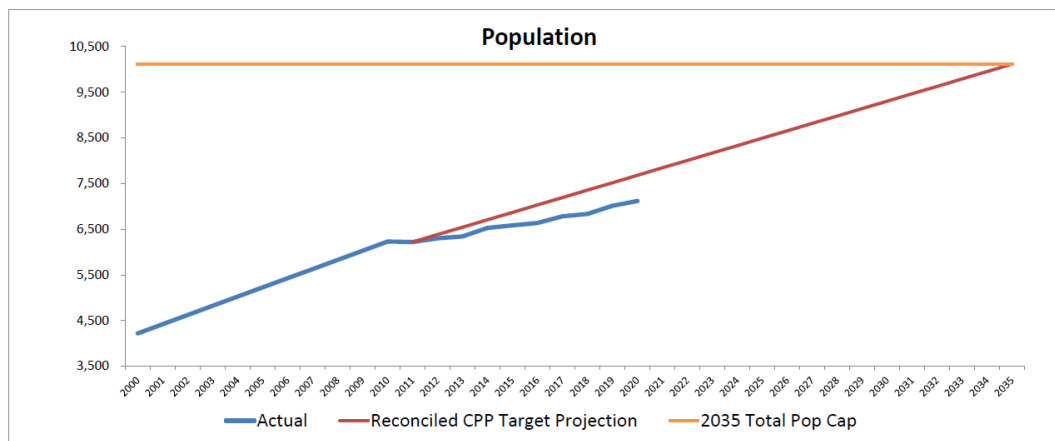
The proposed land use designations and rezones are consistent with the Comprehensive Plan growth and development strategies and therefore meets the criteria that the amendments bear a substantial relation to the public health, safety, or welfare.

- (b) **The amendment / zoning reclassification is warranted because of changed circumstances or because of a need for additional property in the proposed Comprehensive Plan or zoning designation or because the proposed amendment is appropriate for reasonable development of the subject property.**

The City's Comprehensive Plan plans for future growth out to 2035. In addition, the Puget Sound Regional Council's growth strategies call for an additional 9% growth by 2050 in the cities and towns category that applies to Stanwood. The 2015 Comprehensive Plan plans for an overall in-city population of 10,116 people by 2035. Adding a projected 9% growth on that figure brings the City's 2050 projected growth target to 11,026. Using the Snohomish County Tomorrow 2020 Growth Monitoring Report as guidance for considering projects that add new growth to the City, the report shows that the City is falling below its 2035 population growth target.

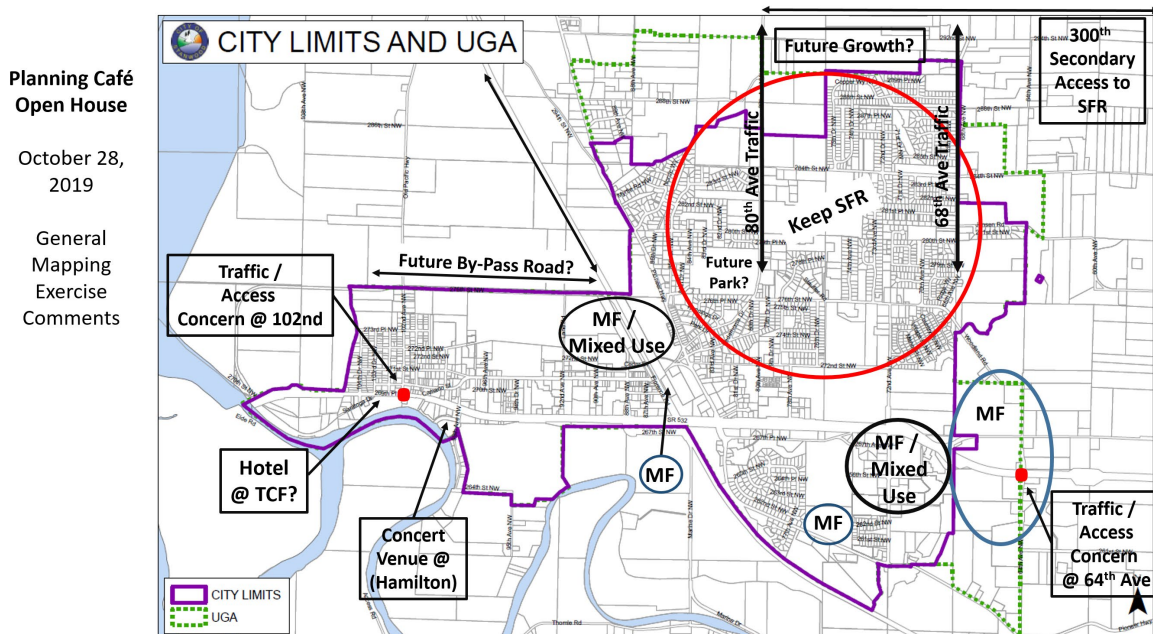
Snohomish County Tomorrow 2020 Growth Monitoring Report

City of Stanwood (Small City)



2000 Pop Census	2010 Pop Census	2011 Pop Estimate	2012 Pop Estimate	2013 Pop Estimate	2014 Pop Estimate	2015 Pop Estimate	2016 Pop Estimate	2017 Pop Estimate	2018 Pop Estimate	2019 Pop Estimate	2020 Pop Estimate	2035 Reconciled Pop Target	2035 Reconciled Total Pop Capacity
4,219	6,231	6,220	6,300	6,340	6,530	6,585	6,635	6,783	6,833	7,013	7,118	10,116	10,116

At a Planning Café held on October 28, 2019 the public was asked: “where would you put the future growth in Stanwood”. Below is a map showing the responses. In summary the community tended to locate new housing and population growth in mixed-use developments in the City’s existing commercial zones.



According to the Washington State Office of Financial Management, the average 2020 household size for multifamily complexes (5+ Units) is 1.88 people / unit. Using the projected number of 120 proposed new multifamily units, the three mixed use rezone sites collectively would generate approximately 225 new Stanwood residents. These additional new housing units will help meet the 2035 and 2050 Comprehensive Plan growth targets. Adopted Mixed-Use zoning and architectural design standards will ensure that future developments meet the intent of the zone: ensuring compatibility with adjacent developments.

Adding the Mixed Use Overlay to the entire General Commercial zoning district in the Uptown Center District provides additional opportunities to convert some of the vacant storefronts into mixed use buildings consistent the policies (see above) for the district while helping to meet the City’s Growth Management population and housing targets without negatively impacting existing single family residential zones.

These proposed amendments and rezones are consistent with the vision of the Comprehensive Plan and the future zoning as envisioned by the public at the Planning Café.

- (c) **The subject property is suitable for development in conformance with standards under the proposed Comprehensive Plan designation and with zoning standards under the proposed zoning classification.**

The proposed rezones sites are either existing developed sites (parks and 271st Street rezones) or infill developable sites (three Wammack sites). Future uses of the rezone’s sites are anticipated to be general commercial, retail, restaurant, residential or park uses; all of which are consistent with the Comprehensive Plan’s vision of providing housing and urban services to city residents.

(d) The amendment and rezones will not be materially detrimental to uses or property in the immediate vicinity of the subject property.

As discussed below, the comprehensive plan amendments and rezones are consistent with existing uses and surrounding uses. The proposed amendments will not be detrimental to adjacent properties.

Wammack / Sather: these properties are currently vacant and is surrounded by the Haggen Shopping Center and Mixed-Use development. The property is currently zoned General Commercial which allows for general commercial and retail uses; the rezone would allow residential uses in conjunction with the commercial / retail uses similarly to those in the immediate vicinity of the parcels. The proposal is consistent with the surrounding uses.

Wammack / Sibert: this property is currently vacant and is surrounded by a commercial business park to the north, a residential retirement / care facility and multifamily condominiums to the west, a single-family home to the south and the Haggen's Shopping Center to the east. The property is currently zoned General Commercial which allows for general commercial and retail uses; the rezone would allow residential uses in conjunction with the commercial / retail uses similarly to those in the Haggen Shopping Center Complex to the east of the property. The proposal is consistent with the surrounding uses.

271st Street: The majority of these properties are developed with commercial use buildings, parking lots and standard landscaping. The undeveloped lots have been cleared and is covered with grass. The properties front and face towards on the city's main commercial main street - 271st Street. The City's planning policies suggest this area should be a commercial district connecting the two historic downtowns. The proposed rezone is consistent with this vision.

Heritage Park: Heritage Park is a regional sports complex with baseball fields, soccer fields, open recreational space and wetlands. This property has received grant funding from the state which requires the property to be maintained in public park use in perpetuity. Changing this zoning from Single Family Residential 9.6 and Industrial permanently designates the property as parks and recreation uses for future generations.

Ovenell Park: Ovenell Park is an undeveloped park site located adjacent to the Stillaguamish River. It used to be the old Ovenell Dairy Farm until the City purchased it with conservation futures funding in 2016. The conservation easement requires that the property be only used for passive recreation uses in perpetuity. Changing this zoning from General Commercial permanently designates the property as parks and recreation uses for future generations.

Hamilton Park: Hamilton Park is an undeveloped park site located adjacent to the Stillaguamish River. It is the site of the historic Hamilton Lumber Company until the City purchased it with conservation futures funding in 2016. The conservation easement requires that the property be only used for recreation uses in perpetuity. It is the site of a future boat launch through a partnership with the City of Stanwood and the Washington Department of Fish and Wildlife. Changing this zoning from General Industrial permanently designates the property as parks and recreation uses for future generations.

Lions Park: Lions Parks is a local neighborhood park that consists of some playground equipment, a sports court and picnic areas. Changing this zoning from Single Family Residential 5.0 permanently designates the property as parks and recreation uses for future generations.

Church Creek Park: Church Creek Park is a community park on the City's east end of town. It consists of a baseball field, restrooms, play equipment and natural areas. It is the site of the City's summer movies in the park program. Changing this zoning from Single Family

Residential 7.0 permanently designates the property as parks and recreation uses for future generations.

With regards to traffic, The City of Stanwood has an adopted Level of Service E for all arterial / collector roadways which relates to the acceptable time delay time of 80 seconds at intersections. The traffic analysis prepared for the Wammack rezones showed that the proposed mixed-use developments would change the intersection wait time from approximately 33 seconds to 40 seconds, well below the adopted maximum wait time of 80 seconds.

The 271st Street rezone does not change the underlying uses therefore there will be no change in traffic volumes. Future development will be required to prepare a traffic study to evaluate impacts on 271st Street. 271st is a three-lane road: two travel lanes and a center turn lane with curb, gutter, landscape strip and sidewalk. This road is the major corridor connecting the two historic downtown areas and is designed to accommodate commercial / retail traffic volumes.

The parks rezones do not change the underlying use therefore there will be no change in traffic volumes.

As a result, cumulative effect of the proposed rezones support the city's needed housing and population targets without negatively impacting the surrounding neighborhoods. Subsequent development of the rezone's sites will be subject to the City's, development regulations, concurrency standards and traffic impact mitigation fees. Site specific road / traffic improvements will be evaluated at the time of actual development.

(e) The proposed Comprehensive Plan amendment and rezone has merit and value for the community as a whole.

The proposal is consistent with the City's land use policies and adds housing units consistent with the Puget Sound Regional Council population growth targets for the cities and towns category. The rezones also allow the properties to be developed similarly to those on the east and west side of 72nd Avenue near Haggen's and the adjacent multifamily residential developments.

This City initiated rezone application is to consider rezoning the property along the north side 271st Street between 92nd Avenue NW and 90th Avenue NW from Light Industrial to Mainstreet Business I (MBI) to avoid industrial uses along the City's "main street". The proposed rezone is also consistent with the city's adopted vision for a commercial / retail corridor along 271st to connect the two historic downtown centers. Rezoning these properties also eliminates the non-conforming status of these properties which can negatively impact future uses and sales. Requiring future uses to comply with the industrial zoning could also result in vacant storefronts because the properties are too small to be used for industrial uses unless the properties were consolidated by one or two buyers. Potential industrial uses along 271st is inconsistent with the vision of a commercial main street connecting the two historic downtown centers.

The park rezones do not change the underlying use of the properties but provides a protective zoning designation which clearly shows the public that these lands are intended to stay in park and open space use in perpetuity.

(f) The proposed amendment is consistent with the goals and policies of the Comprehensive Plan.

Subsection (a) above shows how the proposals are consistent with the Stanwood 2015-2035 Comprehensive Plan.

In addition to the Future Land Use Map (FLUM) and Zoning Map changes, minor amendments are being proposed to the Land Use Element of the Comprehensive Plan to implement the land use designation changes. The below chart shows the land use acreage changes that result from the proposed amendments. Note that the entirety of the Land Use Element's land use inventory is not being updated at this time but will be included in the 2024 Major Comprehensive Plan update as the 2015-2035 Land Use Inventory is based on 2012 data which does not reflect current conditions.

As shown below, the largest change in land use is changing out the existing park properties from their underlying zoning to the proposed new Parks and Open Space zoning designation.

Parcel	Area in Acres by Existing Zoning						Area in Acres by Proposed Zoning		
	GI	LI	GC	SRF 9.6	SFR 7.0	SRF 5.0	GC- MUO	MB2	POS
Wammack / Sather #2			0.56				0.56		
Wammack / Sather #16			0.55				0.55		
Wammack / Sibert			0.92				0.92		
271st Street Rezone									
9005		0.3						0.3	
9008		0.28						0.28	
9025		0.46						0.46	
9019		0.17						0.17	
90XX		0.12						0.12	
9123		0.23						0.23	
9XXX		0.25						0.25	
Heritage Park									
Parcel 1				44.05					44.05
Parcel 2		7.73							7.73
Parcel 3		4.2							4.2
Ovenell Park									
Parcel 1			1.16						1.16
Parcel 2			3.88						3.88
Parcel 3			7.73						7.73
Parcel 4			1.35						1.35
Parcel 5			3.63						3.63
Hamilton Park	2.01								2.01
Lions Park									0.68
Church Creek Park					15.39				15.39
Total Acres by Zone:	2.01	13.74	19.78	44.05	15.39	0.68	2.03	1.81	91.81

(g) The zoning reclassification complies with all other applicable criteria and standards of the Stanwood Municipal Code.

To fully implement the proposed amendments and rezones, a few amendments are needed to the Comprehensive Plan and associated development regulations. An accompanying code amendment is being proposed concurrently with the Comprehensive Plan Amendment to ensure consistency between the Plan and implementing zoning regulations as required by the Growth Management Act.

The implementing code amendments include the following:

Chapter 17.10 Establishment of Zoning Districts

- Added General Commercial – Mixed Use Overlay (GC-MXO) zoning district definition
- Added Parks and Open Space (POS) zoning district definition

Chapter 17.30 Permitted Land Uses

- Clerical cleanup of numbering system
- Re-organized the table for clarity
- Added GC-MXO zoning district to the permitted use table
- Added POS zoning district to the permitted use table
- Removed footnote P39MXO from the GC zone and moved applicable uses to new GC-MXO zone
- Removed the industrial and storage units uses from the GC-MXO zone
- Removed the permitted Transit Overlay (TO) uses from the LI zone because there is not an LI zone with the TO designation
- Added recreation permitted uses to the GC-MXO and POS zones
- Removed community and neighborhood parks from the residential zones because the definitions state the parks should be 20 to 100 acres and 5 to 20 acres respectively
- Removed the Single-Family Dwelling use from the MB-I zone because Ordinance 1333 repealed this use, but was never removed from the table
- Added condition (58) for public park land purchase and/or development in all zoning districts

Chapter 17.60 Zoning Standards Tables

- Added the GC-MXO zoning district to the tables
- Added the POS zoning district to the tables
- Changed the maximum height in the MR zone from 30' to 40' to allow for pitched roofs
- Changed the maximum height in the GC-MXO zone from 45' to 50' to allow for pitched and parapet roofs
- Added an accessory structure height of 20' in the MR zone
- Added condition for maximum stories per building, pitched roof and follow the architectural design standards
- Removed the maximum dwelling unit density for single family residences in the MB-I zone, as they are not permitted
- Removed the maximum density from the GC-MXO zone; site conditions and height will manage density leaving the type and size of units to market conditions
- Reduced the lot area for GC-MXO to allow for smaller mixed-use developments to occur in the zone
- Changed the maximum building coverage in the GC-MXO from 60% to 90%, the coverage needed to be adjusted after the lot area reduced to allow for a building to utilize a site
- Added condition to explain how the density is calculated in the GC-MXO zone
- New POS table with setbacks for adjacent residential and commercial uses

Chapter 17.79 Mixed Use Overlay

- Added language to define /storage facilities, other schools and indoor kennels from allowed uses in vertical and horizontal mixed use
- Added a key for the table of dimensional and density requirements
- Removed industrial, mini warehouse the GC-MXO and MF-MXO zones
- Revised the table to match the existing Multifamily - MF-MXO zone and GC-MXO zone lot area and building coverage

Chapter 17.100 Non-Residential Performance Standards (Relating to Parks Development)

- Removed residential zone language
- Removed administrative conditional use permit language and the uses will follow the permitting process from the permitted use table and the administrative code sections

Zoning Code Amendments

Zoning Code Amendments Criteria:

Stanwood Municipal Code states that the city may approve or approve with modifications amendments to the text of the zoning code if:

(a) The purpose and desired effect of the proposed zoning code amendment are consistent with the Stanwood Municipal Code;

The proposed implementing zoning code changes fall into four general categories:

1. Adoption of new General Commercial – Mixed Use Overlay Zoning Regulations. The purpose of creating this new zoning category is to expand existing overlay over the commercial area in the Uptown Center Area, but not have the overlay apply to the other General Commercial zones in the city. It also eliminates the need to amend the Comprehensive Plan or require a rezone for any future proposed mixed-use developments in the Uptown Center. The permitted use matrix and development standards were updated to create this new zone.
2. Adoption of new Parks and Open Space Zoning Regulations. Creation of a new Parks and Open Space land use and zoning designation requires the adoption of associated permitted uses and development standards.
3. Amendments to the Building Height for Mixed Use and Multifamily Developments. Building heights were slightly increased to allow for the construction of pitched roofed structures. Over time, building standards have changed from standard 8-9-foot ceilings to 12-foot ceiling heights. In addition, building in the flood plain requires that the living area of the structure be one foot above base flood elevation. Building heights have not been evaluated or adjusted to coincide with these changes. The proposed changes in the building height does not increase density or allow for additional floors, but instead allows the construction of pitched roofs consistent with northwest craftsman designs versus building flat roofed buildings.
4. Minor Code “Scrub” Amendments. Minor changes are being proposed to the permitted use matrix to eliminate inconsistency with other development code sections. The allowance of self-storage units was eliminated from the Mixed-Use Overlay zone to ensure the commercial floor is occupied with uses consistent with the vision of pedestrian friendly retail / commercial developments.

The two new code sections implement the comprehensive plan land use designations consistent with the requirements of the Growth Management Act to have consistency between the Comprehensive Plan and development regulations. The amendments to the permitted use matrix, bulk standards, mixed-use overlay regulations provide additional standards to ensure that future projects are developed according to the City's vision of creating mixed-use pedestrian friendly neighborhoods.

(b) There is a positive relationship to the public health, safety and welfare of the community; and

The proposed amendments provide clear guidance and standards for future development in the mixed use and parks zoning districts which is intended to provide the public and future developers with clear expectations on city requirements and development standards.

(c) The proposed amendment is consistent with the Stanwood Comprehensive Plan.

Stanwood's Comprehensive Plan envisions a strong community that provides urban services while preserving its rural community heritage. The Plan envisions a community with diverse commercial districts and a variety of housing types ranging from detached single-family residential homes to mixed use commercial developments. The Comprehensive Plan's policies support the proposed 2020 Comprehensive Plan Amendments, rezones and associated implementing code amends.

LUP 2.10:	Encourage preservation of open space and recreational opportunities.
LUG 10:	Develop a second commercial and mixed-use base in the Uptown Center as a focal point for the newly developing part of the City.
LUP10.5:	Encourage mixed use development with the [Uptown] Center.
LUP 19.1:	Plan for a balanced mix of land uses based on land availability and the capacity to provide public services.
EDP-6.1	Ensure that City licensing and permitting procedures and development regulations are coherent, fair, and expeditious.

Fiscal Impact			
None			
Fund(s):			
Amount:	\$	Project Estimate:	\$ -
Budget Authorized	☐ Yes ☐ No ☒ N/A	Amendment Required	☐ Yes ☐ No ☐ Monitor

RECOMMENDATIONS

Staff Recommendation:

1. Allow authorization for the mayor to sign Ordinance 1491 and Ordinance 1492 adopting the 2020 Comprehensive Plan and Implementing Zoning Code Amendments.

Committee/Board Recommendation:

The Council Community Development Committee's September and October 2020 meetings included a briefing on the proposed 2020 Comprehensive Plan and Zoning Code Amendments update. At that meetings the Committee recommended forwarding the code amendments to the full Council for adoption.

The Planning Commission held a Public Hearing on the 2020 Comprehensive Plan and Code Amendment proposals at their November 16, 2020 meeting. The Planning Commission recommends approval of the proposed amendments to City Council.

CITY COUNCIL OPTIONS

1. Authorize the mayor to sign Ordinance 1491 and Ordinance 1492 adopting the 2019/2020 Comprehensive Plan and Implementing Zoning Code Amendments.
2. Direct staff to make changes to the Ordinance and approve with requested changes.
3. Do not approve Ordinance 1491 and Ordinance 1492 and send back to the Planning Commission for further review.

PROPOSED MOTION

"I MOVE TO AUTHORIZE THE MAYOR TO SIGN ORDINANCE 1491, COMPREHENSIVE PLAN AMENDMENT AND THE ASSOCIATED FINDINGS OF FACT AND CONCLUSIONS, AS RECOMMENDED BY THE STANWOOD PLANNING COMMISSION.

"I MOVE TO AUTHORIZE THE MAYOR TO SIGN ORDINANCE 1492, ZONING CODE AMENDMENT AND THE ASSOCIATED FINDINGS OF FACT AND CONCLUSIONS, AS RECOMMENDED BY THE STANWOOD PLANNING COMMISSION.

