



2024 COMPREHENSIVE PLAN &  
MUNICIPAL CODE UPDATE PROJECT  
ADVISORY GROUP

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<b>MEETING DATES:</b>	March 15, 2023
<b>SUBJECT:</b>	Land Use Element Text Draft Stanwood Municipal Code Titles 9 and 13
<b>CONTACT PERSON:</b>	Patricia Love, Community Development Director
<b>ATTACHMENTS:</b>	Exhibit A – 2024 Land Use Element Text Draft Exhibit B – 2024 Land Use Goals and Policies Clean Exhibit C – 2024 Land Use Goals and Policies Strikethrough Exhibit D – 2015 Land Use Element Exhibit E – Municipal Code Title 9 Draft Exhibit F – Municipal Code Title 13 Draft

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### STANWOOD LAND USE ELEMENT

Staff is working with the consultant team updating the Comprehensive Plan as part of the periodic update process currently underway. Blueline, one of the consultant firms on the project team, has been tasked with coordinating, writing, and designing the Comprehensive Plan’s chapters, graphics, and overall document. Each elemental chapter will be presented for review individually. Using feedback from previous meetings, the Economic Development Element was updated to reflect recommendations from the Advisory Group, the Council Community Development Committee, and the Planning Commission. The next element that will be presented for review is the Land Use Element.

The Land Use Element is the most critical component of the Comprehensive Plan and the basis for all other required elemental chapters. The 2015 Land Use Element consists of 25 different goals each with their own associated set of policies. Staff and consultant edits to this element concentrated on simplifying the text; removing redundant goals or policies due to redundancy, simplification, already implemented/adopted, or more appropriate for the Municipal Code or other elements of the Comprehensive Plan; and adding new policies addressing regional planning policies.

The City has spent the last 20 years planning for the future of Stanwood and emphasizing the importance of economic survival. Three key planning documents have been developed by the City between 2010 and 2020 to enhance economic development opportunities and improve the quality of life within the city: the 2010 Economic Development Action Plan, 2015 Downtown Subarea Plan, and the 2020 City Beautification Action Plan. The Land Use Element of the Comprehensive Plan incorporates the goals and strategies of the previous planning documents and has multiple goals and policies that support downtown revitalization.

The Land Use Element ties together population, housing, economic development, industrial lands, commercial lands, and residential lands. Staff’s goals for the proposed Land Use Element include reducing barriers for downtown redevelopment and simplifying zoning regulations, promoting residential infill around commercial properties, emphasizing Stanwood’s historic significance and floodplain resiliency, encouraging a mix of complimentary uses between industrial land and neighboring lands, and ultimately implementing the community’s vision for the City.

**2044 Land Use Element**

<b>Section</b>	<b>Goals</b>	<b>Purpose</b>
Introduction	LUG 1, LUG 2	Describes the importance of the Land Use Element and provides a brief overview of the Growth Management Act (GMA) guidelines for preparing a Land Use Element of a Comprehensive Plan.
Current Land Use Inventory	LUG 3, LUG 4, LUG 5, LUG 6, LUG 7, LUG 8	Provides a summary of Stanwood’s estimated acreage of land uses based on zoning including vacant land.
Future Land Use Capacity	LUG 9	Relates the land use inventory into capacity for the City to be able to meet 2044 growth targets for population, housing, and employment.
Demographics	n/a	Summarizes trends in Stanwood’s population and economic development since 2010.
City Landscape	LUG 10, LUG 11, LUG 12, LUG 13, LUG 14, LUG 15, LUG 16, LUG 17	Describes the vision and intent for specific identified areas of Stanwood including Downtown, Uptown, and Planned Industrial.
Community Engagement and Land Use Vision	n/a	Highlights the community’s land use priorities as revealed through extensive public outreach.
Conclusion	n/a	Re-summarizes the intent behind zoning regulations, land capacity, and growth targets.

**STANWOOD MUNICIPAL CODE TITLES 9 AND 13**

The next batch of Municipal Code Amendments is Title 9 – Public Peace, Morals, and Safety and Title 13 – Code Enforcement. These two Titles have been grouped together for review as they both address enforcement issues and have direct code correlations. Using the approved style guide, the attached draft amendments delete outdated code citations and modernize by applying current best practices. It notes where new sections have been added or where moved. In general, these titles and chapters have been reorganized for better flow and readability with similar topics being grouped together.