**CITY OF STANWOOD
Stanwood, Washington**

ORDINANCE 1491

AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON RELATING TO THE CITY'S COMPREHENSIVE PLAN; ADOPTING THE FINDINGS AND RECOMMENDATIONS OF THE STANWOOD PLANNING COMMISSION; ADOPTING THE CITY OF STANWOOD'S 2020 COMPREHENSIVE PLAN DOCKET IN ACCORDANCE WITH CHAPTER 36.70A, RCW - THE GROWTH MANAGEMENT ACT – BY AMENDING THE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN TO ADOPT A NEW GENERAL COMMERCIAL – MIXED USE OVERLAY DESIGNATION AND PARKS AND OPEN SPACE DESIGNATION; UPDATE THE CAPITAL FACILITY ELEMENTS OF THE COMPREHENSIVE PLAN; UPDATING THE FUTURE LAND USE MAP (FLUM), APPROVING ZONING MAP AMENDMENTS CONSISTENT WITH THE CHANGES TO THE FLUM; AND PROVIDING FOR SEVERABILITY

WHEREAS, pursuant to Ordinance 956, on June 1, 1996 the City adopted a Comprehensive Plan ("the Plan") to comply with the requirements of Chapter 36.70A, the Growth Management Act ("GMA"); and

WHEREAS, the City of Stanwood ("City") amended the Plan in subsequent years by Ordinance Numbers 1070, 1090, 1097, 1108, 1136, 1188, 1208, 1230, 1246, 1281, 1358 and 1396; and

WHEREAS, the City is required under RCW 36.70A.130(5)(a) to review and, if needed, revise its Plan and development regulations to ensure the Plan and regulations comply with the GMA, Ch. 36.70A RCW; and

WHEREAS, the Plan amendment procedures contained in this ordinance are consistent with the City of Stanwood and Revised Code of Washington procedural guidelines for amendments to the City's Plan; and

WHEREAS, pursuant to the annual docket process described in Chapter 17.157 SMC entitled "Comprehensive Plan", the City Council considered the 2019 Docket applications on October 24, 2019 and forwarded those requests to the Planning Commission to evaluate and formulate a recommendation to either approve, approve with modifications or deny; and

WHEREAS, in order to formally process the 2020 Docket, applicants were required to submit their formal rezone applications by February 3, 2020; and

WHEREAS, five (5) rezone applications were received: Three by Scott Wammack for mixed-use rezones in the Uptown Center District, and two (2) by the City of Stanwood to rezone a portion of 271st Street from Light Industrial to Commercial and to create a new Parks and Open Space zoning district for the City's park lands; and

WHEREAS, the 2020 Comprehensive Plan Amendment includes updates to the Future Land Use Map (FLUM), requested rezones and implementing zoning amendments to expand the Mixed Use Overlay District and to create a new Park and Open Space zoning district, as generally described in Exhibit A; and

WHEREAS, the public review process for the 2020 Docket and Comprehensive Plan Amendments included review by the Planning Commission on September 9, 2019, September 28, 2020, October 12 and 26, 2020, November 9, 2020 and held a public hearing on November 16, 2020, to: 1) review the proposed amendments to the Comprehensive Plan, and 2) take public comments and testimony on the proposed amendments; and

WHEREAS, as required by RCW 36.70A.106, the City submitted the proposed City of Stanwood 2019/2020 Comprehensive Plan for the 60-day review to the Washington State Department of Commerce on October 9, 2020 and received a letter dated October 12, 2020 stating procedural requirements were met; and

WHEREAS, the Department of Commerce's 60-day review period was completed on December 8, 2020; and

WHEREAS, the City issued a SEPA threshold determination of non-significance on October 13, 2020 and the comment period ended on October 27, 202; and

WHEREAS, in taking the actions set forth in this ordinance, the City has complied with the requirements of the State Environmental Policy Act, Chapter. 43.21C RCW; and

WHEREAS, on March 31, 2020 pursuant to SMC 17.80.033(c)(iv)(3) the City mailed notice of the proposed land use designation and zoning change to properties within 300 feet of the proposal rezones providing for a 30 day comment period; and

WHEREAS, the public hearing held on November 16, 2020 was closed by the Planning Commission, after hearing comments from the public. The Planning Commission deliberated and then made their Findings and Recommendations for approval of the proposed amendments to the City Council; and

WHEREAS, all persons desiring to comment on the proposed amendments were given the opportunity to be heard; and

WHEREAS, at the January 28, 2021 City Council meeting the City Council further reviewed and considered the Planning Commission recommendations; and

WHEREAS, as required by RCW 36.70A.130(2)(b), the City Council considered all proposed amendments to the Plan and the associated zoning amendments concurrently so the cumulative effect of the proposed amendments could be ascertained; and

WHEREAS, the City Council hereby finds that the City's Plan and the amendments adopted herein are consistent with the County-Wide Planning Policies as required by RCW 36.70A.210;and

WHEREAS, the Stanwood City Council hereby finds that the adoption of the City of Stanwood's 2020 Comprehensive Plan and proposed rezones are consistent with the

requirements of the Stanwood Municipal Code and Washington law, and serves and advances public health, safety and welfare of the greater community;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANWOOD DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Council Findings. The City Council hereby adopts and incorporates by this reference the Recommendations and Findings of the Planning Commission (Exhibit B) which includes findings that the amendments in this Ordinance meet the necessary criteria set forth in SMC 17.157.080 for approval of amendments to the Comprehensive Plan.

Section 2. Adoption. The City of Stanwood hereby adopts the changes as identified in Exhibit C which is attached hereto and incorporated by this reference. The Community Development Director is hereby directed to make the necessary changes to the City's Official Zoning Map consistent with the proposed changes.

Section 3. Final Plan. The City of Stanwood 2020 Comprehensive Plan update shall be transmitted to the State Department of Commerce within 10 days of final adoption as required by RCW 36.70A.106(2) and (3)(a) and shall be filed with the City Clerk's Office and shall be available for public inspection.

Section 4. Severability. If any clause, sentence, paragraph, section or part of this Ordinance of Plan adopted herein, or their application to any person or circumstance is held to be invalid or unconstitutional by a court of competent jurisdiction, such order or judgment shall not affect the validity or constitutionality of the remainder of any part of this Ordinance or Plan. To this end, provisions of each clause, sentence, paragraph, section or part of this Ordinance and Plan are declared severable.

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

ADOPTED by the City Council and APPROVED by the Mayor this _____ day of _____ 2021.

CITY OF STANWOOD

Elizabeth Callaghan, Mayor

ATTEST:

By: _____
Sara Robinson, City Clerk

APPROVED AS TO FORM:

Brett Vinson, City Attorney

Date of Publication: _____

Effective Date: _____

DRAFT

EXHIBIT A
2020 Comprehensive Plan Amendments, Rezones and Implementing Code Amendments

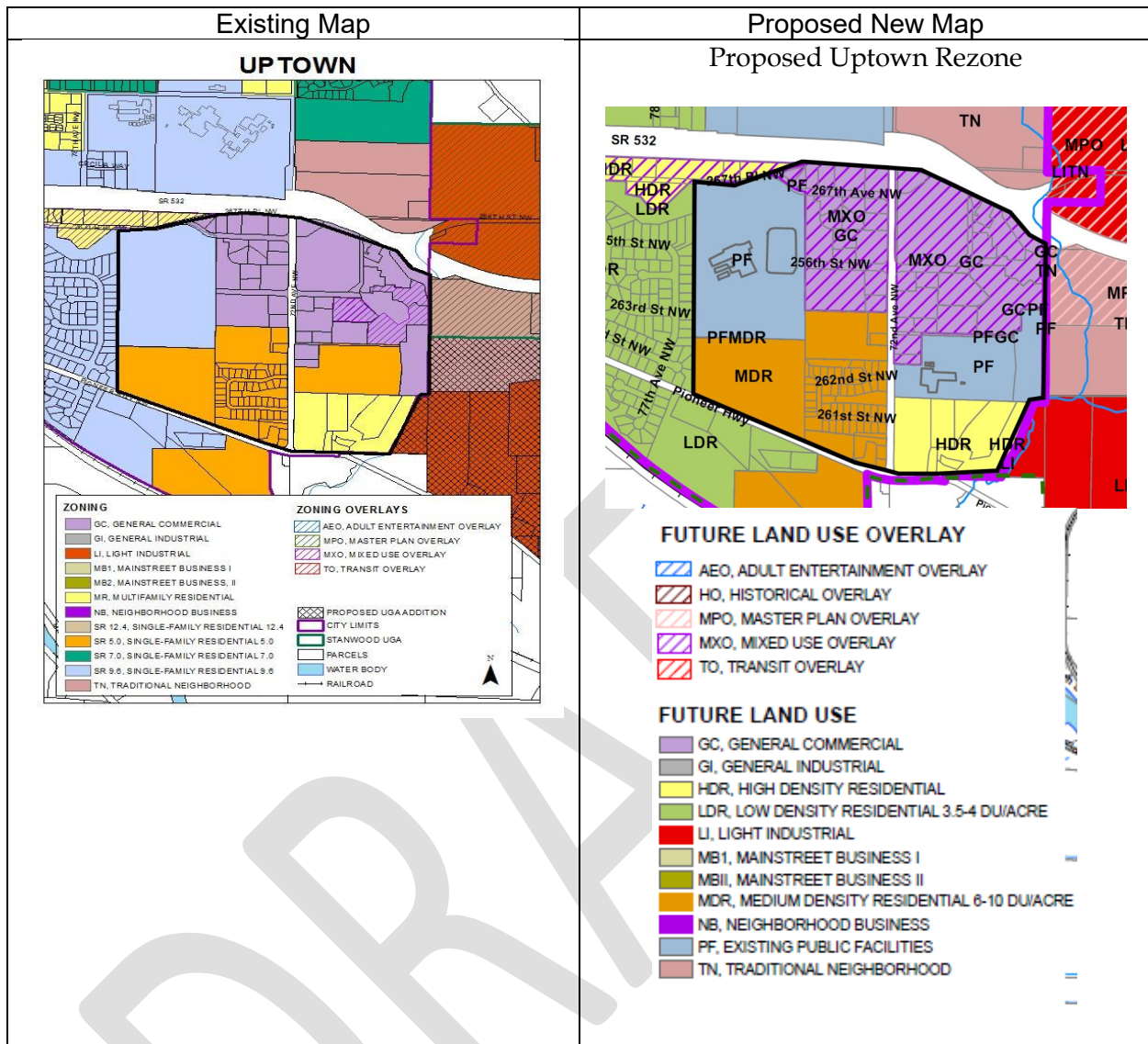
A. Future Land Use Map and Zoning Map Amendments:

1. Scott Wammack / Lisa Sather (Sather Family Trust) Comprehensive Plan Map Amendment with a concurrent rezone to add the Mixed-Use Overlay designation to 2 vacant parcels currently zoned General Commercial located south of 265th Street NW within the Haggen Complex. Parcel Numbers: 32042900204500 and 32042900207100
2. Scott Wammack / Brett Sibert Comprehensive Plan Amendment with a concurrent rezone to add the Mixed-Use Overlay designation to a vacant parcel currently zoned General Commercial located on the southwest corner of 265th Street and 72nd Avenue. Parcel Number: 32042900206000
3. City of Stanwood (271st Street) Comprehensive Plan Amendment with a concurrent rezone from Light Industrial to Mainstreet Business II along the north side of 271st Street between 92nd Avenue NW and 90th Avenue NW. Parcel Numbers: 32041900304800, 32041900305100, 32041900308700, 32041900305200, 32041900308900, 32041900305300, and 32041900302600
4. City of Stanwood Comprehensive Plan Amendment with concurrent zone of City park properties from various zoning districts to a new Parks and Open Space designation. Parks subject to this proposal include:
 - Heritage Park (Parcel Numbers: 32032400413200, 32032400400100 and 32032400304900),
 - Hamilton Landing Park (Parcel Number 32032400414600 and 32032400414700),
 - Ovenell Park (Parcel Numbers: 32032400300100, 32032400305600, 32032300401200, 32032300400700, and 32032400300300),
 - Church Creek Park (Parcel Number 32042000301800) and
 - Lions Park (Parcel Number 00470000200100).

B. Comprehensive Plan Text Amendments:

The 2020 Comprehensive Plan Amendment include the following textual amendments:

1. Amendments under Goal 10 - Uptown Center: Replace the Uptown Center Map showing new General Commercial – Mixed Use Overlay zoning district.



2. Amendments under Goal 19 – Land Use Designations: Amend policy 19.3 to revise the land use designations adding the new General Commercial – Mixed Use Overlay and Parks and Open Space designations.

LUP 19.3 Land uses shall be categorized by the following designations. It is intended that these definitions be utilized either separately where only one type of land use is determined to be appropriate, and any combination where more than one type of land use is determined to be appropriate.

A. Low Density Residential (3.5 to 5 dwelling units per acre)

This designation shall provide primarily for single-family residential development at a densities of 3.5 (in existing SR 12.4 zones only), and 5 dwelling units per acre. Compatible uses such as other large lot single family residential, hobby farms, schools, or churches are allowed.

The Low Density Residential designation is implemented by SR 12.4 (Single Family Residential 12.4), SR 9.6 (Single Family Residential 9.6) zoning.

B. Medium Density Residential (5-10dwelling units per acre)

This designation shall provide for primarily single family, duplex and townhouse residential development at a range of densities between 5 and 10 dwelling units per acre and compatible uses such as schools, churches and daycare centers where the full range of public facilities and services to support urban development exists. Integration of dwelling units in multiple family configurations may be appropriate if compatibility with nearby existing single family development can be achieved.

The Medium Density Residential designation is implemented by SR 7.0 (Single Family Residential 7.0), SR 5.0 (Single Family Residential 5.0) zoning.

C. High Density Residential (10-20 dwelling units per acre)

This designation shall provide for small lot single family and multi-family residential development at a range of densities between 10 and 20 dwelling units per acre plus compatible uses such as schools, churches, and daycare centers where a full range of public facilities and services to support urban development exists. Generally, this designation is appropriate for land which is located convenient to principal arterials and to business and commercial activity centers.

The High Density Residential designation is implemented by MR (Multi-Family Residential) zoning.

D. NB (Neighborhood Business)

This designation shall comprise retail and service businesses which serve the limited convenience shopping and personal service needs of the immediate surrounding neighborhood.

The NB designation is implemented by NB (Neighborhood Business) zoning.

E. MB (Main Street Business I)

The intent of the Main street Business I land use designation is to create a dense, mixed use, pedestrian-friendly shopping environment reminiscent in design and uses to a turn-of-the-century downtown. This designation applies to the old east and west ends of downtown Stanwood. Residential densities of 10-20 dwelling units per acre are allowed depending on unit type. Storefronts are encouraged to be located at the edge of sidewalks (adjacent to road rights-of-way). Developments should be designed so that shoppers are less dependent on the automobile. Auto-oriented uses are highly restricted. In general, zero lot line development shall be maintained with store fronts and common walls. Parking shall be located on the street or to the rear of buildings. On-street parking will be on both sides of the street, and diagonal in the east end. Public

parking areas may be necessary to assist people in leaving their cars and traveling on foot.

The MB I designation is implemented by MB I (Main Street Business I) zoning.

F. MB II (Main Street Business II)

The intent of the Main Street Business II land use designation is to create an area attracting new commercial uses that may require larger land areas and more parking than available in the historic MB I designated areas of Stanwood. MB II is proposed to include high density commercial, office and other business functions to provide a full range of business activities and urban services in the Downtown Center of Stanwood. Mixed use and high density residential uses are also encouraged. This designation is intended to accommodate the automobile by providing parking to the back and side of structures, while still supporting the pedestrian scale by pulling buildings close to the street and providing a pedestrian entry at the sidewalk. The designation allows for more auto-oriented land uses and allows greater height and density than in the Main Street Business I District. Residential densities of 30-60 dwelling units per acre are allowed and LEED certification level and parking allocations.

The MB II designation is implemented by MB II (Main Street Business II) zoning.

G. GC (General Commercial)

This designation comprises more intensive retail and service uses than described in the MB II designation above. General commercial uses typically require outdoor display and/or storage of merchandise that tend to generate noise as part of the operation. Such uses include, but are not limited to, auto, boat and recreational vehicle sale lots, tire and muffler shops, equipment rental, mini-warehouses and vehicle storage. Many of the businesses allowed in the MB II district are also allowed in this district.

The GC designation is implemented by GC (General Commercial) zoning.

H. **GC-MXO (General Commercial With Mixed Use Overlay)**

The intent of the Mixed Use Overlay is to create areas in which a combination of residential, commercial, office and service uses are encouraged. This designation is meant to provide incentives for the development of high-density multi-family housing (a) close to transportation facilities, public services and employment centers; and (b) to encourage commercial uses serving residential populations. Mixed use developments will increase the range of housing choices available, encourage small scale commercial in residential areas, support pedestrian-oriented development, reduce automobile dependency, and improve sense of community. Mixed-use developments may include: 1) vertical mixed use with commercial / retail space on the bottom floor and residential above; or 2) horizontal mixed use buildings where commercial building(s) face the street frontage and standalone multifamily buildings are located behind and setback from the commercial / retail buildings.

I. LI (Light Industrial)

The intent of the Light Industrial land use designation is to create a district that permits activities involved in the manufacture, repair, or service of goods, or products that are conducted with minimal adverse impact on the environment and the general community. The LI zone is intended to accommodate a variety of light industrial uses and protect this area from other uses that may interfere with the purpose and efficient operation of the light industrial complexes. Industrial, commercial, retail business or agricultural uses desiring to locate in the LI zone must meet the architectural and performance standards for this district. The LI uses shall not adversely affect the health and safety of adjacent non-industrial and residential neighborhoods.

The LI designation is implemented by LI (Light Industrial) zoning.

J. GI (General Industrial)

This designation comprises more intensive industrial type uses which are not permitted in the Light Industrial zone and do not conform to the LI architectural and performance standards. Some activities would require equipment, devices or technology for the control of odors, dust, fumes, smoke, noise, or other wastes and/or by-products. If uncontrolled, these by-products would contaminate the environment to a degree that would exceed the acceptable limits established by competent and recognized public and quasi-public agencies. Examples of potential GI land uses would be animal slaughtering, care of livestock, storage, manufacturing or sale of highly volatile or otherwise hazardous substances or materials. The GI uses shall not adversely affect the health and safety of adjacent non-industrial and residential neighborhoods.

The GI designation is implemented by GI (General Industrial) zoning.

K. PF (Public Facilities)

This designation is applied to lands that are used as public utilities and facilities, including parks, schools, railroad, and the waste water treatment plant.

The PF designation is implemented by ~~SR 7.0 (Single Family Residential 7.0), SR 9.6 (Single Family Residential 9.6) and GI (General Industrial) zoning~~ **the underlying zoning for public uses and the Parks and Open Space (POS) zoning for park facilities.**

L. Traditional Neighborhood (TN)

The purpose of the Traditional Neighborhood land use designation is to provide an alternative to typical residential developments. Developments in the Traditional Neighborhood designation are intended to develop in a higher density, mixed-use fashion more typical of older neighborhoods. It features requirements for common open space, through streets and a mix of housing types. This designation shall provide for residential development at densities of

10-20 dwelling units per acre. An allowance for commercial development shall also be allowed.

The TN designation is implemented by TN (Traditional Neighborhood) zoning.

M. Historic Overlay (HO)

The purpose of the Historic Downtown Overlay is to recognize the historical character of site planning, street grid, architecture and building scale of structures in East District and West District commercial nodes. Within the Historic Overlay the City will allow flexible interpretations of standards to encourage re-investment in, re-use and maintenance of structures that display historic period architectural character and scale. The architectural styles representative of commercial and residential buildings that existed from 1890 through the 1920s should be maintained.

N. AEO (Adult Entertainment Overlay)

This land use designation is designed to allow uses classified as adult entertainment in an appropriate area of the city. In the area(s) allowing adult entertainment, all permitted uses established in the underlying land use designation shall be allowed (except where specified land use conflicts may arise).

O. MUO (Mixed Use Overlay)

The intent of the Mixed Use Overlay is to create areas in which a combination of residential, commercial, office and service uses are encouraged. This designation is meant to provide incentives for the development of high-density multi-family housing (a) close to transportation facilities, public services and employment centers; and (b) to encourage commercial uses serving residential populations. Mixed use developments will increase the range of housing choices available, encourage small scale commercial in residential areas, support pedestrian-oriented development, reduce automobile dependency, and improve sense of community. The mixed use overlay is implemented in combination with General Commercial and Multifamily Residential underlying zoning. ~~Within mixed use buildings residential use may be developed at a density not to exceed 24 units per acre in the general commercial zone. Height and building coverage incentives are provided to encourage commercial uses and parking garages. Nonresidential use is required on portions of the first floor. Light industrial and service uses allowed within the underlying zoning are permissible within a mix use building in the commercial zone.~~

P. TO (Transit Overlay)

The Transit Overlay Designation is intended to support and re-vitalize the area surrounding the Downtown Center Amtrak Station. The existing land use pattern in this area is pre WWII and already displays an interconnected street pattern and contiguous business storefronts with many historic structures. A significant opportunity for re-vitalization of this area is anticipated as a result of new passenger service connecting Stanwood to Vancouver BC and Seattle. The

intent of this land use designation is to perpetuate the existing pattern of land use, promote re-investment in the area and encourage other forms of transportation besides the automobile, including bicycles, trains, buses, para-transit, and walking to serve local businesses by providing easy pedestrian access to shopping. Carpooling is also encouraged. Uses encouraged in this zone include public transit stations, park-and-ride lots, personal service establishments, entertainment, restaurants and small-scale retail. In the areas designated for transit-oriented development, all uses allowed in the underlying land use designation will be permitted.

Q. Master Plan Overlay (MPO)

The purpose of the Master Plan Overlay is to ensure early coordination and planning for certain key gateways to the City of Stanwood and are particularly important to the city's image and future development. The intent of the overlay is to provide for an early planning process that guarantees appropriate development under the intent and regulations of the underlying zoning district as defined in the city's comprehensive plan and the city's zoning code. Properties designated with the MPO are required to annex and develop a master plan for the site prior to issuance of permits or certificates of availability for utilities.

R. Parks and Open Space (POS)

The Parks and Open Space zoning designation is applied to lands which are to be maintained as park space or natural open spaces in perpetuity by the City. Many of these lands have underlying contractual agreements with either the Washington State Recreation and Conservation Office, Conservation Futures Easements, or critical area easements. The POS designation should be applied to public park properties identified in the City's Parks, Recreation and Open Space Plan.

[Staff Note: The alphabet order of the land use designations has been adjusted to reflect the additions]

3. Amendments to Capital Improvement Element: Amend the Summary of Revenues and Expenditures text and delete Table CF-20 and replace it with the six year Capital Improvement Plan for the years 2021-2026.

Summary of Revenues and Expenditures

In order to comply with the Act, a balance must be maintained between the costs of the needed capital facilities projects and the probable funding for those projects. Table CF-20 provides a summary of the revenues and expenditures that are available to fund the projects in the 2015-2020 ~~2021 – 2026~~ Capital Improvement Plan.

Projects in the 6-year Capital Improvement Plan (CIP) require detailed analysis of construction costs and financing requirements to ensure their feasibility. The 6-year CIP should only include projects for which revenue sources have been identified and shall be reviewed annually and, if necessary, revised to accommodate new or revised information or priorities. The City practice will be to adopt a new capital improvement plan every two

years by City Council ordinance during the biennial budget process. Therefore the most recent version of the Stanwood Capital Improvement Plan is expressly incorporated into this Capital Facilities Element of the City of Stanwood Comprehensive Plan as the basis for future project funding decisions as provided for by the Growth Management Act. An amendment to the Comprehensive Plan is not necessary to update the 6-year CIP during the adopted planning period.

Also, the City annually prepares and adopts a six-year Transportation Improvement Plan (TIP). This plan lists street and non-motorized projects, and revenue sources. This plan is prepared for transportation project scheduling, prioritization and grant eligibility purposes.

Table CF-20
2021-2026 Planning Period
Six Year Capital Improvement Plan

City of Stanwood - Comprehensive Plan - Capital Facilities Capital Improvement Plan 2021-2026									
Project Name	Overall Capital Investment	Prior	2021	2022	2023	2024	2025	2026	Community Priority
Port Susan Trail	\$ 3,842,710	\$ 338,710	\$ 515,000	\$ 734,000	\$ 450,000	\$ 200,000	\$ 1,605,000	\$ -	Enhance Parks & Recreation
Heritage Park	\$ 3,330,635	\$ 2,680,635	\$ -	\$ 100,000	\$ 200,000	\$ 100,000	\$ 250,000	\$ -	
Hamilton Park	\$ 1,671,931	\$ 631,931	\$ 1,000,000	\$ 40,000	\$ -	\$ -	\$ -	\$ -	
Ovenell Park	\$ 3,967,605	\$ 1,662,605	\$ -	\$ 200,000	\$ 250,000	\$ 355,000	\$ 1,500,000	\$ -	
Johnson Farm Park	\$ 850,000	\$ 500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 350,000	
Church Creek Park	\$ 590,000	\$ 150,000	\$ -	\$ 440,000	\$ -	\$ -	\$ -	\$ -	
Downtown Park	\$ 1,370,000	\$ 30,000	\$ 200,000	\$ 140,000	\$ -	\$ 1,000,000	\$ -	\$ -	
Civic Campus	\$ 769,640	\$ 619,640	\$ 100,000	\$ 50,000	\$ -	\$ -	\$ -	\$ -	Support a Sustainable Local Economy
City Beautification	\$ 2,570,000	\$ -	\$ 150,000	\$ 185,000	\$ 155,000	\$ 530,000	\$ 530,000	\$ 1,020,000	
Street Annual Overlays	\$ 3,037,500	\$ 317,000	\$ 344,500	\$ 439,500	\$ 588,500	\$ 410,000	\$ 510,000	\$ 428,000	Build Safe Streets
Sidewalk Installations	\$ 2,919,612	\$ -	\$ 250,000	\$ 175,000	\$ 635,000	\$ 650,000	\$ 789,842	\$ 419,770	
SR532 Intersections	\$ 7,000,000	\$ -	\$ -	\$ 525,000	\$ 275,000	\$ 2,700,000	\$ 525,000	\$ 2,975,000	
106th Bypass	\$ 3,500,000	\$ -	\$ -	\$ 330,000	\$ 700,000	\$ 2,470,000	\$ -	\$ -	
101st Street Reconstruction	\$ 2,758,000	\$ 250,000	\$ 660,000	\$ 1,848,000	\$ -	\$ -	\$ -	\$ -	
80th Avenue Reconstruction	\$ 7,030,000	\$ -	\$ -	\$ -	\$ 1,406,000	\$ 703,000	\$ 4,921,000	\$ -	
284th Street Reconstruction	\$ 6,220,000	\$ -	\$ -	\$ -	\$ 500,000	\$ 744,000	\$ 622,000	\$ 4,354,000	
Main Street Corridor	\$ 3,450,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,450,000	
Viking Way	\$ 5,743,896	\$ 4,243,896	\$ 200,000	\$ 300,000	\$ 1,000,000	\$ -	\$ -	\$ -	Protect the Environment
Pioneer Hwy Sewer Main	\$ 2,819,190	\$ 219,190	\$ 900,000	\$ 1,700,000	\$ -	\$ -	\$ -	\$ -	
Church Creek Gravity Main	\$ 1,175,000	\$ 150,000	\$ 1,025,000	\$ -	\$ -	\$ -	\$ -	\$ -	
68th Ave Collection	\$ 2,000,000	\$ -	\$ -	\$ -	\$ 2,000,000	\$ -	\$ -	\$ -	
72nd Ave Collection	\$ 500,000	\$ -	\$ -	\$ -	\$ -	\$ 500,000	\$ -	\$ -	
Cedarhome Collection	\$ 175,000	\$ -	\$ -	\$ -	\$ -	\$ 175,000	\$ -	\$ -	
Main Lift Station Upgrade	\$ 2,313,350	\$ 391,350	\$ 1,922,000	\$ -	\$ -	\$ -	\$ -	\$ -	
WWTP BioSolids	\$ 4,600,000	\$ 300,000	\$ 300,000	\$ 2,000,000	\$ 2,000,000	\$ -	\$ -	\$ -	
Irvine Slough (IS4) Drainage	\$ 10,797,920	\$ 1,997,920	\$ 1,800,000	\$ 1,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ -	
Water Telemetry Upgrade	\$ 200,000	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ -	
Capital Budget Total	\$ 85,201,989	\$ 14,482,877	\$ 9,566,500	\$ 10,206,500	\$ 12,159,500	\$ 12,537,000	\$ 13,252,842	\$ 12,996,770	

C. Zoning Code Text Amendments:

The proposed implementing zoning code changes fall into four general categories:

1. *Adoption of new General Commercial – Mixed Use Overlay Zoning Regulations.* The purpose of creating this new zoning category is to expand existing overlay over the commercial area in the Uptown Center Area, but not have the overlay apply to the other General Commercial zones in the city. It also eliminates the need to amend the Comprehensive Plan or require a rezone for any future proposed mixed use developments in the Uptown Center. The permitted use matrix and development standards were updated to create this new zone.
2. *Adoption of new Parks and Open Space Zoning Regulations.* Creation of a new Parks and Open Space land use and zoning designation requires the adoption of associated permitted uses and development standards.
3. *Amendments to the Building Height for Mixed Use and Multifamily Developments.* Building heights were slightly increased to allow for the construction of pitched roofed structures. Over time, building standards have changed from standard 8-9 foot ceilings to 12 foot ceiling heights. In addition, building in the flood plain requires that the living area of the structure be one foot above base flood elevation. Building heights have not been evaluated or adjusted to coincide with these changes. The proposed changes in the building height does not increase density or allow for additional floors, but instead allows the construction of pitched roofs consistent with northwest craftsman designs versus building flat roofed buildings.
4. *Minor Code “Scrub” Amendments.* Minor changes are being proposed to the permitted use matrix to eliminate inconsistency with other development code sections. The allowance of self-storage units was eliminated from the Mixed Use Overlay zone to ensure the commercial floor is occupied with uses consistent with the vision of pedestrian friendly retail / commercial developments.

The full text of the zoning code amendments are contained in the accompanying Ordinance 1492.

D. Future Land Use Map

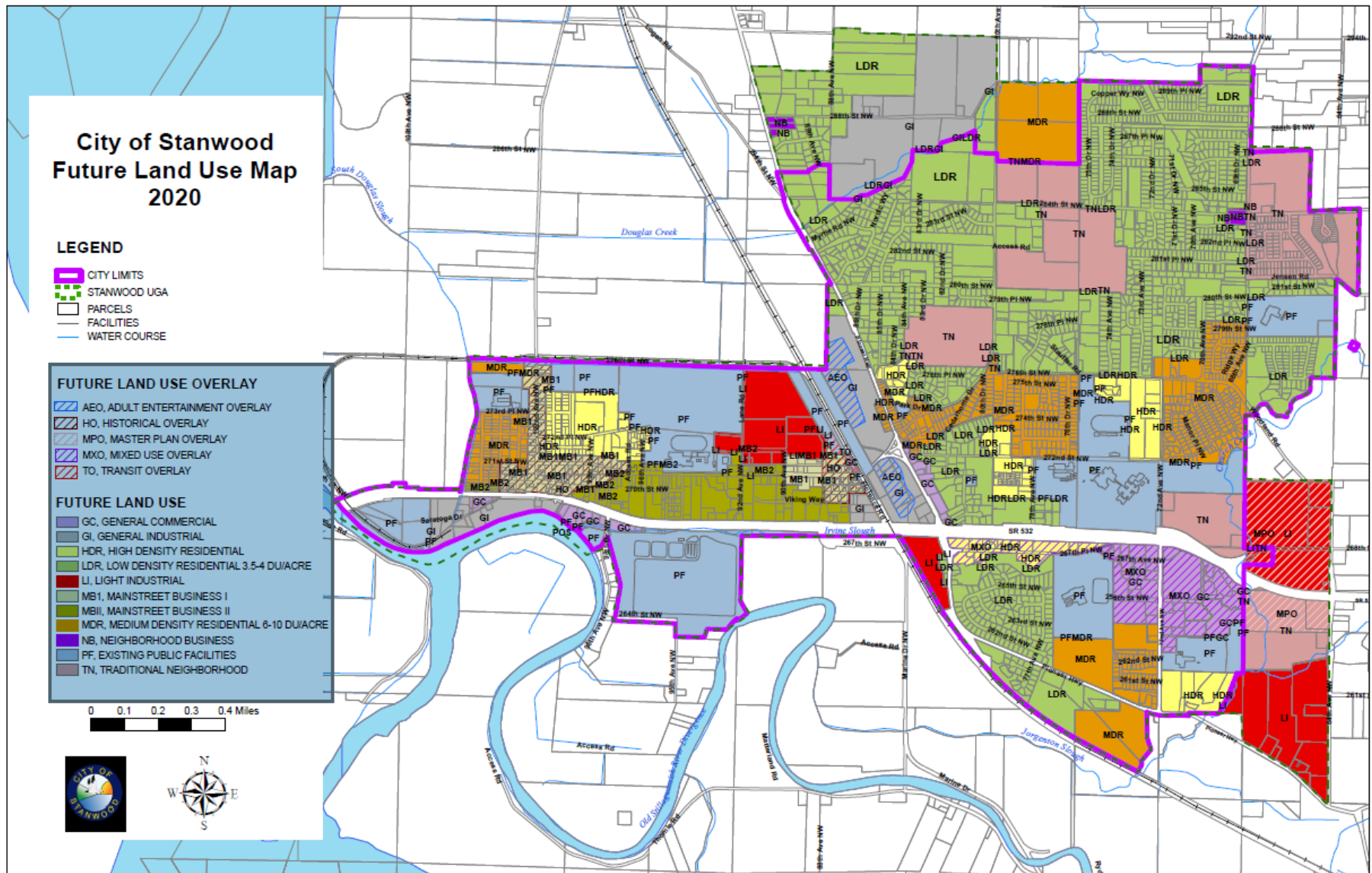


EXHIBIT B
Planning Commission Findings of Fact and Conclusions



City of Stanwood
10220-270TH Street NW
Stanwood, WA 98292

City of Stanwood, Washington

2020 Comprehensive Plan Amendment and
Implementing Zoning Regulations

Findings of Fact and Conclusions of Law

A. GENERAL INFORMATION

File Number(s):	2020-0160
Project Summary:	2020 Comprehensive Plan Amendment, Zoning Map Amendments and Implementing Zoning Regulations
Applicant:	City of Stanwood
Location:	Applies Throughout the City of Stanwood Jurisdictional Limits
Staff Contact:	Patricia Love, Community Development Director

B. BACKGROUND AND DESCRIPTION OF PROPOSAL

The Growth Management Act of the State of Washington requires “early and continuous” public participation in the city’s review and adoption of comprehensive plans and development regulations. One planning tool used to meet the “early and continuous” standard is the Docket process. The “Docket” is a public participation procedure required by state law (GMA) that allows residents the opportunity to request amendments to the City’s comprehensive plan and development regulations on an annual basis. The 2019 / 20202 docket application period ran from August 1 through August 31, 2019 and resulted in several rezone requests and city initiated amendments.

All amendments to the Comprehensive Plan shall be considered concurrently and no more than once per year, except in the event of an emergency, so that their cumulative effects can be ascertained. The 2020 Comprehensive Plan Amendment includes the following Future Land Use Map (FLUM) amendments, Zoning Map Amendments and implementing zoning regulation amendments:

1. Scott Wammack / Lisa Sather (Sather Family Trust)
Comprehensive Plan Map Amendment with a concurrent rezone to add the Mixed-Use Overlay designation to 2 vacant parcels currently zoned General Commercial located south of 265th Street NW within the Haggen Complex. Parcel Numbers: 32042900204500 and 32042900207100
2. Scott Wammack / Brett Sibert
Comprehensive Plan Amendment with a concurrent rezone to add the Mixed-Use Overlay designation to a vacant parcel currently zoned General Commercial located on the southwest corner of 265th Street and 72nd Avenue. Parcel Number: 32042900206000

3. City of Stanwood (271st Street) Comprehensive Plan Amendment with a concurrent rezone from Light Industrial to Mainstreet Business II along the north side of 271st Street between 92nd Avenue NW and 90th Avenue NW. Parcel Numbers: 32041900304800, 32041900305100, 32041900308700, 32041900305200, 32041900308900, 32041900305300, and 32041900302600
4. City of Stanwood Comprehensive Plan Amendment with concurrent zone of City park properties from various zoning districts to a new Parks and Open Space designation. Parks subject to this proposal include:
- Heritage Park (Parcel Numbers: 32032400413200, 32032400400100 and 32032400304900),
 - Hamilton Landing Park (Parcel Number 32032400414600 and 32032400414700),
 - Ovenell Park (Parcel Numbers: 32032400300100, 32032400305600, 32032300401200, 32032300400700, and 32032400300300),
 - Church Creek Park (Parcel Number 32042000301800) and
 - Lions Park (Parcel Number 00470000200100).
5. City of Stanwood Comprehensive Plan Text and Map amendment to reflect the proposed rezone amendments including amendments to the Land Use and Housing Elements. Amendments also include extending the Mixed-Use Overlay zone over all General Commercial zone properties in the Uptown Center.
6. City of Stanwood Zoning code amendments implementing the rezones including: creating a new Parks and Open Space (POS) zoning district and amendments to the building height and density requirements of the Mixed-Use zoning overlay and the Multi-Family Residential zoning designation.
- As part of this process the City may be considering the following:
- 40-foot building height in the Multi-Family Residential zones, which would allow for three story buildings.
 - 50-foot building height in the Mixed-Use zoning overlay, which would allow for four story buildings.
 - Density that is controlled by height, parking, landscaping, park/open space requirements of the code instead of a set number for the Mixed-Use zoning overlay.
7. City of Stanwood Amendments to the Capital Facilities Element of the Comprehensive Plan to update both the 6-year and 20-year Capital Improvement Plan project lists.

C. COMPREHENSIVE PLAN AMENDMENT CRITERIA (SMC 17.157.080)
ZONING MAP MODIFICATION CRITERIA (SMC 17.155.0909(1))

The city may approve, or approve with modifications or conditions, an application for a Comprehensive Plan amendment or Zoning Map Modification if:

(a) The amendment / zoning reclassification bears a substantial relation to the public health, safety, or welfare;

The State of Washington adopted the Growth Management Act in 1990 to manage growth under a consistent set of statewide goals and policies. The Act originally contained 13 goals that provided guidance to local governments on how to manage: population growth, housing, transportation systems, utilities and other public infrastructure. The City of Stanwood adopted its first GMA compliant Comprehensive Plan on June 1, 1996. Subsequent amendments to the Plan have been adopted through the years as deemed warranted due to changing circumstances or as required by state mandates.

The 2015-2035 Comprehensive Plan establishes a moderate growth scenario that expects the city to reach a population of 10,116 (or 11,085 inclusive of the Urban Growth Area) by 2035. Associated with this growth scenario is the expected density and type of development necessary to reach this population projection. The city anticipated future growth to include a combination of residential and mixed-use developments. The very first policy of the Comprehensive Plan - Land Use Policy 1.1 states that the City shall “establish a density lot size and road access standards that create incentives for infill development in urban areas that are either underdeveloped or underutilized”.

The proposed rezones add approximately 286-404 infill housing units which falls within the moderate growth scenario as adopted in the Comprehensive Plan and helps the City meet its growth targets without major changes to the city’s residential zones. The proposed land use designations and rezones are consistent with the Comprehensive Plan growth and development strategies and therefore meets the criteria that the amendments bears a substantial relation to the public health, safety, or welfare.

(b) The amendment / zoning reclassification is warranted because of changed circumstances or because of a need for additional property in the proposed Comprehensive Plan or zoning designation or because the proposed amendment is appropriate for reasonable development of the subject property.

The City’s Comprehensive Plan plans for future growth out to 2035. In addition, the Puget Sound Regional Council’s growth strategies call for an additional 9% growth by the year 2050 in the cities and towns category that applies to Stanwood. The 2015 Comprehensive Plan identifies a city wide population of 10,116 people by 2035. Adding a projected 9% growth on that figure brings the City’s 2050 projected growth target to 11,026. Using the Snohomish County Tomorrow 2020 Growth Monitoring Report as guidance for considering projects that add new growth to the City, the report shows that the City is falling below its 2035 population growth target. If cities fall below their growth targets, they are required by state law to evaluate options to increase density through comprehensive plan amendments or changes in municipal codes that encourage in-fill development.

At a Planning Café held in 2019 the public was asked: “where would you put future growth in Stanwood”. In response the community located new housing and population growth in mixed-use developments in the City’s existing commercial zones. Adding the Mixed Use Overlay to the entire General Commercial zoning district in the Uptown Center District provides additional opportunities to convert some of the vacant storefronts into mixed use buildings consistent the Comprehensive Plan while helping to meet the City’s population and housing targets without negatively impacting existing single family residential zones. The 271st Street rezone also implements mixed use zoning consistent with the Downtown Subarea Plan.

These proposed amendments and rezones are consistent with the vision of the Comprehensive Plan and the future zoning as envisioned by the public at the Planning Café. These amendments also fulfill the state mandate to evaluate “reasonable measures” to encourage in-fill development and strategies to meet projected population targets.

(c) The subject property is suitable for development in conformance with standards under the proposed Comprehensive Plan designation and with zoning standards under the proposed zoning classification.

The proposed rezones sites are either existing developed sites (parks and 271st Street rezones) or infill developable sites (three Wammack sites). Future uses of the rezones sites are anticipated to be general commercial, retail, restaurant, residential or park uses; all of which are consistent with the Comprehensive Plan’s vision of providing housing and urban services to city residents.

(d) The amendment and rezones will not be materially detrimental to uses or property in the immediate vicinity of the subject property;

The proposed uptown mixed use rezone is located in a general commercial zoning district with uses that range from mixed-use residential buildings, senior housing, grocery store, restaurants, YMCA, office and service uses. The 271st rezone properties are developed with commercial use buildings, parking lots and standard landscaping. Lastly, the park rezones to Parks and Open Space acknowledges the current use of the properties.

The cumulative effect of the proposed rezones support the city’s needed housing and population targets without negatively impacting the surrounding neighborhoods. Subsequent development of the rezones sites will be subject to the City’s, development regulations, concurrency standards and traffic impact mitigation fees. Site specific road / traffic improvements will be evaluated at the time of actual development.

The comprehensive plan amendments and rezones are consistent with existing uses and surrounding uses and would therefore not be detrimental to adjacent properties.

(e) The proposed Comprehensive Plan amendment / zoning reclassification has merit and value for the community as a whole; and

The proposal is consistent with the City’s land use policies and adds housing units consistent with the City’s 2023 growth target and the Puget Sound Regional Council population growth targets for the cities and towns category. The rezones also allow the properties to be developed similarly to surrounding properties. Adding housing in commercial areas encourages walkability with less dependence on the automobile for small, everyday errands. It also reduces impacts on existing family residential neighborhoods that could result from major land use changes if the City cannot meet its projected population and housing targets.

(f) The proposed amendment is consistent with the goals and policies of the Comprehensive Plan.

The proposals are consistent with the Stanwood 2015-2035 Comprehensive Plan policies as follows:
Uptown Center Comprehensive Plan Policies:

LUP 10.3:	Allow a variety of retail, service, office and other commercial uses as well as mixed use, senior housing and assisted living residential uses in the Uptown Center.
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- LUP 10.4: Allow surface parking to accommodate an auto-oriented shopping center in the Uptown Center and site planning, with no restrictions on the location of parking.
- LUP 10.5: Allow shared parking and off-site parking in the Uptown Center when approved by the City.
- LUP 10.6: Encourage mixed use development within the Center.

271st Street Rezone Comprehensive Plan Policies:

- LUP 4.1: Allow a mix of residential, office, retail, entertainment and service uses to serve incorporated Stanwood, unincorporated Snohomish County and Camano Island in Island County.
- LUP 4.3: Allow light industrial use in areas without strong access for retail or service uses.
- LUP 4.7: Encourage outdoor dining, outdoor street furniture and temporary outdoor displays that create interest and activity.
- LUP 5.5: Encourage small scale specialty retail along the front of 271st Street. Encourage larger-scale retail and service uses between 271st Street (behind store fronts) and SR 532. [Note: Staff made the following language correction to the policy: changing 271st Avenue to 271st Street.]

Parks Rezones Comprehensive Plan Policies:

- LUP 2.10: Encourage preservation of open space and recreational opportunities.

In addition to the Future Land Use Map (FLUM) and Zoning Map changes, minor amendments are being proposed to the Land Use Element of the Comprehensive Plan to implement the land use designation changes. The largest change in land use is changing out the existing park properties from their underlying zoning (91.81 acres) to the proposed new Parks and Open Space zoning designation. Note that the entirety of the Land Use Element's land use inventory is not being updated at this time but will be included in the 2024 Major Comprehensive Plan update as the 2015-2035 Land Use Inventory is based on 2012 data which does not reflect current conditions.

(g) The reclassification complies with all other applicable criteria and standards of the Stanwood Municipal Code.

To fully implement the proposed Comprehensive Plan amendments and rezones, a few amendments are needed to the Stanwood Municipal Code to ensure consistency between the Plan and implementing zoning regulations as required by the Growth Management Act. Two new zoning categories are proposed implement the comprehensive plan land use designations consistent with the requirements of the Growth Management Act: General Commercial – Mixed Use Overlay (GC-MXO) and Parks and Open Space (POS). Other amendments include changes to the permitted use matrix, bulk standards, mixed-use overlay regulations provide additional standards to ensure that future projects are developed according to the City's vision of creating mixed-use pedestrian friendly neighborhoods.

D. CODE AMENDMENT CRITERIA (SMC 17.155.090(2))

The city may approve or approve with modifications amendments to the text of the zoning code if:

(a) The purpose and desired effect of the proposed Comprehensive Plan Amendment and zoning reclassification are consistent with the Stanwood Municipal Code;

The proposed implementing zoning code changes fall into four general categories:

5. Adoption of new General Commercial – Mixed Use Overlay Zoning Regulations. The purpose of creating this new zoning category is to expand existing overlay over the commercial area in the Uptown Center Area, but not have the overlay apply to the other General Commercial zones in the city.

The properties subject to the Mixed-Use Overlay are currently zoned General Commercial which allows for general commercial and retail uses; the rezone would allow residential uses in conjunction with the commercial / retail uses similarly to those in the Hagen Shopping Center Complex. The proposal is consistent with the surrounding uses and with the Comprehensive Plan to encourage in-fill development with mixed-use buildings. Adding the Mixed Use Overlay to the entire General Commercial zoning district in the Uptown Center District provides additional opportunities to convert some of the vacant storefronts into mixed use buildings consistent with City policies for the district while helping to meet the City's Growth Management population and housing targets without negatively impacting existing single family residential zones. The amendments also eliminate the need to amend the Comprehensive Plan or require a rezone for any future proposed mixed use developments in the Uptown Center. The permitted use matrix and development standards were updated to create this new zone.

6. Adoption of new Parks and Open Space Zoning Regulations. Creation of a new Parks and Open Space land use and zoning designation requires the adoption of associated permitted uses and development standards. Currently all of our public parks are managed under various zoning districts – ranging from Single Family Residential to General Industrial. The City has received state funding for most of these parks from the Recreation and Conservation Office and have also purchased properties with Snohomish County Conservation Easement Funds which require these properties to be held in public ownership in perpetuity. By creating a new POS zoning category, the public and future law makers can easily see where the City's parks and open space areas are located in the city as well as the uses are allowed in park properties and facilities.
7. Amendments to the Building Height for Mixed Use and Multifamily Developments. Building heights were slightly increased to allow for the construction of pitched roofed structures. Over time, building standards have changed from standard 8-9 foot ceilings to 12 foot ceiling heights. In addition, building in the flood plain requires that the living area of the structure be one foot above base flood elevation. Building heights have not been evaluated or adjusted to coincide with these changes. The proposed changes in the building height does not increase density or allow for additional floors, but instead allows the construction of pitched roofs consistent with northwest craftsman designs versus building flat roofed buildings.
8. Minor Code "Scrub" Amendments. Minor changes are being proposed to the permitted use matrix to eliminate inconsistency with other development code sections. The allowance of self-storage units was eliminated from the Mixed Use Overlay zone to ensure the commercial floor is occupied with uses consistent with the vision of pedestrian friendly retail / commercial developments.

(b) There is a positive relationship to the public health, safety and welfare of the community; and

The proposed amendments provide clear guidance and standards for future development in the mixed use and parks zoning districts which is intended to provide the public and future developers with clear expectations on city requirements and development standards.

(c) The proposed amendment is consistent with the Stanwood Comprehensive Plan.

Stanwood's Comprehensive Plan envisions a strong community that provides urban services while preserving its rural community heritage. The Plan envisions a community with diverse commercial districts and a variety of housing types ranging from detached single family residential homes to mixed use commercial developments. The Comprehensive Plan's policies support the proposed 2020 Comprehensive Plan Amendments, rezones and associated implementing code amends.

LUP 2.10:	Encourage preservation of open space and recreational opportunities.
LUG 10:	Develop a second commercial and mixed use base in the Uptown Center as a focal point for the newly developing part of the City.
LUP10.5:	Encourage mixed use development with the [Uptown] Center.
LUP 19.1:	Plan for a balanced mix of land uses based on land availability and the capacity to provide public services.
EDP-6.1	Ensure that City licensing and permitting procedures and development regulations are coherent, fair, and expeditious.

E. FINDINGS OF FACT

1. Under the Growth Management Act (Chapter 36.70A RCW), the city may amend its Comprehensive Plan and Land Use Map once per year through the annual "Docket" process. The city accepts annual amendment requests until August 31st of each year for consideration.
2. The "Docket" is the vehicle by which the City and other public agencies, private owners, developers, community groups, or individual citizens request changes to the land use designations of property and/or propose changes to the elements, goals, and policies of the Comprehensive Plan.
3. The Docket process affords the opportunity to refine the Comprehensive Plan based on changing conditions and community needs.
4. The City Council considered the 2019 Docket applications on October 24, 2019 and forwarded those requests to the Planning Commission to evaluate and formulate a recommendation to either approve, approve with modifications or deny.
5. In order to formally process the 2020 Docket, applicants were required to submit their formal rezone applications by February 3, 2020. Five (5) applications were received: Three by Scott Wammack for mixed-use rezones in the Uptown Center District, and two (2) by the City of Stanwood to rezone a portion of 271st Street from Light Industrial to Commercial and to create a new Parks and Open Space zoning district for the City's park lands.

6. A Notice of Application was issued for the proposed amendments with a 30 day comment period ran from March 31 through April 30th. All property owners within 300 feet of the rezones were noticed of the proposed rezone requests.
7. Due to COVID-19 the processing of the amendments was put on hold in May of 2020 as the City was not permitted to hold formal public hearings per the guidance provided by the Governor's Office for ordinary and routine business. This guidance has been recently revised to allow cities to hold virtual public hearings which makes the processing of these amendments possible.
8. Pursuant to RCW 36.70A. 106, on October 9, 2020 the City notified the State of Washington of its intent to adopt amendments to its Comprehensive Plan and development regulations.
9. The City of Stanwood SEPA Responsible Official reviewed the amendments and issued a Determination of Non-significance (DNS) on October 13, 2020.
10. Stanwood's 2015 – 2035 Comprehensive Plan supports the 2020 Comprehensive Plan and municipal code amendments:
 - Land Use Policies 10.3 – 10.6 to encourage mixed use development in the Uptown Center Business District.
 - Land Use Policies 4.1, 4.3, 4.7, and 5.5 to maintain commercial zoning along 271st Street as part of the City's Main Street concepts and the Downtown Subarea Plan.
 - Land Use Policy 2.10 in support of preserving park space.
11. The Planning Commission considered the amendments at several meetings including: September 9, 2019, September 28, 2020, October 12 and 26, 2020 and November 9, 2020.
12. Staff prepared a report summarizing the proposed amendments. This report is part of the public record and was presented to the Planning Commission at the public hearing on November 16, 2020 for their consideration.
13. The Planning Commission held a public hearing on November 16, 2020 and considered all relevant matters, and heard all parties in support or opposition, and subsequently forwarded a recommendation to the City Council.
14. The Wammack rezone properties are currently zoned General Commercial which allows for general commercial and retail uses; the rezone would allow residential uses in conjunction with the commercial / retail uses within the entirety of the General Commercial zone in the Uptown Center District similarly to those in the Haggen Shopping Center Complex south of SR 532. The proposal is consistent with the surrounding uses and the Comprehensive Plan to allow mixed use development in the Uptown Center District.
15. The proposed 271st Street rezone properties are developed with commercial use buildings, parking lots and standard landscaping. The City's planning policies suggest this area should be a commercial district connecting the two historic downtowns and would avoid industrial uses along the City's "main street". The proposed rezone is consistent with this vision.

16. The park rezones do not change the underlying use of the properties, but provides a protective zoning designation which clearly shows the public that these lands are intended to stay in park and open space use in perpetuity.
17. Code amendments are necessary to implement the comprehensive plan land use designations. The Growth Management Act requires consistency between the Comprehensive Plan and development regulations. The amendments to the permitted use matrix, bulk standards, mixed-use overlay regulations provide additional standards to ensure that future projects are developed according to the City's vision of creating mixed-use pedestrian friendly neighborhoods.
18. The City of Stanwood has an adopted Level of Service E for traffic impacts on all arterial / collector roadways which relates to the acceptable delay time of 80 seconds at intersections. The traffic analysis prepared for the Uptown rezones showed that the proposed mixed use developments would change the intersection wait time from approximately 33 seconds to 40 seconds, well below the adopted maximum wait time of 80 seconds. Since the proposed wait time on the three rezones is far below the adopted Level of Service, it is not anticipated that applying the mixed use overlay to the entire General Commercial zoning district will drop the wait time below the adopted Level of Service. In addition, as projects are proposed, additional traffic studies will be prepared which could contain mitigation measures to reduce potential impacts.
19. Cumulatively, the proposed rezones and code amendments support the city's needed housing and population targets without negatively impacting the surrounding neighborhoods.
20. The City Council Community Development Committee reviewed the proposed amendments set forth in this Ordinance at their September 10 and October 15, 2020 meetings where they supported the proposed amendments.

F. CONCLUSIONS OF LAW

1. The City of Stanwood has authority under RCW Title 35A, to adopt plans and regulations related to development and operations within the City of Stanwood.
2. Stanwood Municipal Code requires that the Planning Commission review and make recommendations to the Stanwood City Council regarding Comprehensive Plan Amendments and code amendments to Title 17, Zoning.
3. Planning Commission briefings to discuss the proposed amendments were held on September 9, 2019, September 28, 2020, October 28, 2020, October 26, 2020, November 9, 2020 and a public hearing was held on November 16, 2020.
4. On November 3, 2020 the public hearing notice was printed in the Stanwood Camano News as required by law that a public hearing was to be held by the Planning Commission and all persons wishing to provide public input concerning the proposed amendments set forth in this Ordinance were heard.

5. SEPA review was conducted on the proposal and a Determination of Nonsignificance (DNS) was issued on October 13, 2020 under WAC 197-11-340(2). No appeals of the SEPA determination were filed.
6. The proposed land use designations and rezones are consistent with the Comprehensive Plan growth and development strategies and therefore meets the criteria that the amendments bears a substantial relation to the public health, safety, or welfare.
7. The proposed amendments will not be detrimental to adjacent properties.
8. The proposed amendments provide clear guidance and standards for future development which is intended to provide the public and future developers with clear expectations on city requirements and development standards.
9. After considering staff comments and public testimony, the Stanwood Planning Commission determined the draft amendments are consistent with the Comprehensive Plan and should be adopted.

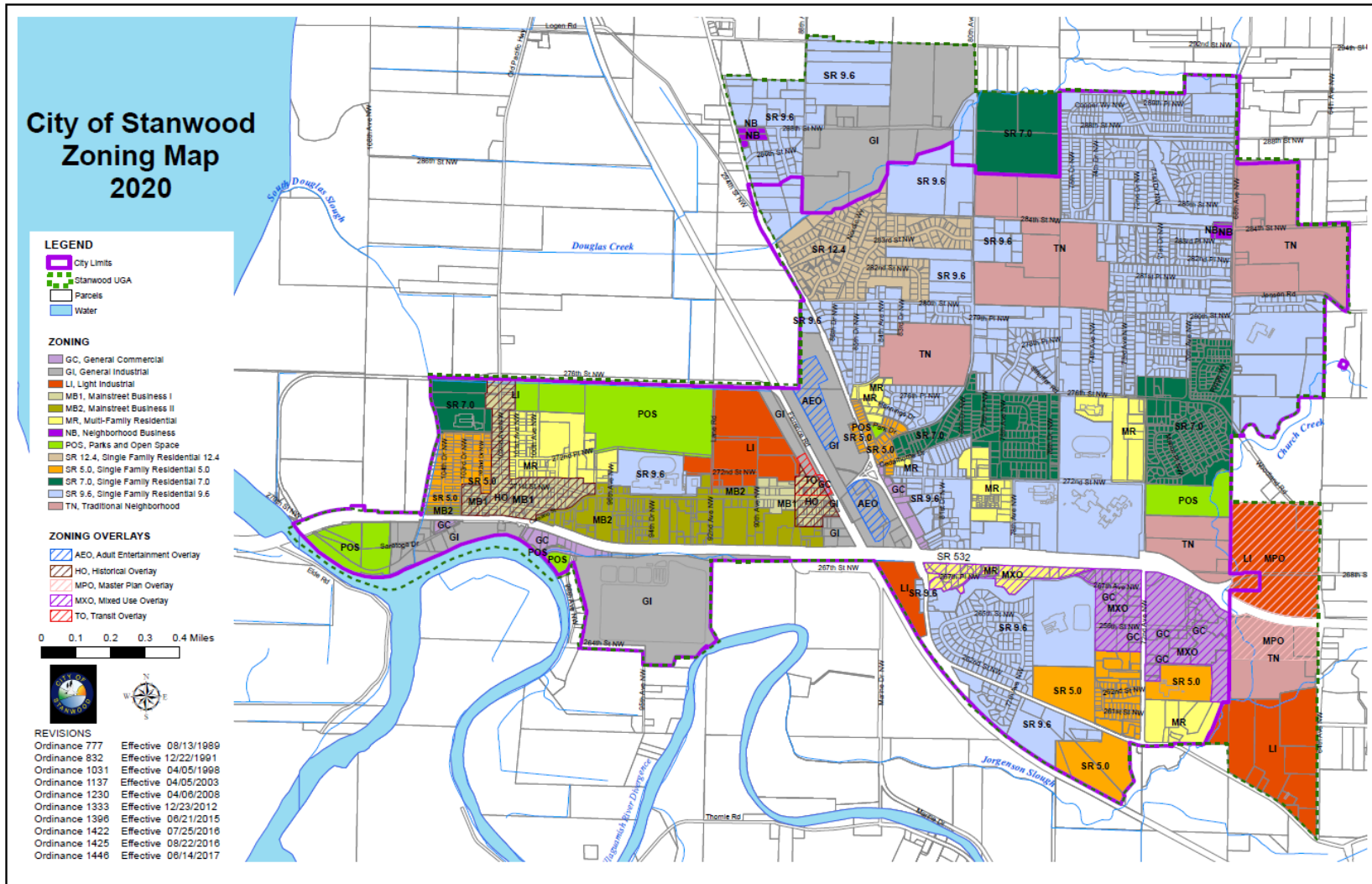
G. STAFF RECOMMENDATION

Move that the Planning Commission **ADOPT** the Findings of Fact and Conclusions of Law contained herein and **AUTHORIZE** the Planning Commission Chair to sign the Findings on behalf of the Commission and recommend that the Stanwood City Council **APPROVE** the proposed 2020 Comprehensive Plan Amendment, Zoning Map Amendments and implementing amendments to Chapter 17 of the Stanwood Municipal Code.

Dated this 16th of November, 2020.

Marcus Metz, Planning Commission Vice-Chair
City of Stanwood

EXHIBIT C Zoning Map Amendments



**CITY OF STANWOOD
WASHINGTON**

ORDINANCE NO. 1492

AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, AMENDING PORTIONS OF STANWOOD MUNICIPAL CODE TITLE 17 ENTITLED ZONING AND RELATING TO IMPLEMENTING THE 2020 COMPREHENSIVE PLAN AMENDMENTS AND REZONES BY AMENDING CHAPTER 17.10 - ESTABLISHMENT OF ZONING DISTRICTS; AMENDING CHAPTER 17.30 - PERMITTED LAND USES; AMENDING CHAPTER 17.60 - ZONING STANDARDS TABLES, AMENDING CHAPTER 17.79 - MIXED USE OVERLAY; AMENDING CHAPTER 17.100 - NON-RESIDENTIAL PERFORMANCE STANDARDS AND ESTABLISHING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance 956, on June 1, 1996 the City adopted its first Growth Management Act compliance Comprehensive Plan ("the Plan") pursuant to RCW Chapter 36.70A; and

WHEREAS, the City has amended the Plan in subsequent years to adjust to changing conditions; and

WHEREAS, the Growth Management Act of the State of Washington requires "early and continuous" public participation in the city's review and adoption of comprehensive plans and development regulations; and

WHEREAS, one planning tool used to meet the "early and continuous" standard is the Docket process. The "Docket" is a public participation procedure required by state law (GMA) that allows residents the opportunity to request amendments to the City's comprehensive plan and development regulations on an annual basis; and

WHEREAS, the 2019 / 2020 docket application period ran from August 1 through August 31, 2019 and resulted in several rezone requests and zoning code amendments; and

WHEREAS, pursuant to the annual docket process described in Chapter 17.157 SMC entitled "Comprehensive Plan", the City Council considered the 2019 Docket applications on October 24, 2019 and forwarded those requests to the Planning Commission to evaluate and formulate a recommendation to either approve, approve with modifications or deny; and

WHEREAS, in order to formally process the 2020 Docket, applicants were required to submit their formal rezone applications by February 3, 2020; and

WHEREAS, five (5) rezone applications were received: Three by Scott Wammack for mixed-use rezones in the Uptown Center District, and two (2) by the City of Stanwood to rezone

a portion of 271st Street from Light Industrial to Commercial and to create a new Parks and Open Space zoning district for the City's park lands; and

WHEREAS, several zoning code amendments are needed to implement the rezone requests including: creating a new Parks and Open Space (POS) and General Commercial Mixed Use Overlay (GC-MXO) zoning district and amendments to the building height and density requirements of the Mixed-Use zoning overlay and the Multi-Family Residential zoning designation; and

WHEREAS, the Growth Management Act requires that Comprehensive Plans and implementing zoning be consistent; and

WHEREAS, the public review process for the 2020 Docket and Comprehensive Plan Amendments included review by the Planning Commission on September 9, 2019, September 28, 2020, October 12 and 26, and November 9, 2020 and held a public hearing on November 16, 2020, to: 1) review the proposed Comprehensive Plan amendments and implementing zoning code amendments, and 2) take public comments and testimony on the proposed amendments; and

WHEREAS, as required by RCW 36.70A.106, the City submitted the proposed City of Stanwood 2019/2020 zoning code amendments for the 60-day review to the Washington State Department of Commerce on October 9, 2020 and received a letter dated October 12, 2020 stating procedural requirements were met; and'

WHEREAS, the Department of Commerce's 60-day review period was completed on December 9, 2020; and

WHEREAS, the City issued a SEPA threshold determination of non-significance on October 13, 2020 and the comment period ended on October 27, 202; and

WHEREAS, in taking the actions set forth in this ordinance, the City has complied with the requirements of the State Environmental Policy Act, Chapter. 43.21C RCW; and

WHEREAS, on March 31, 2020 pursuant to SMC 17.80.033(c)(iv)(3) the City mailed notice of the proposed land use designation and zoning change to properties within 300 feet of the proposal rezones providing for a 30 day comment period; and

WHEREAS, the public hearing held on November 16, 2020 was closed by the Planning Commission, after hearing comments from the public. The Planning Commission deliberated and then made their Findings and Recommendations for approval of the proposed amendments to the City Council; and

WHEREAS, all persons desiring to comment on the proposed amendments were given the opportunity to be heard; and

WHEREAS, at the January 28, 2021 City Council meeting the City Council further reviewed and considered the Planning Commission recommendations; and

WHEREAS, as required by RCW 36.70A.130(2)(b), the City Council considered all proposed amendments to the Plan and the associated zoning amendments to the Stanwood Municipal Code concurrently so the cumulative effect of the proposed amendments could be ascertained; and

WHEREAS, the City Council hereby finds that the City's Plan and the zoning code amendments adopted herein are consistent with the County-Wide Planning Policies as required by RCW 36.70A.210;and

WHEREAS, the Stanwood City Council hereby finds that the adoption of the proposed amendments to the Stanwood Municipal Code are consistent with the Comprehensive Plan and serves and advances public health, safety and welfare of the greater community;

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

Section 1. SMC 17.10, Establishment of Zoning Districts. Chapter 17.10, Establishment of Zoning Districts, of the Stanwood Municipal Code is hereby amended to read as set forth in Attachment A, by reference as though fully set forth herein.

Section 2. SMC 17.30, Permitted Land Uses. Chapter 17.30, Permitted Land Uses, of the Stanwood Municipal Code is hereby amended to read as set forth in Attachment B, by reference as though fully set forth herein.

Section 3. SMC 17.60, Zoning Standards Tables. Chapter 17.60, Zoning Standards Tables, of the Stanwood Municipal Code is hereby amended to read as set forth in Attachment C, by reference as though fully set forth herein.

Section 4. SMC 17.79, Mixed Use Overlay. Chapter 17.79, Mixed Use Overlay, of the Stanwood Municipal Code is hereby amended to read as set forth in Attachment D, by reference as though fully set forth herein.

Section 5. SMC 17.100, Non-Residential Performance Standards. Chapter 17.100, Non-Residential Performance Standards, of the Stanwood Municipal Code is hereby amended to read as set forth in Attachment E, by reference as though fully set forth herein.

Section 6. Findings of Fact and Conclusions. In support of the amendment approved in this Ordinance the Stanwood City Council adopts the Findings of Fact and Conclusions attached hereto as Attachment F and incorporated herein by reference and the analysis contained in the Staff Report on the amendments.

Section 7. Severability. The various parts, sections and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 8. Authority to Make Necessary Corrections. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener's clerical errors, references, ordinance numbers, section/subsection numbers and any references thereto.

Section 9. Conflict. In the event that there is a conflict between the provision of this Ordinance and any other City ordinance, the provision of this Ordinance shall control.

Section 10. Effective Date. This Ordinance shall take effect from and after five (5) days after its passage and publication as required by law.

PASSED AND APPROVED by the Stanwood City Council this _____ day of _____ 2021.

CITY OF STANWOOD

Elizabeth Callaghan, Mayor

ATTEST:

By: _____
Sara Robinson, City Clerk

APPROVED AS TO FORM:

By: _____
Brett Vinson, City Attorney

Date of Publication: _____

Effective Date: _____

Exhibit A

SMC 17.10 Establishment of Zoning Districts

Sections:

17.10.010 Zoning districts.

17.10.020 Purpose and intent of zoning districts.

17.10.010 Zoning Districts.

The city of Stanwood is hereby divided into 12 zoning districts as follows:

- (1) SR (single-family residential) 12.4 zoning district;
- (2) SR (single-family residential) 9.6 zoning district;
- (3) SR (single-family residential) 7.0 zoning district;
- (4) SR (single-family residential) 5.0 zoning district;
- (5) MR (multiple-family residential) zoning district;
- (6) TN (traditional neighborhood) zoning district;
- (7) NB (neighborhood business) zoning district;
- (8) MB-I (Main Street business) zoning district;
- (9) MB-II (Main Street business) zoning district;
- (10) GC (General Commercial) zoning district;
- (11) GC-MXO (General Commercial with Mixed Use Overlay) zoning district;**
- (12) LI (Light Industrial) zoning district; and
- (13) GI (General Industrial) zoning district.
- (14) POS (Public Open Space) zoning district.**

17.10.020 Purpose and intent of zoning districts.

- (1) SR (Single-Family Residential) 12.4 Zone. This zoning district is intended to provide lower residential densities than in other areas of Stanwood. This SR 12.4 zoning district is intended to accommodate residential single-family neighborhoods with active and passive recreational facilities and neighborhood-oriented support activities. This zone implements the residential low density land use designation in the Comprehensive Plan.
- (2) SR (Single-Family Residential) 9.6 Zone. This zone includes areas within Stanwood that are already served by municipal sewer and water lines and areas within the urban growth area that are not yet served. Uses in the outlying areas include low density residential on septic systems and some existing farms. These areas are expected to annex to the city of Stanwood and urbanize over time. This zoning district is intended to provide opportunities for new low density single-family residential development with larger lot sizes, and provide standards that encourage reasonable integration of new and existing residential areas, active and passive recreational facilities and activities that support these residential communities. The zone also supports public/quasi-public facilities such as

secondary schools, community centers and parks that draw from and support the regional community. This zone implements the residential low density land use designation in the Comprehensive Plan.

- (3) SR (Single-Family Residential) 7.0 Zone. This zone includes areas that are at the present time largely served by municipal sewer and water lines. This zoning district is intended to accommodate medium density residential development as infill on smaller lots than in low density designations but platted at a standard that is consistent with the density of the existing residential area, and to provide standards and uses to encourage reinvestment in and maintenance of existing properties, and provide supportive active and passive recreational facilities. The zone also allows public/quasi-public uses such as elementary schools, community centers, parks and community-based recreation facilities that support those uses and serve more than one residential area. This zone implements the residential medium density land use designation in the Comprehensive Plan.
- (4) SR (Single-Family Residential) 5.0 Zone. This zone includes areas that are at the present time largely served by municipal sewer and water lines. This zoning district is intended to provide standards to maintain the smaller lot plat pattern of the pre-1940 subdivisions that predominate the areas in this designation; promote infill, redevelopment and maintenance of property consistent with the historic smaller lot pattern and older housing stock; provide infill housing at higher density on larger parcels, encourage active and passive recreational facilities such as community centers, parks and community-based recreation that support the neighborhood; and allow for public and quasi-public uses that are part of these areas due to this historic settlement pattern, such as elementary schools that may serve more than one neighborhood. This zone implements the residential medium density land use designation in the Comprehensive Plan.
- (5) MR (Residential Multifamily) Zone. This zoning district includes moderately to densely developed areas that are located primarily adjacent to business and other activity centers in the city and are proposed to comprise higher density multifamily, townhouse and duplex development as well as supportive neighborhood facilities. Several properties within this designation are within the mixed use overlay designation and in these areas the intent is to encourage mixed use development with commercial use on the ground floor. This zone implements the high density residential land use designation in the Comprehensive Plan and the mixed use overlay.
- (6) TN (Traditional Neighborhood) Zone. This zoning district includes areas with large parcels of a minimum of 10 acres that can be developed at medium to high residential densities. The traditional neighborhood (TN) zoning district is intended to accommodate the kind of development that incorporates a range of uses including residential, mixed use, commercial, civic, public uses, a range of housing types, and transportation options that historically developed in a neighborhood before the advent of typical single-use, auto oriented subdivisions. This zoning district provides for the development of multi-use neighborhoods, with a range and mix of residential housing types, interconnected traffic circulation, and pedestrian linkages. This zone implements the traditional neighborhood land use designation of the Comprehensive Plan.
- (7) NB (Neighborhood Business) Zone. This zoning district is situated at locations around the city and within the urban growth area, where small-scaled retail outlets are appropriate to meet the daily convenience needs of the people residing in their environs. The district is intended to promote small scale commercial uses that can be supported by one or two residential neighborhoods, and may

support and encourage pedestrian, bicycle and other non-motor circulation. This zone implements the neighborhood business land use designation in the Comprehensive Plan.

- (8) MB-I (Main Street Business I) Zone. This zoning district encompasses the historic downtown areas of East and West Stanwood and is proposed to include high density residential, commercial, office, and other central business district functions to provide a full range of pedestrian-oriented activities and urban services. This zone does not include highway-oriented activities or automobile-oriented uses such as drive-through businesses that would be counter-productive in terms of trying to establish pedestrian-oriented, close-knit urban centers. This zone implements the Main Street business land use designation in the Comprehensive Plan, the downtown sub-element and the transit overlay designation of the Comprehensive Plan and the historic downtown overlay designation.
- (9) MB-II (Main Street Business II) Zone. This zoning district is located between the two historic downtown areas of Stanwood and is proposed to include high density mixed use residential, commercial, office, and other business functions to provide a full range of business activities and urban services. Infill development in this district is intended to extend the urban area between the historic nodes of East and West Stanwood to connect the two historic nodes into one downtown business district. This zone implements the Main Street business land use designation in the Comprehensive Plan and the downtown sub-element of the Comprehensive Plan.
- (10) GC (General Commercial) Zone. The purpose of this zone is to accommodate moderate to dense development along Stanwood's major roadways and within the city's uptown center. Commercial and office uses are envisioned for this zoning district. This zone implements the general commercial land use designation of the Comprehensive Plan. The designation also provides an incentive for mixed use residential development within general commercial zoned properties within the mixed use overlay designation.
- (11) **GC-MXO (General Commercial with Mixed Use Overlay). The intent of the Mixed Use Overlay is to create areas in which a combination of residential, commercial, office and service uses are encouraged. This designation is meant to provide incentives for the development of high-density multi-family housing (a) close to transportation facilities, public services and employment centers; and (b) to encourage commercial uses serving residential populations. Mixed use developments will increase the range of housing choices available, encourage small scale commercial in residential areas, support pedestrian-oriented development, reduce automobile dependency, and improve sense of community. Mixed-use developments may include: 1) vertical mixed use with commercial / retail space on the bottom floor and residential above; or 2) horizontal mixed use buildings where commercial building(s) face the street frontage and standalone multifamily buildings are located behind and setback from the commercial / retail buildings.**
- (12) LI (Light Industrial) Zone. The general intent and purpose of this zoning designation is to:
 - (a) Provide for the development of areas in which certain types of light industrial activities may be located;
 - (b) Protect residential and other nonindustrial areas from adverse and damaging impacts emanating from activities in the light industrial area;
 - (c) Protect light industrial areas from other uses that may interfere with the purpose and efficient operations in the light industrial areas;

- (d) Provide standards for the development of a light industrial area; and
- (e) Provide for the location and grouping of light industrial enterprises in light industrial parks, and provide for activities involving manufacturing, assembly, fabrication, processing, bulk handling and storage, research facilities, warehousing, trucking and certain uses, though perhaps inherently commercial, that are best suited to light industrial areas of the city.

This zone implements the light industrial land use designation of the Comprehensive Plan, and the civic commons overlay.

- (13) GI (General Industrial) Zone. The purpose of this zoning district is to provide opportunities for major employment areas within the city and to allow heavy industrial uses including manufacturing, warehousing, storage, distribution, food processing, trucking and related uses in locations that are environmentally suitable for these activities. This zone also provides a location for major utilities including the sewage treatment plant. Additionally, this designation provides a location for the adult entertainment overlay. This zone implements the general industrial and the existing public facilities land use designations and the adult entertainment overlay designation in the Comprehensive Plan.
- (14) **POS (Public Open Space) Zone. The Parks and Open Space zoning designation is applied to lands which are to be maintained as park space or natural open spaces in perpetuity by the City. Many of these lands have underlying contractual agreements with either the Washington State Recreation and Conservation Office, Conservation Futures Easements, or critical area easements. The POS designation should be applied to public park properties identified in the City's Parks, Recreation and Open Space Plan.**

Exhibit B
SMC 17.30 Permitted Land Uses

Chapter 17.30 PERMITTED LAND USES

Sections:

17.30.010 Permitted land uses and established classification of uses.

17.30.020 Unclassified uses.

17.30.030 Zoning use tables established.

17.30.040 Zoning use table.

17.30.050 Zoning use conditions.

17.30.010 Permitted land uses and established classification of uses.

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

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

(a) Permitted Use. Land uses allowed outright within a zone. The specific types of permitted uses are set forth in the zoning code chapters for each zoning district.

(b) Conditional Use. Uses with special characteristics that may not generally be appropriate within a zoning district, but may be permitted subject to review by the hearing examiner to establish conditions to protect public health, safety and welfare. The specific types of conditional uses are set forth in SMC 17.30.040, Zoning use table, and/or 17.30.050, Zoning use conditions.

(c) Administrative Conditional Use. Uses with special characteristics that may not be generally appropriate within a zoning district but may be permitted subject to review by the community development director to establish conditions to protect public health, safety and welfare. The specific types of administrative conditional uses are set forth in SMC 17.30.040, Zoning use table, and/or

(d) Accessory Use. Uses customarily incidental and subordinate to the principal use and located upon the same lot occupied by the principal use. Accessory uses are determined by the community development director or designee on a case-by-case basis.

(e) Prohibited Use. Any use which is not specifically enumerated or interpreted by the city as allowable in that district. Any use not specifically listed as a permitted, conditional, or accessory use is prohibited, except those uses determined to be unclassified and permitted by the community development director pursuant to SMC 17.30.020. Any prohibited use is illegal and is subject to civil or criminal penalties under Chapter 13.01 SMC.

- (f) **Unclassified Use.** A use which is not a permitted use, a conditional use, or an accessory use, but which is interpreted by the community development director as similar to a permitted, conditionally permitted, or accessory use and not otherwise prohibited, pursuant to SMC 17.30.020. (Ord. 1456 § 1, 2018; Ord. 1376 § 6, 2014; Ord. 1294 § 10, 2011).

17.30.020 Unclassified uses.

(1) **Unclassified Uses.** Upon inquiry by an applicant, an administrative interpretation shall be made by the community development director or designee to determine if a proposed use not specifically listed is either allowed or prohibited, utilizing the criteria in subsection (2) of this section. Should an interpretation be made that a proposed, unlisted use not be allowed in a specific zoning district, the director shall indicate which zones, if any, do permit the use. If the community development director's interpretation indicates that an unlisted use is not consistent with the permitted, conditional or accessory uses in any district, or if a party does not concur with the permit type applied to a use, appeal may be made pursuant to SMC 17.80.130. Interpretations made by the community development director may be documented, and updates to this title, when consistent with the title format and level of detail, shall incorporate "unclassified use" interpretations upon adoption of a zoning code amendment by the city council.

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

- (a) In keeping with the purpose and intent of the zone and consistent with the Stanwood Comprehensive Plan policies; and
- (b) Similar in nature to, and no more intense than, a specifically listed permitted, conditional or accessory use. (Ord. 1294 § 10, 2011).

17.30.030 Zoning use tables established.

(1) The tables in SMC 17.30.040 establish whether a specific use is permitted in a zoning district and whether the use is allowed as a "permitted," "conditional" or "accessory" use. The zone is located on the horizontal row and the specific use is located on the vertical column of these tables.

(2) **Interpretation of Zoning Use Tables.**

- (a) **Legend.** The following letters have the following meanings when they appear in the box at the intersection of the column and the row:
 - (i) P – Permitted use.
 - (ii) C – Conditional use.
 - (iii) ADC – Administrative conditional use.
 - (iv) AC – Accessory use.
- (b) **Other Applicable Requirements.** The above uses are subject to the review procedures and standards in SMC Title 16 and Chapters 17.90 through 17.153 and 17.200 through 17.220 SMC.
- (c) **Additional Use-Related Conditions.** If a number also appears at the intersection of the column and the row, the use is also subject to the additional requirements as listed immediately following the use table in SMC 17.30.050.

(d) Prohibited Uses. If no symbol appears in the box at the intersection of the column and the row, the use is prohibited in that district unless otherwise determined by the community development director pursuant to SMC 17.30.020.

(e) Uses allowed in overlay zones are shown with the following abbreviation:

(i) AEO – Adult Entertainment Overlay.

(ii) CCO – Civic Commons Overlay.

(iii) TO – Transit Overlay.

(iv) MPO – Master Plan Overlay.

(v) MXO – Mixed Use Overlay. (Ord. 1282 § 2, 2011; Ord. 1294 § 10, 2011).

17.30.030 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 = Historical 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	<u>GC</u> <u>MXO</u> ³⁹	LI	GI	POS
Agriculture														
Farm, existing	P1	P1	P1	P1	P1									
Farm, new	C1	C1												
Horticulture	P	P	P	P										
Animal Services														
Dog daycare						P			P					
Dog grooming						P43	P24	P	P43	P43, ~~P39~~ MXO	<u>P</u>			
Kennel, hobby	AC24	AC24	AC24	AC24										
Kennel, commercial indoor							AC24	AC24		AC24, ~~P39~~ MXO		P24		

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN	MB-I ²⁹	MB-II	NB	GC	GC MXO ³⁹	LI	GI	POS
Kennel, commercial outdoor										AC24		P24		
Pet, domestic	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	<u>AC</u>	AC	AC	
Veterinarian hospital or clinic							P19	P19		P	<u>P</u>	P		
Automotive Services														
Automobile rental agency										P				
Automobile repair and service										P26		P26	P26	
Automobile sales and service, new										P38		P38	P38	
Automobile sales and service, used										P11, 38		P38	P38	
Automobile service station								P41		P38, 41		P38, 41		
Car wash								P		P38		AC 38		
Impound, storage, tow yards												AC 36	AC36	
Parking lots, garages	AC	AC	AC	AC	AC	AC	AC, P37TO	P, AC	AC	AC, P39 ~~P39~~ MXO	<u>AC</u>	AC, P37 ~~P37~~ TO	AC, P37 TO	
Parking structure, commercial							P37TO	P		P		P	P37 TO	
Towing												P2	P2	
Truck service and repair												P		
Wrecking													P2	

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN	MB-I ²⁹	MB-II	NB	GC	GC MXO ³⁹	LI	GI	POS
Cultural/ Entertainment														
Adult entertainment facility													P27 AEO	
Art Gallery							P	P		P, P39 MXO	<u>P</u>			
Game, video arcade							P	P		P, P39 MXO	<u>P</u>			
Live entertainment							AC49	AC49	AC49	AC49, AC39 MXO	<u>AC49</u>	AC		
Museum							P	P		P, P39 MXO	<u>P</u>			
Night club							P	P		P, P39 MXO	<u>P</u>			
Theater							P	P		P, P39 MXO	<u>P</u>			
Hotels and Guesthouses														
Apartment hotel							P	P		P, P39 MXO	<u>P</u>			
Bed and breakfast inn				C6, 32	C6, 32		P6, 32	P6, 32		C6, 32			P37 TO	
Bed and breakfast residence	C6, 32	C6, 32	C6, 32	C6, 32	C6, 32		AC6, 32	AC6, 32		C6, 32			P37 TO	
Guest house							P	P						
Hotel							P	P11, P		P, P39 MXO	<u>P</u>	P18		
Motel										P, P39 MXO	<u>P</u>	P18		

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN	MB-I ²⁹	MB-II	NB	GC	<u>GC</u> <u>MXO</u> ³⁹	LI	GI	<u>POS</u>
Resort												P18		
Industrial														
Building construction yard													P	
Feed and fertilizer operation													P	
Food and beverage processing facility										C, C39 MXO		P	P	
Freezer plant/cold storage/food mill													P	
Laboratory													P	
Laundry plant													P	
Lumber and wood products processing													P	
Manufacturing, heavy													P	
Manufacturing, light										P42, P39 MXO		P50		
Motion picture industry										P, P39 MXO	<u>P</u>	P		
Printing, publishing, and allied industry												P	P	
Office														
Accounting service					P39 MXO		P	P		P, P39 MXO	<u>P</u>			
Advertising agency					P39 MXO		P	P		P, P39 MXO	<u>P</u>			

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN	MB-I ²⁹	MB-II	NB	GC	<u>GC</u> <u>MXO</u> ³⁹	LI	GI	<u>POS</u>
Employment service					P39 MXO		P	P		P, P39 MXO	<u>P</u>			
Finance, insurance and real estate service					P39 MXO	P	P	P	P	P, P39 MXO	<u>P</u>			
Financial institution					P39 MXO	P	P28	P		P, P39 MXO	<u>P</u>			
Health care facility					P39 MXO	P	P	P	P	P, P39 MXO	<u>P</u>		P	
Legal service					P39 MXO	P	P	P	P	P, P39 MXO	<u>P</u>			
Professional consultant					P39 MXO	P	P	P	P	P, P39 MXO	<u>P</u>		P	
Publishing					P39 MXO		P	P		P, P39 MXO	<u>P</u>	P		
Other uses determined to be consistent with the definition of "office" as defined in this code								P51 HO			<u>P</u>			
Personal Services														
Assisted/ independent living					C18	C		P11, P18		P18				
Barber shop, beauty shop					P39 MXO	P	P	P	P	P12, P39 MXO	<u>P</u>		P37 TO	
Daycare center			P12	P12	P12	P12	P12	P12	P12	P12, P39 MXO	<u>P12</u>		P37 TO	

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN	MB-I ²⁹	MB-II	NB	GC	<u>GC</u> <u>MXO</u> ³⁹	LI	GI	<u>POS</u>
Daycare, family	AC12	AC12	AC12	AC12	P12		P37TO	P	P12	P12, P39 MXO	<u>P12</u>		P37 TO	
Daycare, mini				P12	P12	P12	P12	P12	P12	P12, P39 MXO	<u>P12</u>			
Dry cleaner					P39 MXO	P35	P	P	P	P, P39 MXO	<u>P</u>	P	P	
Equipment Rental								P		P, P39 MXO	<u>P</u>	P	P	
Funeral home							P	P		P, P39 MXO		P		
Health/athletic club					P39 MXO		P	P		P, P39 MXO	<u>P</u>	P		
Janitorial service					P39 MXO			P				P	P	
Laundromat					P39 MXO	P35	P	P	P	P, P39 MXO	<u>P</u>	P	P37 TO	
Optician					P39 MXO	P	P	P	P	P, P39 MXO	<u>P</u>		P37 TO	
Massage clinic/ center							P	P		P, P39 MXO	<u>P</u>			
Photo processing service					P39 MXO		P	P		P, P39 MXO	<u>P</u>	P		
Photocopy/private mail center							P	P		P, P39 MXO	<u>P</u>			
Printing and publishing					P39 MXO		P	P		P, P39 MXO	<u>P</u>	P		
Private clubs					P39 MXO		P	P		P, P39 MXO	<u>P</u>			

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN	MB-I ²⁹	MB-II	NB	GC	<u>GC</u> <u>MXO</u> ³⁹	LI	GI	<u>POS</u>
Tattoo parlors					P39 MXO		P	P		P	<u>P</u>		P	
Travel agencies					P39 MXO	P	P	P						
Video sales and rental					P39 MXO	P	P37TO	P	P	P, P39 MXO	<u>P</u>	P37 TO	P37 TO	
Other uses determined to be consistent with the definition of “personal service” as determined in this code							P51HO				<u>P</u>			
Public Facilities														
City Hall					P	P	P51HO	P		P				
Courthouse							P2	P11				P		
Governmental use					P	P	P2	P11		P	<u>P</u>			
Library					P	P	P	P14	P					
Park and ride facility							P37TO					P37 TO	P37 TO	
Post office							P	P11		P		P		
Public safety station	P2	P2	P2	P2	P2	P2	P2	P2		P2			P	
Public transit storage and maintenance facility										P			P	
Public transit terminal							P, P37TO	P				P, P37 TO	P37 TO	

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN	MB-I ²⁹	MB-II	NB	GC	GC MXO ³⁹	LI	GI	POS
Quasi-Public														
Cemetery	C													
Community Center	C	C	ADC 11	ADC 11	ADC 11	ADC 11	P	P11				P11		
House of worship/ church	C	C	ADC 11	ADC 11	ADC 11	ADC 11	P2	P11	P11	P11				
Meeting hall	C	C	ADC 11	ADC1 1	ADC 11	ADC 11	P	P11	P11					
Recreation														
Amusement park or center										P				
Athletic field		ADC	ADC	ADC	~~ADC~~							P		<u>P</u>
Ball park	~~ADC~~	ADC	ADC	ADC	~~ADC~~				~~P~~	~~P~~				<u>P</u>
Batting cage		<u>ADC</u>	<u>ADC</u>	<u>ADC</u>								P		<u>P</u>
Bowling alley								P				P		
Community garden								P		P	<u>P</u>		P	<u>P</u>
Conservation area	~~P~~									~~P~~			P	<u>P</u>
Go-kart track												P		
Golf course												~~P~~		<u>P</u>
Open space	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>P</u>
Park, community ⁵⁸	<u>P</u> ~~ADC~~	<u>P</u> ~~ADC~~	<u>P</u> ~~ADC~~	<u>P</u> ~~ADC~~						P		<u>P</u>	<u>P</u>	<u>P</u>
Park, neighborhood ⁵⁸	<u>P</u> ~~ADC~~	<u>P</u> ~~ADC~~	<u>P</u> ~~ADC~~	<u>P</u> ~~ADC~~								<u>P</u>	<u>P</u>	<u>P</u>
Park, urban ⁵⁸	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>P</u>	P	P	<u>P</u>	P	<u>P</u>	P	P	<u>P</u>

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN	MB-I ²⁹	MB-II	NB	GC	<u>GC</u> <u>MXO³⁹</u>	LI	GI	<u>POS</u>
Playground	<u>P</u> ADC	<u>P</u> ADC	<u>P</u> ADC	<u>P</u> ADC	<u>P</u> ADC	<u>P</u> ADC	P	P		P	<u>P</u>	P	P	<u>P</u>
Recreation area/ facility	P	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>P</u>	<u>P</u>	P	<u>P</u>
Skating rink												P		
Swimming pool		P	P	P	P							P		<u>P</u>
Trail	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	<u>P</u>
Repair Services														
Bicycle repair							P	P			<u>P</u>			
Shoe repair						P	P	P	P	P, P39M XO	<u>P</u>	P	P37 TO	
Small appliance and tool												P		
Small engines												P		
Tailor							P	P			<u>P</u>	P		
Other uses determined to be consistent with the definition of “repair services” as defined in this code							P51HO							
Residential														
Boarding house							P31	P31						
Caretaker’s house												P25	P25	
Congregate care facility					C18	C		P11, P18		P18				
Dwelling, accessory	AC3	AC3	AC3	AC3		AC3								

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN	MB-I ²⁹	MB-II	NB	GC	<u>GC</u> <u>MXO</u> ³⁹	LI	GI	<u>POS</u>
Dwelling, cottage	P4	P4	P4	P4		P4								
Dwelling, duplex				P15	P	P		P52						
Dwelling, multiple family					P	P11	P37TO	P			<u>P</u>		P37 TO	
Dwelling, single family	P	P	P	P	P	P	P	P52						
Dwelling, townhouse				C	P	P	P37TO	P		P37 TO, ~~P39~~ ~~MXO~~	<u>P</u>		P37 TO	
Group home			P10	P10	P10			P10		P10			P37 TO	
Home occupation	AC5	AC5	AC5	AC5	AC5	AC5	AC5	AC5		ACTO	<u>AC5</u>		~~ACTO~~ <u>AC5</u> <u>TO</u>	
Manufactured/ mobile home	P9	P9	P9	P9										
Manufactured/ mobile home park			P9	P9										
Mixed use						P	P	~~P₇~~ ~~P37TO~~		P37TO	<u>P</u>		P37 TO	
Retail Trade Establishments														
Agricultural produce stand					P39 MXO	P		P	P	P				
Antique shop					P39 MXO		P37TO	P		P, P37 TO, ~~P39~~ ~~MXO~~	<u>P</u>		P37 TO	

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN	MB-I ²⁹	MB-II	NB	GC	<u>GC</u> <u>MXO</u> ³⁹	LI	GI	<u>POS</u>
Apparel shop					P39 MXO	P	P, P37TO	P		P, P37 TO, P39 MXO	<u>P</u>		P37 TO	
Artisan and handicraft studio					P39 MXO		P30	P30		P50, P39 MXO	<u>P30</u>	P	P	
Artist and drawing supply					P39 MXO		P	P			<u>P</u>			
Auto parts					P39 MXO			P		P, P39 MXO	<u>P</u>	P22	P22	
Bakery					P39 MXO		P	P		P, P39 MXO	<u>P</u>			
Book store					P39 MXO	P	P, P37TO	P	P	P, P37 TO, P39 MXO	<u>P</u>		P37 TO	
Camera store					P39 MXO	P	P37TO	P	P		<u>P</u>		P37 TO	
Confectionery shop					P39 MXO		P, P37TO	P		P, P39 MXO	<u>P</u>		P37 TO	
Construction and home building supplies					P39 MXO							P22		
Dairy products store							P	P		P, P39 MXO	<u>P</u>			
Electrical and electronic goods					P39 MXO		P	P	P	P, P39 MXO	<u>P</u>	P22		
Electrical and plumbing supplies					P39 MXO					P, P39 MXO	<u>P</u>	P22		

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN	MB-I ²⁹	MB-II	NB	GC	<u>GC</u> <u>MXO³⁹</u>	LI	GI	<u>POS</u>
Farmer's market					P39 MXO	P	P	P	P	P		P22		
Feed and farm supply					P39 MXO	P		P		P, P39 MXO		P		
Flea market					P39 MXO									
Florist					P39 MXO	P	P37TO	P		P, P39 MXO	<u>P</u>	P37 TO	P37 TO	
Food bank					P39 MXO		P34	P34	P34	P34, P39 MXO	<u>P</u>			
Furniture store					P39 MXO		P	P	P	P, P39 MXO	<u>P</u>			
Gift shop					P39 MXO		P	P		P, P39 MXO	<u>P</u>	P22		
Grocery, convenience					P39 MXO	P23		P23	P23	P23	<u>P23</u>	P23	P37 TO	
Grocery, specialty					P39 MXO	P	P	P		P	<u>P</u>			
Grocery, supermarket					P39 MXO			P	P	P				
Home building supplies					P39 MXO			P		P, P39 MXO	<u>P</u>			
Household appliances					P39 MXO					P, P39 MXO	<u>P</u>	P22	P	
Jewelry store					P39 MXO		P	P			<u>P</u>	P22		
Kiosk/vending machine					P39 MXO	AC 44	AC44	AC44	AC44	AC44	<u>AC44</u>	AC44	AC44	

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN	MB-I ²⁹	MB-II	NB	GC	<u>GC</u> <u>MXO³⁹</u>	LI	GI	<u>POS</u>
Marijuana retailer							ADC					ADC	ADC	
News/magazine stand														
Office furnishings and equipment store							P, P37TO	P		P, ~~P39~~ ~~MXO~~	<u>P</u>		P37 TO	
Office supplies					P39 MXO			P		P, ~~P39~~ ~~MXO~~	<u>P</u>			
Pawnshop					P39 MXO		P	P		P, ~~P39~~ ~~MXO~~	<u>P</u>			
Pharmacy					P39 MXO		P, P37TO	P		P, ~~P39~~ ~~MXO~~	<u>P</u>			
Photographic equipment/camera shop					P39 MXO		P, P37TO	P		P, ~~P39~~ ~~MXO~~	<u>P</u>			
Plant nursery					P39 MXO			P		P, ~~P39~~ ~~MXO~~	<u>P</u>	P22		
Sporting goods store					P39 MXO		P	P		P, ~~P39~~ ~~MXO~~	<u>P</u>			
Stationery store					P39 MXO			P		P, ~~P39~~ ~~MXO~~	<u>P</u>			
Thrift store					P39 MXO		P	P		P, ~~P39~~ ~~MXO~~	<u>P</u>			
Tobacco shop					P39 MXO			P		P, ~~P39~~ ~~MXO~~	<u>P</u>			

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN	MB-I ²⁹	MB-II	NB	GC	<u>GC</u> <u>MXO</u> ³⁹	LI	GI	<u>POS</u>
Other uses determined to be consistent with the definition of “retail trade establishments” as defined in this code							P51HO							
Retail Prepared Food/Beverage Establishments														
Bars and cocktail lounges							P	P		P, P39 MXO	<u>P</u>		P	
Catering						P28	P28	P	P	P, P39 MXO	<u>P</u>		P	
Espresso stand						P20, P28	P20, P28	P20, P21	P20, P21	P20, P21, P39 MXO			P20, P21	
Restaurant						P20, P28	P20, P28	P21	P20, P21	P20, P21, P39 MXO	<u>P</u>		P20, P21	
Tavern							P28	P		P, P39 MXO	<u>P</u>			
Schools														
Bus transportation and maintenance facility												P	P	
Elementary school	C	C	C	C		C								
High school	C	C	C	C										
Middle school	C	C	C	C									P37 TO	

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN	MB-I ²⁹	MB-II	NB	GC	<u>GC</u> <u>MXO</u> ³⁹	LI	GI	<u>POS</u>
Post-secondary school												P		
Preschool facility	C	C	C	P15	P		P37TO	P or C				~~P37~~ ~~TO~~	P37 TO	
School, other							P51HO					P		
Seminary			C13											
Wholesale Storage/ Distribution Facilities														
Detached commercial accessory storage							ADC53	ADC 53	ADC 53	ADC 53		ADC 53	ADC 53	
Equipment and machinery storage													P	
Freight distribution center													P	
Fuel storage facility													C	
Mini-warehouse/ storage facility										P, P39 ~~MXO~~		P50	P	
Moving van and storage facilities												P50	P	
Warehouse operations												P50	P	
Wholesale operations										P		P50	P	
Utilities														
Electrical generating plant													C	
Electrical substation	P	P8	P8	P8	P	P14	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	<u>GC</u> <u>MXO³⁹</u>	LI	GI	<u>POS</u>
Electrical transmission line	P	P	P	P	P		P	P		P		P	P	
Recycle collection stand							AC	AC	AC	AC		AC		
Reservoir														
Sewage lift station	P	P	P	P	P	P14		P	P			P		
Sewage treatment plant													C54	
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	<u>P</u>	P	P	<u>P</u>
Wireless Communication Facilities														
Co-located PWCA	P46	P46	P46	P46	P46	P46	P46	P46	P46	P46	<u>P46</u>	P46	P46	
Minor facilities	P47	P47	P47	P47	P47	P47	P47	P47	P47	P47	<u>P47</u>	P47	P47	
Single PWCA	P48	P48	P48	P48	P48	P48	P48	P48	P48	P48	<u>P48</u>	P48	P48	
Monopole towers	C45	C45	C45	C45	C45	C45	C45	C45	C45	C45	<u>C45</u>	C45	C45	
Guy and lattice towers														
Small cell facilities	P48a	P48a	P48a	P48a	P48a	P48a	P48a	P48a	P48a	P48a	<u>P48a</u>	P48a	P48a	
Miscellaneous														
Accessory uses	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	<u>AC</u>	AC	AC	<u>P</u>

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN	MB-I ²⁹	MB-II	NB	GC	<u>GC</u> <u>MXO³⁹</u>	LI	GI	<u>POS</u>
Temporary uses	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	<u>P</u>
Unclassified	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	<u>P</u>

(Ord. 1469 § 3 (Att. A), 2019; Ord. 1456 § 2, 2018; Ord. 1455 § 2, 2018; Ord. 1450 § 1, 2017; Ord. 1449 § 3, 2017; Ord. 1444 § 5, 2017; Ord. 1440 § 3, 2017; Ord. 1418 § 6, 2016; Ord. 1398 § 15, 2015; Ord. 1380 §§ 5 – 9, 2014; Ord. 1377 § 4, 2014; Ord. 1349 § 3 (Exh. A), 2013; Ord. 1344 § 6, 2013; Ord. 1333 § 2 (Exh. B), 2012; Ord. 1332 § 5 (Exh. B), 2012; Ord. 1308 § 6 (Att. 1), 2012; Ord. 1282 § 3, 2011; Ord. 1294 § 10, 2011).

17.30.050 Zoning use conditions.

- (1) Farms shall register with the city for the right to farm per Chapter [17.102](#) SMC. New farms are limited to the SR 12.4 zone with a minimum land area of two and one-half acres. Farms preexisting on the effective date of Ordinance No. 1032 in 2002 are permitted on smaller land areas and may register to receive right-to-farm protection.
- (2) Twenty thousand square feet of land area are required. This minimum land area requirement may be reduced through the conditional use permit process in SMC [17.80.120](#) provided the lot meets the minimum lot size standard for the zone.
- (3) One accessory dwelling unit per lot is allowed. Accessory dwelling units shall comply with the criteria and design standards set forth in SMC [17.95.470](#) through [17.95.480](#).
- (4) Cottage housing units shall comply with the requirements in SMC [17.95.450](#).
- (5) A home occupation permit and business license are required. Home occupations shall comply with the requirements in SMC [17.95.380](#).
- (6) A business license and compliance with conditions in SMC [17.100.060](#) for permitting a bed and breakfast use are required. Bed and breakfast residence use is limited to four rooms per residence. Bed and breakfast inn use is limited to six rooms in the SR 5.0 zone, 10 rooms in the MR zone and 16 rooms in the GC zone.
- (7) Elevated water reservoirs shall be camouflaged with paint to match existing surroundings (i.e., green up to the tree line, and sky blue or gray above tree line). Maximum height for reservoirs is 120 feet. This height standard may be modified through the conditional use permit process set forth in SMC [17.80.120](#).

- (8) Minimum land area of 10,000 square feet required.
- (9) This use shall comply with the manufactured housing requirements of SMC [17.95.385](#). Manufactured housing use is limited to Type A homes certified as meeting U.S. HUD standards. Manufactured home park use may accommodate both Type A and Type B HUD certified units and requires a minimum land area of three acres in SR 7.0 and two acres in SR 5.0 zones.
- (10) This use shall comply with the special residential use requirements provided in SMC [17.95.375](#). Group homes are limited to six rooms in the SR 7.0, SR 5.0, RM and GC zones.
- (11) Minimum land area of 20,000 square feet is required. This standard may be modified through the conditional use permit process provided in SMC [17.80.120](#).
- (12) All daycare uses shall comply with the daycare facilities requirements provided in SMC [17.95.382](#). Family daycare shall require a home occupation permit. Daycare centers are limited to a minimum land area of 10,000 square feet in the SR 5.0 zone and 30,000 square feet in the SR 7.0 zone.
- (13) Limited to 9,000 square feet in the SR 7.0 zone.
- (14) Minimum land area of 10,000 square feet required.
- (15) Minimum land area of 7,000 square feet required.
- (16) This use shall comply with the conditions for permitting schools provided in SMC [17.100.070](#) within SR 12.4, SR 9.6, SR 7.0 and SR 5.0 zones.
- (17) Recreation areas and facilities shall comply with the recreation and open space standards in Chapter [17.147](#) SMC.
- (18) Limited to 30 rooms/increment of minimum land area.
- (19) No outdoor kennels.
- (20) Outside dining is limited to areas designated for such use, shall be in keeping with the exterior architectural theme of the building, and shall not permit the consumption of food or beverages within automobiles.
- (21) Drive-up windows allowed subject to the supplemental standards for drive-through facilities provided in SMC [17.100.040](#).
- (22) Retail trade establishments are limited to 50,000 square feet gross floor area per individual establishment.
- (23) Grocery, convenience uses are limited to 3,000 square feet.

- (24) A hobby kennel license is required for a total of four or more dogs and four or more cats over three months of age. A maximum of four animals is allowed when the parcel is under one acre, five animals per acre are allowed when the parcel is one to five acres and 25 animals are allowed when the parcel is over five acres. These maximums may be exceeded with special hobby kennel permit issued administratively by the animal control officer pursuant to SMC [8.02.450](#) and [8.02.470](#); provided, however, that in all cases exceeding the maximum standard by six animals requires an administrative conditional use permit. All indoor and outdoor kennels shall comply with the animal control and licensing standards contained in Chapter [8.02](#) SMC. Three or fewer animals are allowed as an accessory use without a kennel license as pets.
- (25) Caretaker units are limited to one per parcel.
- (26) Automobile repair is limited to minor repair services in the general commercial zone and to minor and major repair services as defined in SMC [17.20.020](#) in the light industrial zone. Minor repair, major repair and paint/body shops are permitted in the general industrial zone.
- (27) Adult entertainment uses shall be located only in the adult entertainment overlay zone and shall comply with the requirements in SMC [5.32.030](#).
- (28) No drive-through service allowed.
- (29) No auto-related activities (new or used car dealership, service station, gasoline station, car wash, drive-in restaurant, or drive-in bank, etc.) nor any adult entertainment facility shall be allowed in this zoning district.
- (30) Handicraft, craft and/or artisan shops and studios shall be limited to 2,000 square feet of floor area of fabrication and/or manufacturing space. The retail sales floor area for these activities shall not be counted as part of this requirement.
- (31) Boarding/rooming houses shall be allowed only as second or third floor activities over retail trade, personal service or business professional service establishments, and not as ground floor uses.
- (32) Restaurants that serve lunches and/or dinner shall be allowed in bed and breakfast accommodations.
- (33) Residential single-family use is permitted on the ground floor in structures built prior to 1980 except:
- a. On properties with frontage on Main Street, 270th Street between 102nd Street and 97th Street; or
 - b. Within structures built as a Type B or Type M commercial occupancy under the International Building Code.
- (34) Associated outdoor storage and public drop-off areas must be surrounded with solid fencing that adequately shields items from view from public rights-of-way.

- (35) Limited to drop-off and pick-up with no on-site dry cleaning allowed.
- (36) A six-foot sight-obscuring fence or wall and landscaping consistent with Chapter [17.145](#) SMC, Landscape Performance Standards, shall be required.
- (37) Permitted in the transit overlay when part of a transit-oriented project as defined in SMC [17.77.040](#).
- (38) *Repealed by Ord. 1333.*
- (39) Permitted when located in the mixed use overlay and part of a mixed use project as defined in SMC [17.79.030](#).
- (40) *Repealed by Ord. 1333.*
- (41) The cross-section areas of service station canopy supports where they meet the ground shall be measured as coverage for the purposes of determining maximum lot coverage and also shall be used for the measurement of setback requirements.
- (42) In the general commercial zone, light manufacturing is limited to assembly and fabrication of products such as medical equipment, optics, electrical and electronic goods.
- (43) Subject to animal services grooming parlor conditions in SMC [8.02.480](#).
- (44) Kiosks/vending machines are permitted only as accessory uses inside a building.
- (45) Monopole towers only are permitted. Guy and lattice towers are prohibited. Limited to locations on properties with existing public use, except in the general commercial and general industrial zones subject to a conditional use permit, and subject to the wireless communications facilities standards in Chapter [17.220](#) SMC.
- (46) Subject to the wireless communications facilities standards in Chapter [17.220](#) SMC.
- (47) Minor facilities are limited to co-location on an existing monopole and are subject to the wireless communications facilities standards in Chapter [17.220](#) SMC.
- (48) Limited to one personal wireless communications facility (PWCF) on existing light standards and power poles within the public right of-way and subject to the wireless communications facilities standards in Chapter [17.220](#) SMC.
- (48a) All small wireless communication facilities shall be subject to the requirements of Chapters [17.200](#), [17.205](#), and [17.210](#) SMC.
- (49) Subject to standards in SMC [17.100.055](#).

- (50) Accessory retail limited to 2,000 square feet for goods manufactured, assembled or distributed on site.
- (51) Permitted when located in the historic downtown overlay, provided there is no outdoor display or storage.
- (52) Permitted when part of a mixed use development.
- (53) Detached accessory storage shall comply with “nonresidential performance standards” SMC [17.100.075](#), conditions for permitting detached storage structures in commercial zones, and the additional architectural standards in SMC [17.112.030](#) in the MB-I and MB-II zoning districts, SMC [17.112.040](#) in the NB, GC and GI zoning districts and SMC [17.112.045](#) in the LI zoning district.
- (54) Privately owned and operated sewage treatment plants, including but not limited to Septage facilities, are not permitted.
- (55) No marijuana retailer shall have frontage along or access to 271st Street NW within the MB-I zone.
- (56) No marijuana retailer shall have frontage along or access to 88th Avenue NW south of the southern right-of-way line of Cedar Street within the MB-I and LI zones.
- (57) No marijuana retailer shall have frontage along or access to Pioneer Highway within the GI zones.
- (58) **City of Stanwood purchase or development of property for park use under any zoning designations. The property shall be rezoned to the Parks Open Space zone with the next available Comprehensive Plan update.**

Exhibit C
SMC 17.60 Zoning Standards Tables

Chapter 17.60 ZONING STANDARDS TABLES

Sections:

- 17.60.010 Zoning standards, tables and interpretations.
- 17.60.020 Residential development standards.
- 17.60.030 Residential / commercial zone development standards.
- 17.60.040 Commercial and industrial development standards.
- 17.60.050 Park and Open Space development standards.**

17.60.010 Zoning standards, tables and interpretation.

- (1) Standards Established. The tables in this chapter contain density dimension standards and other limitations for the various zones. Additional development requirements found in these tables not related to zoning will also apply. Additional performance standards that could apply include but are not limited to those found in SMC Title [16](#) and Chapters [17.90](#) through [17.153](#) and [17.200](#) through [17.220](#) SMC.
- (2) Tables. There are ~~three~~ **four** separate zoning tables dealing with the following general land use categories and zones:
 - (a) Residential (SR 12.4, SR 9.6, SR 7.0, SR 5.0 and MR);
 - (b) Residential and commercial (TN, MB-I and ~~MB-II~~ **and GC-MXO**); and
 - (c) Commercial and industrial (NB, GC, LI and GI);
 - (d) **Parks and Open Space (POS).**
- (3) Interpretation of Zoning Tables. Development standards are listed under each zone and headings are listed at the left of the standard. The table cells contain the minimum and in some cases maximum requirements of the zone. The small number (superscript) in a cell or on a heading indicates additional requirements or detailing information which is not able to fit in the table. Development conditions referenced in the superscript are listed by number below each table. A blank cell indicates there are no specific requirements. (Ord. 1294 § 18, 2011).

17.60.020 Residential development standards.

(1) Development Standards Table – Residential Zones.

	SR 12.4	SR 9.6 ^{10, 11, 12}	SR 7.0	SR 5.0	MR
Density: maximum dwelling unit per gross acre. Density standards are not subject to the variance procedure.					
Base Standard	3.5	5	6	10 ²	20 ¹
• PRD review	5	6	8	N/A	
• Cottage	10	10	10	10	
Lot Area: minimum square feet for subdivision.					
Base Standard	12,400	9,600	7,000	5,000	20,000
• PRD review	10,000	7,000	5,000	N/A	
• Cottage	3,000	3,000	3,000	3,000	
Minimum Lot Width					
Base Standard	100'	75'	60'	50'	100'
• PRD review	85'	60'	50'	N/A	
• Cottage	50'	50'	50'	50'	
Minimum Lot Depth					
Base Standard	100'	100'	80'	75'	200'
• PRD	100'	80'	75'	N/A	
• Cottage	60'	60'	60'	60'	
Front Setback					
Base Standard ⁴	20 – 30' ⁹	20 – 30' ⁹	20'	10 – 20' ^{3,9}	20' ³
• PRD	25'	10'	10'	N/A	
• Cottage	10'	10'	10'	10'	
• Accessory Structure ⁵	25'	25'	25'	20'	
Rear Setback					
• Base Standards ⁴	25'	25'	20'	15' ³	15' ³
• PRD	25'	20'	15'	N/A	
• Cottage	10'	10'	10'	10'	
• Accessory Structure ³	5'	5'	5'	5'	5'
• Congregate Care					20'
Side Setback					
Base Standards ⁴	15'	10'	10'	5' ³	25' ³
• PRD	20' combined	15' combined	15' combined	N/A	
• Cottage	5' each side	5' each side	5' each side	5'	
• Accessory Structure ⁵	10'	5'	5'	5'	5'
• Congregate Care			5'		10'
Corner Lot Side Setback					
Base Standard ⁴	15'	15'	15'	15'	25'
• PRD	15'	15'	15'	N/A	
• Cottage	10'	10'	10'	10'	

	SR 12.4	SR 9.6 ^{10, 11, 12}	SR 7.0	SR 5.0	MR
• Accessory Structure ⁵	10'	5'	5'	5'	
Maximum Height					
Base Standard ⁴	30'	30'	30'	30'	<u>40'</u> ¹³
• PRD	30'	30'	30'	N/A	
• Cottage	30'	30'	30'	30'	
• Accessory Structure	20'	20'	20'	20'	<u>20'</u>
Percent of Lot Coverage					
Base Standard	30 ⁷	35	40	50	40
• PRD	40	40	40	N/A	
• Cottage	40	40	40	40	
• Accessory Structure ^{5, 6}	10 ⁷	10	10	10	
Maximum Building Area					
• Cottage	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	<u>N/A</u>
Minimum Driveway Length					
Base Standard	None	None	None	20' ⁸	<u>N/A</u>
• PRD	None	20'	20'	N/A	
• Cottage	20'	20'	20'	20'	

(2) Development Conditions – Residential Zones.

1. In the MR zone, single-family detached use requires a minimum land area of 4,500 square feet per unit, duplex use requires a minimum land area of 7,000 square feet, and townhome use requires a minimum land area of 2,000 square feet for end units, and 1,800 square feet for interior units. Multiple structures may occur on a legal lot with a minimum of 20,000 square feet.
2. In the R 5.0 zone, duplexes and townhouses require a minimum land area of 7,000 square feet. Townhomes require a minimum land area of 2,000 square feet for end units, and 1,800 square feet for interior units. Multiple structures may occur on a legal lot with a minimum of 7,000 square feet.
3. The front, rear and side yard setbacks for attached dwellings in these zones are not intended to be applied to each individual dwelling when there are multiple buildings on a site. Rather they are meant to be used to establish the minimum dimensional requirements for the perimeter of the housing development.
4. Setbacks are applicable to the primary structure, attached accessory structures and accessory dwelling units.
5. Excludes residential accessory structures.
6. Coverage for accessory dwelling units may be increased by 15 percent over the base coverage.

7. Greenhouses on farms within the SR 12.4 zone are excluded from maximum coverage calculations.
8. A 20-foot-long driveway from the front or rear is required in the SR 5.0 zone.
9. No two adjacent dwellings that front the same street shall have the same front yard setback unless otherwise approved by the city council. The front yard setback shall be randomly arranged with an equal number of dwellings at each increment. Setbacks shall be 20, 25 and 30 feet in the SR 12.4 and SR 9.6 zones. In the SR 5.0 zone, setbacks and structure placement shall be varied to accommodate the requirement for a 20-foot-long driveway from the front or rear in addition to the varied setback.
10. The community development director or hearing examiner may reduce lot sizes to a minimum of 8,000 square feet and/or widths to a minimum of 60 feet for the fewest number of lots necessary if development under the city's regular standards precludes the development from meeting minimum urban net density as established under the Growth Management Act. In addition, lots in plats vested to Snohomish County standards prior to annexation may have lot size reduced to 5,000 square feet, lot width reduced to 50 feet and lot depth reduced to 75 feet; provided, that overall density of the plat conforms to the land use element of the Stanwood Comprehensive Plan.
11. The community development director may approve reduced side and rear setbacks of five feet when the adjacent tract is devoted to open space, recreation space, or storm water detention. In addition, development on lots in plats vested to Snohomish County standards prior to annexation may conform to SR 5.0 zoning district standards for setbacks.
12. Heights may be increased to 60 feet for high school facilities.
13. **Maximum of 3 stories. The building shall have a pitched roof and comply with the architectural elements of SMC 17.112 Architectural Standards.**

(Ord. 1440 § 4, 2017; Ord. 1418 § 11, 2016; Ord. 1294 § 18, 2011).

17.60.030 Residential/commercial zone development standards.**(1) Development Standards Table – Residential/Commercial Zones.**

	TN	MB-I	MB-II	GC – MXO ¹¹
Maximum Residential Density.				
Density standards are not subject to the variance procedure.				
Single Family	20 du/ac ⁵ for all unit types	10 du/ac	30 du/ac ¹⁰	No Maximum ¹²
Duplex				
Townhouse/Apartment in mixed use		10 du/ac		
Multi-family		20 du/ac		
Cottage				
Minimum Residential Density				
Lot Area: minimum square feet for subdivision.				
Base Standard	None	2,500	5,000	20,000
Single Family	5,000			
Duplex	6,000			
Townhouse				
End lot	2,000	2,000	2,000	
Interior lot	1,800	1,800	1,800	
Multi-family	20,000		7,000	
Minimum Lot Width				
Base Standard	50′	35′	35′	100′
Minimum Lot Depth				
Base Standard	70′	75′	75′	100′
Minimum Front Setback ^{1,2}				
Base Standard	0	0	0	0
Accessory	10′	10′	10′	10′
Attached Dwelling	0	0	0	0
Rear Setback ^{1,2,4}				
Base Standards	25′	25′	25′	0
Accessory Structure	15′	15′	15′	
Side Setback ^{1,2}				
	5′ ^{6,7}	0	0	
Base Standards	10′ ⁵ 5′ ^{6,7}	0	5′	0
Accessory Structure	5′	0	5′	5′
Maximum Height				
Base Standard	30′ ³	35′ ³	45′ ⁹	50′ ¹³
Accessory Structure	20′			
Maximum Building Coverage ⁸				
Base Standard	60% ⁸	90%	90%	90%

(2) Development Conditions – Residential/Commercial Zones

1. The front, rear and side yard setbacks for structures in these zones are not intended to be applied to each individual building when there are multiple buildings on a site. Rather, they are meant to be used to establish the minimum dimensional requirements for the perimeter of the development.
2. Setbacks are applicable to the primary structure and attached accessory structures.
3. Height may be increased to 55 feet for hotels/motels and 40 feet for bed and breakfast accommodations, boarding houses, residential units over retail/office/personal service uses in the MB-I zone. Heights may be increased to 40 feet for multifamily, and mixed use in the TN zone and to 55 feet for multifamily, townhouse, hotel/motels, and mixed use when the TN zone is located within 200 feet of SR 532. An additional 10 feet may be allowed for multifamily, townhouse, and hotel/motels when the TN zone is located within 200 feet of SR 532 if the structure includes a pitched roof and no additional floors are added.
4. Rear setbacks of 15 feet are required for residential uses. Setbacks may be reduced to five feet when property is served by an alley.
5. Maximum density in the TN zone is calculated based on the total number of dwelling units of all types per gross acre. The density for each housing type within a project is determined by the minimum lot size.
6. Side setback for commercial is zero.
7. Side setback for attached townhouse units and multifamily is zero for interior units and 10 feet for end units. Side setback for utilities and public facilities is 20 feet.
8. For automobile service stations the cross-section areas of service station canopy supports where they meet the ground shall be measured as coverage for the purposes of determining maximum lot coverage, and also shall be used for measurement of setback requirements.
9. Height may be increased to 55 feet when a minimum of 50 percent of the required parking is provided on the ground floor or when the structure is at least LEED silver certified except where the MB-II zone directly abuts a residential zone and the increased height would obstruct the view corridor of the existing homes.
10. Density may be increased to 60 du/acre for mixed use developments when 100 percent of the required residential parking is provided on the ground floor and the building is at least LEED silver certified.
11. **General Commercial – Mixed Use Overlay zone shall comply with the specific standards of SMC 17.79 Mixed Use Overlay.**
12. **Density shall be determined by the development standards required for the specific property, including, but not limited to: height, parking, landscaping, lot coverage, recreational and open space, and stormwater.**

13. Maximum of 4 stories. The building shall have pitched roof or parapet roof design and comply with the architectural elements of SMC 17.112 Architectural Standards.

(Ord. 1449 § 5, 2017; Ord. 1418 § 12, 2016; Ord. 1398 § 18, 2015; Ord. 1333 §§ 6 – 9 (Exh. C), 2012; Ord. 1332 § 7 (Exh. C), 2012; Ord. 1294 § 18, 2011).

17.60.040 Commercial and industrial development standards.

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

	NB	GC	LI	GI
Lot Area: minimum square feet for subdivision.				
Base Standard	6,000	10,000	20,000	1 acre
Minimum Lot Width				
Base Standard	50'	70'	80'	100'
Minimum Lot Depth				
Base Standard	70'	80'	100'	200'
Front Setback^{1,2,7}				
Base Standard	10'	25'	25'	25'
• Accessory Structure	10'	25'	25'	25'
Rear Setback^{1,2,7}				
• Base Standards	25'	25'	5' ⁴	35' ⁴
• Accessory Structure	15'	5'	5'	5'
Side Setback^{1,2,7}				
Base Standards	10'	10'	5' ⁴	25' ⁴
• Accessory Structure	5'	5'	5'	5'
Maximum Height				
Base Standard	30'	35' ⁹	35' ⁹	35' ^{6,8}
• Accessory Structure	20'			30'
Maximum Building Coverage^{3,7}				
Base Standard	40%	60%	80%	80% ⁵
• Accessory Structure	10%	10%		10%

(2) Development Conditions – Commercial and Industrial Zones.

1. The front, rear and side yard setbacks for structures in these zones are not intended to be applied to each individual building when there are multiple buildings on a site. Rather, they are meant to be used to establish the minimum dimensional requirements for the perimeter of the development.
2. Setbacks are applicable to the primary structure and attached accessory structures.
3. Ten percent additional coverage is allowed for detached accessory structures in the NB, GC, and GI zones in addition to the allowance for the primary structure.

4. Where an industrial or manufacturing use abuts a residential zone, a 25-foot setback is required in the LI zone and a 50-foot setback is required in the GI zone.
5. Coverage may be increased to 40 percent for wholesale, moving van/storage and warehouse operations, 50 percent for petroleum products distribution and storage and school bus maintenance facilities, and 65 percent for mini-warehouse.
6. Height may be increased to 50 feet for food processing plants, wholesale operations, warehousing operations, and freight distribution centers.
7. For automobile service stations, the cross-section areas of service station canopy supports where they meet the ground shall be measured as coverage for the purposes of determining maximum lot coverage, and also shall be used for measurement of setback requirements.
8. Height may be increased to 80 feet for feed and fertilizer operations abutting railroad corridors for silos and grain elevator structures only.
9. Height may be increased to 55 feet for hotels/motels.

17.60.050 Parks and open space development standards.

(1) Development Standards Table – Parks and Open Space Zone.

	<u>Athletic Field, Ball Park or Batting Cage</u>	<u>Park, Community</u>	<u>Park, Neighborhood</u>	<u>Park, Urban</u>	<u>Recreation Area/Facility, Playgrounds</u>	<u>All Other Park Uses</u>
<u>Adjacent Property Use Setbacks</u>						
• <u>Residential</u>	<u>25'</u>	<u>20'</u>	<u>20'</u>	<u>10'</u>	<u>10'</u>	<u>5'</u>
• <u>Commercial</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>0'</u>

(2) Development Conditions – Parks and Open Space Zone.

1. **The front, rear and side yard setbacks for structures in these zones are not intended to be applied to each individual building when there are multiple buildings on a site. Rather, they are meant to be used to establish the minimum dimensional requirements for the perimeter of the development.**
2. **Setbacks are applicable to the primary structure and attached accessory structures.**

Exhibit D
SMC 17.79 Mixed Use Overlay

Chapter 17.79 MIXED USE OVERLAY

Sections:

- 17.79.010 Purpose.**
- 17.79.020 Applicability.**
- 17.79.030 Definitions.**
- 17.79.040 Interpretation.**
- 17.79.050 Permitted uses and standards.**
- 17.79.060 Table of dimensional and density requirements.**

17.79.010 Purpose.

The intent of the mixed use zoning overlay is to allow for mixed commercial/residential structures in certain areas of the city designated as appropriate in the city's Comprehensive Plan. The purpose of the overlay is to encourage higher density residential development close to shopping, transportation, employment, and other amenities and to encourage commercial development that serves residential areas. An additional purpose is to allow combinations of use within one building while still allowing development meeting the standards of the underlying zones. Mixed use structures **along public streets** shall have a minimum of two uses, such as commercial uses with or without enclosed parking on the ground floor and residential uses above the ground floor. **Mixed use structures along private streets and/or have limited visibility to public streets may be allowed to provide only** residential uses with or without enclosed parking on the ground floor.

(Ord. 1282 § 1, 2011; Ord. 1138 § 4, 2003).

17.79.020 Applicability.

This overlay zone applies to properties zoned general commercial and multifamily designated as appropriate in the city's Comprehensive Plan and noted on the city's zoning map. The regulations in this chapter apply only to mixed use buildings located within the mixed use overlay. All other, non mixed-use buildings shall conform to the regulations of the underlying zone. (Ord. 1282 § 1, 2011; Ord. 1138 § 4, 2003).

17.79.030 Definitions.

- (1) For the purposes of this section, "**vertical** mixed use" shall be defined as a single structure supporting commercial (retail, office, service) ~~or light manufacturing~~ use on the ground floor, with or without enclosed garage space on the ground floor, and with one or more stories of residential use above.
- (2) **For the purposes of this section, "horizontal mixed use" shall be defined as a single structure supporting residential (apartments, condominiums, townhouses) use on the ground floor, with or without enclosed garage space on the ground floor, and with two or more stories of residential use.**

The residential building must be located behind an existing commercial use and have no frontage along a public street.

- (3) For the purposes of this section, “density” shall be calculated by using the entire square footage of the lot on which the mixed use structure is located. (Ord. 1282 § 1, 2011; Ord. 1138 § 4, 2003).

17.79.040 Interpretation.

In the case of a conflict between the regulations of this overlay zone and those of the underlying zone, the regulations of this overlay shall control for mixed use structures and uses; the underlying zone shall control for all other structures and uses. (Ord. 1282 § 1, 2011; Ord. 1138 § 4, 2003).

17.79.050 Permitted uses and standards.

Permitted uses in the mixed use overlay are subject to the additional conditions as shown in the master use table provided in SMC 17.30.040 under the GC-MXO zone and the Multi-Family Residential (MR) zone with the notation P39MXO.

- (1) When the mixed use overlay is applied over underlying commercial zones, the following standards are required.
- (a) A minimum of two uses are required **for a vertical mixed use building that has frontage along a public street. A horizontal mixed use residential only building may be allowed if the building has private street frontage or if the property is situated where a commercial use is not visible from a public street or would not be viable based on the location and be located behind an existing commercial use.**
 - (b) **For vertical mixed use buildings with two uses,** A minimum of 60 percent of the gross floor area of the first floor shall include uses allowed in the following categories in SMC 17.30.040, Zoning use table, for the general commercial zone: cultural/entertainment, hotel and guesthouse, office, personal services, retail trade establishments, **or** retail prepared food/beverage establishments, **or** industrial. In addition, “mini-warehouse/storage facilities,” “schools, other,” “dog grooming,” and “veterinarian/hospital or clinic” ~~with accessory “indoor kennel”~~ uses qualify to meet the minimum 60 percent of gross floor area standard.
 - (i) The 60 percent commercial use requirement in subsection (1)(b) of this section may be reduced to 30 percent of gross floor area when a minimum of 50 percent of the parking required for the residential uses in a mixed use structure is provided on the ground floor, or underground.
 - (c) Residential dwelling units are ~~not permitted~~ **only allowed** on the ground floor **if the property only has access to private streets and if the commercial element of the mixed use building would not be visible or viable from the property location and be situated behind an existing commercial use.** ~~Multifamily and congregate care units are limited to upper (non-ground floor) stories.~~
 - (d) Accessory functions of residential uses such as lobbies, entrances, exercise, storage, and meeting rooms, provided for the use of residents, may be located on the ground floor.
 - (e) Parking lots and parking garages are allowed. Enclosed garage space may be located in a portion of the ground and second floor space or underground. The community development director may approve limited garage space on other stories.
 - (f) “Drive-through” windows and establishments are not permitted.
 - (g) Dry cleaners are limited to drop-off facilities only.

- (h) Office and restaurant uses on the second floor require an administrative conditional use permit except that accessory offices, and home offices meeting the standards in SMC 17.95.380 Supplemental standards for home occupations, are exempt from this conditional use permit requirement.
- (i) Any commercial ~~or industrial~~ use utilizing or producing hazardous, odorous or airborne substances shall contain, reduce, and mitigate impacts and may be subject to additional conditions as determined by the community development director.
- (j) Commercial and/or office/~~light industrial~~ uses on ground floors shall have a minimum of 30 feet of depth.

(2) When the mixed use overlay is applied over underlying residential zones, the following standards are required:

- (a) Residential. Mixed use buildings shall contain multifamily residential units on upper (non ground-floor) stories, and may contain residential units on ground floors.
- (b) Retail Trade, Professional or Personal Service. Mixed use buildings shall provide commercial and/or office uses on ground floors with a minimum of 30 feet of depth, except that “drive through” windows and establishments are not permitted. Limited office and restaurant uses may be located on a portion of second story space. Any commercial use utilizing or producing hazardous, odorous or airborne substances shall meet all requirements of the building code in effect at the time of permit application in order to contain, reduce, and mitigate impacts.
- (c) Enclosed garage space may be located in a portion not to exceed 50 percent of the ground floor space, or may be located underground.

(Ord. 1282 § 1, 2011; Ord. 1294 § 27, 2011; Ord. 1138 § 4, 2003).

17.79.060 Table of dimensional and density requirements.

Key: GC – MXO = Mixed Use Overlay with underlying General Commercial Zone

MF – MXO = Mixed Use Overlay with underlying Multi-Family Residential Zone

DU/AC = Dwelling Units per Acre

Mixed Use Overlay
Table of Dimensional and Density Requirements

Permitted Use	Maximum Units	Minimum Lot Dimensions			Minimum Yard Setbacks			Maximum Building Height (ft)	Maximum Building Coverage (%)
		Area	Width	Depth	Front	Rear	Side		
Mixed Use Overlay with General Commercial Zone	24 du/ac gross density	1 Acre	100'	100'	0	0	0	45 [±]	60
<u>GC-MXO</u>	<u>See Dimensional and Density Requirements in SMC 17.60.030¹</u>								
Mixed Use Overlay with Multifamily	20 du/ac gross density	1 Acre	100	100	0	0	0	40	60
<u>MR-MXO</u>	<u>20 DU/AC gross density</u>	<u>20,000 sf</u>	<u>100'</u>	<u>100'</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>40</u>	<u>90</u>

¹ Fifty-five feet of height is allowed when a minimum of 50 percent of the required parking for residential use is provided on the ground floor or underground, or when the structure is LEED silver certified.

Exhibit E
SMC 17.100 Non-Residential Performance Standards

17.100.050 Conditions for permitting ball parks, athletic fields, parks, playgrounds, community centers, houses of worship and meeting halls in residential zones.

The community development director shall make the findings in subsection (1) of this section in addition to the findings in SMC [17.80.120\(6\)](#) prior to issuing ~~a an administrative conditional use permit in a residential zone~~ for ball parks, athletic fields, parks, playgrounds, community centers, houses of worship and meeting halls in residential zones and may require the additional standards listed in subsection (2) of this section for these uses.

(1) Findings.

- (a) The proposed use will be effectively buffered from adjacent and abutting residential use by means of fencing and/or landscaping or a combination of fencing and landscaping.
- (b) Parking lots are located and landscaped to reduce the impact of traffic and headlights on adjacent and abutting residential uses.
- (c) Exterior lighting is screened to reduce visual glare.
- (d) The proposed development complies with SMC [17.112.020](#), Building design standards applicable in the SR 12.4, SR 9.6, SR 7.0, SR 5.0, TN and MR zoning districts.

(2) Additional Standards.

- (a) Additional landscape setback of up to 20 linear feet may be required along an abutting property line.
- (b) Additional setbacks of up to six feet may be required on upper stories of structures.
- (c) Live entertainment uses may be restricted to indoor use.
- (d) Hours of operation and/or outdoor activities may be restricted to increase compatibility with residential neighborhoods. (Ord. 1294 § 30, 2011).

Exhibit F Planning Commission Findings of Fact and Conclusions



City of Stanwood
10220 270th Street NW
Stanwood, WA 98292

City of Stanwood, Washington

2020 Comprehensive Plan Amendment and
Implementing Zoning Regulations

Findings of Fact and Conclusions of Law

A. GENERAL INFORMATION

File Number(s):	2020-0160
Project Summary:	2020 Comprehensive Plan Amendment, Zoning Map Amendments and Implementing Zoning Regulations
Applicant:	City of Stanwood
Location:	Applies Throughout the City of Stanwood Jurisdictional Limits
Staff Contact:	Patricia Love, Community Development Director

B. BACKGROUND AND DESCRIPTION OF PROPOSAL

The Growth Management Act of the State of Washington requires “early and continuous” public participation in the city’s review and adoption of comprehensive plans and development regulations. One planning tool used to meet the “early and continuous” standard is the Docket process. The “Docket” is a public participation procedure required by state law (GMA) that allows residents the opportunity to request amendments to the City’s comprehensive plan and development regulations on an annual basis. The 2019 / 2020 docket application period ran from August 1 through August 31, 2019 and resulted in several rezone requests and city initiated amendments.

All amendments to the Comprehensive Plan shall be considered concurrently and no more than once per year, except in the event of an emergency, so that their cumulative effects can be ascertained. The 2020 Comprehensive Plan Amendment includes the following Future Land Use Map (FLUM) amendments, Zoning Map Amendments and implementing zoning regulation amendments:

1. Scott Wammack / Lisa Sather (Sather Family Trust) Comprehensive Plan Map Amendment with a concurrent rezone to add the Mixed-Use Overlay designation to 2 vacant parcels currently zoned General Commercial located south of 265th Street NW within the Haggen Complex. Parcel Numbers: 32042900204500 and 32042900207100
2. Scott Wammack / Brett Sibert Comprehensive Plan Amendment with a concurrent rezone to add the Mixed-Use Overlay designation to a vacant parcel currently zoned General Commercial located on the southwest corner of 265th Street and 72nd Avenue. Parcel Number: 32042900206000

3. City of Stanwood (271st Street) Comprehensive Plan Amendment with a concurrent rezone from Light Industrial to Mainstreet Business II along the north side of 271st Street between 92nd Avenue NW and 90th Avenue NW. Parcel Numbers: 32041900304800, 32041900305100, 32041900308700, 32041900305200, 32041900308900, 32041900305300, and 32041900302600
4. City of Stanwood Comprehensive Plan Amendment with concurrent zone of City park properties from various zoning districts to a new Parks and Open Space designation. Parks subject to this proposal include:
 - Heritage Park (Parcel Numbers: 32032400413200, 32032400400100 and 32032400304900),
 - Hamilton Landing Park (Parcel Number 32032400414600 and 32032400414700),
 - Ovenell Park (Parcel Numbers: 32032400300100, 32032400305600, 32032300401200, 32032300400700, and 32032400300300),
 - Church Creek Park (Parcel Number 32042000301800) and
 - Lions Park (Parcel Number 00470000200100).
5. City of Stanwood Comprehensive Plan Text and Map amendment to reflect the proposed rezone amendments including amendments to the Land Use and Housing Elements. Amendments also include extending the Mixed-Use Overlay zone over all General Commercial zone properties in the Uptown Center.
6. City of Stanwood Zoning code amendments implementing the rezones including: creating a new Parks and Open Space (POS) zoning district and amendments to the building height and density requirements of the Mixed-Use zoning overlay and the Multi-Family Residential zoning designation.
 As part of this process the City may be considering the following:
 - 40-foot building height in the Multi-Family Residential zones, which would allow for three story buildings.
 - 50-foot building height in the Mixed-Use zoning overlay, which would allow for four story buildings.
 - Density that is controlled by height, parking, landscaping, park/open space requirements of the code instead of a set number for the Mixed-Use zoning overlay.
7. City of Stanwood Amendments to the Capital Facilities Element of the Comprehensive Plan to update both the 6-year and 20-year Capital Improvement Plan project lists.

C. COMPREHENSIVE PLAN AMENDMENT CRITERIA (SMC 17.157.080)
ZONING MAP MODIFICATION CRITERIA (SMC 17.155.0909(1))

The city may approve, or approve with modifications or conditions, an application for a Comprehensive Plan amendment or Zoning Map Modification if:

(a) The amendment / zoning reclassification bears a substantial relation to the public health, safety, or welfare;

The State of Washington adopted the Growth Management Act in 1990 to manage growth under a consistent set of statewide goals and policies. The Act originally contained 13 goals that provided guidance to local governments on how to manage: population growth, housing, transportation systems, utilities and other public infrastructure. The City of Stanwood adopted its first GMA compliant Comprehensive Plan on June 1, 1996. Subsequent amendments to the Plan have been adopted through the years as deemed warranted due to changing circumstances or as required by state mandates.

The 2015-2035 Comprehensive Plan establishes a moderate growth scenario that expects the city to reach a population of 10,116 (or 11,085 inclusive of the Urban Growth Area) by 2035. Associated with this growth scenario is the expected density and type of development necessary to reach this population projection. The city anticipated future growth to include a combination of residential and mixed-use developments. The very first policy of the Comprehensive Plan - Land Use Policy 1.1 states that the City shall “establish a density lot size and road access standards that create incentives for infill development in urban areas that are either underdeveloped or underutilized”.

The proposed rezones add approximately 286-404 infill housing units which falls within the moderate growth scenario as adopted in the Comprehensive Plan and helps the City meet its growth targets without major changes to the city’s residential zones. The proposed land use designations and rezones are consistent with the Comprehensive Plan growth and development strategies and therefore meets the criteria that the amendments bears a substantial relation to the public health, safety, or welfare.

(b) The amendment / zoning reclassification is warranted because of changed circumstances or because of a need for additional property in the proposed Comprehensive Plan or zoning designation or because the proposed amendment is appropriate for reasonable development of the subject property.

The City’s Comprehensive Plan plans for future growth out to 2035. In addition, the Puget Sound Regional Council’s growth strategies call for an additional 9% growth by the year 2050 in the cities and towns category that applies to Stanwood. The 2015 Comprehensive Plan identifies a city wide population of 10,116 people by 2035. Adding a projected 9% growth on that figure brings the City’s 2050 projected growth target to 11,026. Using the Snohomish County Tomorrow 2020 Growth Monitoring Report as guidance for considering projects that add new growth to the City, the report shows that the City is falling below its 2035 population growth target. If cities fall below their growth targets, they are required by state law to evaluate options to increase density through comprehensive plan amendments or changes in municipal codes that encourage in-fill development.

At a Planning Café held in 2019 the public was asked: “where would you put future growth in Stanwood”. In response the community located new housing and population growth in mixed-use developments in the City’s existing commercial zones. Adding the Mixed Use Overlay to the entire General Commercial zoning district in the Uptown Center District provides additional opportunities to convert some of the vacant storefronts into mixed use buildings consistent the Comprehensive Plan while helping to meet the City’s population and housing targets without negatively impacting existing single family residential

zones. The 271st Street rezone also implements mixed use zoning consistent with the Downtown Subarea Plan.

These proposed amendments and rezones are consistent with the vision of the Comprehensive Plan and the future zoning as envisioned by the public at the Planning Café. These amendments also fulfill the state mandate to evaluate “reasonable measures” to encourage in-fill development and strategies to meet projected population targets.

(c) The subject property is suitable for development in conformance with standards under the proposed Comprehensive Plan designation and with zoning standards under the proposed zoning classification.

The proposed rezones sites are either existing developed sites (parks and 271st Street rezones) or infill developable sites (three Wammack sites). Future uses of the rezones sites are anticipated to be general commercial, retail, restaurant, residential or park uses; all of which are consistent with the Comprehensive Plan’s vision of providing housing and urban services to city residents.

(d) The amendment and rezones will not be materially detrimental to uses or property in the immediate vicinity of the subject property;

The proposed uptown mixed use rezone is located in a general commercial zoning district with uses that range from mixed-use residential buildings, senior housing, grocery store, restaurants, YMCA, office and service uses. The 271st rezone properties are developed with commercial use buildings, parking lots and standard landscaping. Lastly, the park rezones to Parks and Open Space acknowledges the current use of the properties.

The cumulative effect of the proposed rezones support the city’s needed housing and population targets without negatively impacting the surrounding neighborhoods. Subsequent development of the rezones sites will be subject to the City’s, development regulations, concurrency standards and traffic impact mitigation fees. Site specific road / traffic improvements will be evaluated at the time of actual development.

The comprehensive plan amendments and rezones are consistent with existing uses and surrounding uses and would therefore not be detrimental to adjacent properties.

(e) The proposed Comprehensive Plan amendment / zoning reclassification has merit and value for the community as a whole; and

The proposal is consistent with the City’s land use policies and adds housing units consistent with the City’s 2023 growth target and the Puget Sound Regional Council population growth targets for the cities and towns category. The rezones also allow the properties to be developed similarly to surrounding properties. Adding housing in commercial areas encourages walkability with less dependence on the automobile for small, everyday errands. It also reduces impacts on existing family residential neighborhoods that could result from major land use changes if the City cannot meet its projected population and housing targets.

(f) The proposed amendment is consistent with the goals and policies of the Comprehensive Plan.

The proposals are consistent with the Stanwood 2015-2035 Comprehensive Plan policies as follows:

Uptown Center Comprehensive Plan Policies:

LUP 10.3: Allow a variety of retail, service, office and other commercial uses as well as mixed use, senior housing and assisted living residential uses in the Uptown Center.

- LUP 10.4: Allow surface parking to accommodate an auto-oriented shopping center in the Uptown Center and site planning, with no restrictions on the location of parking.
- LUP 10.5: Allow shared parking and off-site parking in the Uptown Center when approved by the City.
- LUP 10.6: Encourage mixed use development within the Center.

271st Street Rezone Comprehensive Plan Policies:

- LUP 4.1: Allow a mix of residential, office, retail, entertainment and service uses to serve incorporated Stanwood, unincorporated Snohomish County and Camano Island in Island County.
- LUP 4.3: Allow light industrial use in areas without strong access for retail or service uses.
- LUP 4.7: Encourage outdoor dining, outdoor street furniture and temporary outdoor displays that create interest and activity.
- LUP 5.5: Encourage small scale specialty retail along the front of 271st Street. Encourage larger-scale retail and service uses between 271st Street (behind store fronts) and SR 532. [Note: Staff made the following language correction to the policy: changing 271st Avenue to 271st Street.]

Parks Rezones Comprehensive Plan Policies:

- LUP 2.10: Encourage preservation of open space and recreational opportunities.

In addition to the Future Land Use Map (FLUM) and Zoning Map changes, minor amendments are being proposed to the Land Use Element of the Comprehensive Plan to implement the land use designation changes. The largest change in land use is changing out the existing park properties from their underlying zoning (91.81 acres) to the proposed new Parks and Open Space zoning designation. Note that the entirety of the Land Use Element's land use inventory is not being updated at this time but will be included in the 2024 Major Comprehensive Plan update as the 2015-2035 Land Use Inventory is based on 2012 data which does not reflect current conditions.

(g) The reclassification complies with all other applicable criteria and standards of the Stanwood Municipal Code.

To fully implement the proposed Comprehensive Plan amendments and rezones, a few amendments are needed to the Stanwood Municipal Code to ensure consistency between the Plan and implementing zoning regulations as required by the Growth Management Act. Two new zoning categories are proposed implement the comprehensive plan land use designations consistent with the requirements of the Growth Management Act: General Commercial – Mixed Use Overlay (GC-MXO) and Parks and Open Space (POS). Other amendments include changes to the permitted use matrix, bulk standards, mixed-use overlay regulations provide additional standards to ensure that future projects are developed according to the City's vision of creating mixed-use pedestrian friendly neighborhoods.

D. CODE AMENDMENT CRITERIA (SMC 17.155.090(2))

The city may approve or approve with modifications amendments to the text of the zoning code if:

(a) The purpose and desired effect of the proposed Comprehensive Plan Amendment and zoning reclassification are consistent with the Stanwood Municipal Code;

The proposed implementing zoning code changes fall into four general categories:

1. *Adoption of new General Commercial – Mixed Use Overlay Zoning Regulations.* The purpose of creating this new zoning category is to expand existing overlay over the commercial area in the Uptown Center Area, but not have the overlay apply to the other General Commercial zones in the city.

The properties subject to the Mixed-Use Overlay are currently zoned General Commercial which allows for general commercial and retail uses; the rezone would allow residential uses in conjunction with the commercial / retail uses similarly to those in the Haggen Shopping Center Complex. The proposal is consistent with the surrounding uses and with the Comprehensive Plan to encourage in-fill development with mixed-use buildings. Adding the Mixed Use Overlay to the entire General Commercial zoning district in the Uptown Center District provides additional opportunities to convert some of the vacant storefronts into mixed use buildings consistent with City policies for the district while helping to meet the City's Growth Management population and housing targets without negatively impacting existing single family residential zones. The amendments also eliminate the need to amend the Comprehensive Plan or require a rezone for any future proposed mixed use developments in the Uptown Center. The permitted use matrix and development standards were updated to create this new zone.

2. *Adoption of new Parks and Open Space Zoning Regulations.* Creation of a new Parks and Open Space land use and zoning designation requires the adoption of associated permitted uses and development standards. Currently all of our public parks are managed under various zoning districts – ranging from Single Family Residential to General Industrial. The City has received state funding for most of these parks from the Recreation and Conservation Office and have also purchased properties with Snohomish County Conservation Easement Funds which require these properties to be held in public ownership in perpetuity. By creating a new POS zoning category, the public and future law makers can easily see where the City's parks and open space areas are located in the city as well as the uses are allowed in park properties and facilities.
3. *Amendments to the Building Height for Mixed Use and Multifamily Developments.* Building heights were slightly increased to allow for the construction of pitched roofed structures. Over time, building standards have changed from standard 8-9 foot ceilings to 12 foot ceiling heights. In addition, building in the flood plain requires that the living area of the structure be one foot above base flood elevation. Building heights have not been evaluated or adjusted to coincide with these changes. The proposed changes in the building height does not increase density or allow for additional floors, but instead allows the construction of pitched roofs consistent with northwest craftsman designs versus building flat roofed buildings.
4. *Minor Code "Scrub" Amendments.* Minor changes are being proposed to the permitted use matrix to eliminate inconsistency with other development code sections. The allowance of self-storage units was eliminated from the Mixed Use Overlay zone to ensure the commercial floor is occupied with uses consistent with the vision of pedestrian friendly retail / commercial developments.

(b) There is a positive relationship to the public health, safety and welfare of the community; and

The proposed amendments provide clear guidance and standards for future development in the mixed use and parks zoning districts which is intended to provide the public and future developers with clear expectations on city requirements and development standards.

(c) The proposed amendment is consistent with the Stanwood Comprehensive Plan.

Stanwood's Comprehensive Plan envisions a strong community that provides urban services while preserving its rural community heritage. The Plan envisions a community with diverse commercial districts and a variety of housing types ranging from detached single family residential homes to mixed use commercial developments. The Comprehensive Plan's policies support the proposed 2020 Comprehensive Plan Amendments, rezones and associated implementing code amends.

LUP 2.10:	Encourage preservation of open space and recreational opportunities.
LUG 10:	Develop a second commercial and mixed use base in the Uptown Center as a focal point for the newly developing part of the City.
LUP10.5:	Encourage mixed use development with the [Uptown] Center.
LUP 19.1:	Plan for a balanced mix of land uses based on land availability and the capacity to provide public services.
EDP-6.1	Ensure that City licensing and permitting procedures and development regulations are coherent, fair, and expeditious.

E. FINDINGS OF FACT

1. Under the Growth Management Act (Chapter 36.70A RCW), the city may amend its Comprehensive Plan and Land Use Map once per year through the annual "Docket" process. The city accepts annual amendment requests until August 31st of each year for consideration.
2. The "Docket" is the vehicle by which the City and other public agencies, private owners, developers, community groups, or individual citizens request changes to the land use designations of property and/or propose changes to the elements, goals, and policies of the Comprehensive Plan.
3. The Docket process affords the opportunity to refine the Comprehensive Plan based on changing conditions and community needs.
4. The City Council considered the 2019 Docket applications on October 24, 2019 and forwarded those requests to the Planning Commission to evaluate and formulate a recommendation to either approve, approve with modifications or deny.
5. In order to formally process the 2020 Docket, applicants were required to submit their formal rezone applications by February 3, 2020. Five (5) applications were received: Three by Scott Wammack for mixed-use rezones in the Uptown Center District, and two (2) by the City of Stanwood to rezone a portion of 271st Street from Light Industrial to Commercial and to create a new Parks and Open Space zoning district for the City's park lands.

6. A Notice of Application was issued for the proposed amendments with a 30 day comment period ran from March 31 through April 30th. All property owners within 300 feet of the rezones were noticed of the proposed rezone requests.
7. Due to COVID-19 the processing of the amendments was put on hold in May of 2020 as the City was not permitted to hold formal public hearings per the guidance provided by the Governor's Office for ordinary and routine business. This guidance has been recently revised to allow cities to hold virtual public hearings which makes the processing of these amendments possible.
8. Pursuant to RCW 36.70A. 106, on October 9, 2020 the City notified the State of Washington of its intent to adopt amendments to its Comprehensive Plan and development regulations.
9. The City of Stanwood SEPA Responsible Official reviewed the amendments and issued a Determination of Non-significance (DNS) on October 13, 2020.
10. Stanwood's 2015 – 2035 Comprehensive Plan supports the 2020 Comprehensive Plan and municipal code amendments:
 - Land Use Policies 10.3 – 10.6 to encourage mixed use development in the Uptown Center Business District.
 - Land Use Policies 4.1, 4.3, 4.7, and 5.5 to maintain commercial zoning along 271st Street as part of the City's Main Street concepts and the Downtown Subarea Plan.
 - Land Use Policy 2.10 in support of preserving park space.
11. The Planning Commission considered the amendments at several meetings including: September 9, 2019, September 28, 2020, October 12 and 26, 2020 and November 9, 2020.
12. Staff prepared a report summarizing the proposed amendments. This report is part of the public record and was presented to the Planning Commission at the public hearing on November 16, 2020 for their consideration.
13. The Planning Commission held a public hearing on November 16, 2020 and considered all relevant matters, and heard all parties in support or opposition, and subsequently forwarded a recommendation to the City Council.
14. The Wammack rezone properties are currently zoned General Commercial which allows for general commercial and retail uses; the rezone would allow residential uses in conjunction with the commercial / retail uses within the entirety of the General Commercial zone in the Uptown Center District similarly to those in the Haggen Shopping Center Complex south of SR 532. The proposal is consistent with the surrounding uses and the Comprehensive Plan to allow mixed use development in the Uptown Center District.
15. The proposed 271st Street rezone properties are developed with commercial use buildings, parking lots and standard landscaping. The City's planning policies suggest this area should be a commercial district connecting the two historic downtowns and would avoid industrial uses along the City's "main street". The proposed rezone is consistent with this vision.

16. The park rezones do not change the underlying use of the properties, but provides a protective zoning designation which clearly shows the public that these lands are intended to stay in park and open space use in perpetuity.
17. Code amendments are necessary to implement the comprehensive plan land use designations. The Growth Management Act requires consistency between the Comprehensive Plan and development regulations. The amendments to the permitted use matrix, bulk standards, mixed-use overlay regulations provide additional standards to ensure that future projects are developed according to the City's vision of creating mixed-use pedestrian friendly neighborhoods.
18. The City of Stanwood has an adopted Level of Service E for traffic impacts on all arterial / collector roadways which relates to the acceptable delay time of 80 seconds at intersections. The traffic analysis prepared for the Uptown rezones showed that the proposed mixed use developments would change the intersection wait time from approximately 33 seconds to 40 seconds, well below the adopted maximum wait time of 80 seconds. Since the proposed wait time on the three rezones is far below the adopted Level of Service, it is not anticipated that applying the mixed use overlay to the entire General Commercial zoning district will drop the wait time below the adopted Level of Service. In addition, as projects are proposed, additional traffic studies will be prepared which could contain mitigation measures to reduce potential impacts.
19. Cumulatively, the proposed rezones and code amendments support the city's needed housing and population targets without negatively impacting the surrounding neighborhoods.
20. The City Council Community Development Committee reviewed the proposed amendments set forth in this Ordinance at their September 10 and October 15, 2020 meetings where they supported the proposed amendments.

F. CONCLUSIONS OF LAW

1. The City of Stanwood has authority under RCW Title 35A, to adopt plans and regulations related to development and operations within the City of Stanwood.
2. Stanwood Municipal Code requires that the Planning Commission review and make recommendations to the Stanwood City Council regarding Comprehensive Plan Amendments and code amendments to Title 17, Zoning.
3. Planning Commission briefings to discuss the proposed amendments were held on September 9, 2019, September 28, 2020, October 28, 2020, October 26, 2020, November 9, 2020 and a public hearing was held on November 16, 2020.
4. On November 3, 2020 the public hearing notice was printed in the Stanwood Camano News as required by law that a public hearing was to be held by the Planning Commission and all persons wishing to provide public input concerning the proposed amendments set forth in this Ordinance were heard.
5. SEPA review was conducted on the proposal and a Determination of Nonsignificance (DNS) was issued on October 13, 2020 under WAC 197-11-340(2). No appeals of the SEPA determination were filed.

6. The proposed land use designations and rezones are consistent with the Comprehensive Plan growth and development strategies and therefore meets the criteria that the amendments bears a substantial relation to the public health, safety, or welfare.
7. The proposed amendments will not be detrimental to adjacent properties.
8. The proposed amendments provide clear guidance and standards for future development which is intended to provide the public and future developers with clear expectations on city requirements and development standards.
9. After considering staff comments and public testimony, the Stanwood Planning Commission determined the draft amendments are consistent with the Comprehensive Plan and should be adopted.

G. STAFF RECOMMENDATION

Move that the Planning Commission **ADOPT** the Findings of Fact and Conclusions of Law contained herein and **AUTHORIZE** the Planning Commission Chair to sign the Findings on behalf of the Commission and recommend that the Stanwood City Council **APPROVE** the proposed 2020 Comprehensive Plan Amendment, Zoning Map Amendments and implementing amendments to Chapter 17 of the Stanwood Municipal Code.

Dated this 16th of November, 2020.

Marcus Metz, Planning Commission Vice-Chair
City of Stanwood