Using the scoping memo prepared for these two Titles, which the Advisory Group reviewed in January, full drafts have been prepared for formal review. The drafts are being circulated for review by the City Attorney, Police Chief and Department Heads. The Community Development Committee and Planning Commission will review the drafts at their March meetings.

**Purpose of Titles:**

- Title 9: Public Peace, Morals, and Safety: Title 9 contains the laws and regulations enforced by the City’s Police Department.

- Title 13: Code Enforcement: Title 13 contains the code enforcement procedures generally applied to the remaining municipal code titles including zoning and development standards. The Building Official is the City’s Code Enforcement Officer.

Title 9 – Public Peace, Morals, and Safety (Exhibit C):

Title 9 is reorganized so that the chapters are more consistent with state law terminology, adopts current state law citations, and brings city code up to date with recent changes in state law and state supreme court case decisions.

Existing Title 9 Organization	Proposed Title 9 Organization
Assault Civil Emergency Crimes Against Property Disorderly Conduct Drug Paraphernalia Restrictions Intoxicating Liquor Emergency Response Code Recovery Houses of Prostitution Vagrancy Interference with or Impersonation of Police Officers Park Regulations Narcotic Drugs Public Indecency and Obscenity Public Nuisance and Disturbance Noises Jail Facilities	Anticipatory Offenses Offenses against Persons Offenses against Property Offenses against Public Morals Offenses against Public Order Offenses against Juveniles Domestic Violence Violations and Orders Substance Abuse Parks

Other notable changes to this Title include:

- Moving *Public Nuisances and Disturbance Noises* to Title 7 to be combined with other nuisances contained in SMC 7.16. This keeps all “nuisance” sections together in one chapter.
- Adds a new chapter on *Trespass from City Facilities* that adopts a code of conduct so that people may be removed from city property if they behave dangerously, illegally or threateningly.

Title 13 – Code Enforcement (Exhibit D):

Title 13 contains the general enforcement provisions for the entire Municipal Code for non-criminal proceedings. For ease of use and readability, this Title is broken into multiple chapters as follows:

General Provisions	Procedures	Administrative Orders	Penalties and Remedies
<ul style="list-style-type: none"> <li>▪ Policy</li> <li>▪ Applicability</li> <li>▪ Definitions</li> <li>▪ Duty to enforce</li> <li>▪ Joint and several liability</li> </ul>	<ul style="list-style-type: none"> <li>▪ Investigation— Right of entry</li> <li>▪ Appeals</li> </ul>	<ul style="list-style-type: none"> <li>▪ General provisions</li> <li>▪ Stop work / emergency orders</li> <li>▪ Contents</li> <li>▪ Service</li> </ul>	<ul style="list-style-type: none"> <li>▪ Voluntary compliance agreement</li> <li>▪ Certificate of non-compliance</li> <li>▪ Civil infraction</li> <li>▪ Civil penalty</li> </ul>

General Provisions	Procedures	Administrative Orders	Penalties and Remedies
			<ul style="list-style-type: none"> <li>▪ Abatement by the City (including liens)</li> <li>▪ Alternative remedies</li> </ul>

Notable Changes to this Title include:

- Rename title to civil enforcement as it applies to the entire municipal code, not just zoning.
- Reorganize into multiple chapters as noted above.
- Adds a civil infraction procedure to allow the City Code Enforcement Officer and Police Department to issue municipal civil infraction citations (tickets) for minor / reoccurring code enforcement cases.
- Maintains notice of violation process for major land use violations.
- Ensure appeal section is consistent with Hearing Examiner authority and process.

Exhibit A  
2024 Land Use  
Element Text  
Draft

# LAND USE

## INTRODUCTION

At the heart of every Comprehensive Plan is the community's desire to shape or direct the city's future development to support a higher quality of life. Cities are primarily molded through zoning and land use regulations defining what can be built and where it should be placed. Stanwood utilizes land use planning to adapt to changing local, regional, and national conditions that influence the community's opportunities to build resiliency and adaptability.

The *Land Use* element is the most critical component of the Comprehensive Plan and the basis for all other required elemental chapters. Stanwood's changes to the Zoning Map or Municipal Code are made in preparation for future demands on land, services, and infrastructure. The *Land Use* elemental chapter outlines the required changes needed in Stanwood to accommodate growth in population and housing, increase the number and variety of job opportunities, forecast transportation needs and routes, maintain a standard of living, and enhance the environmental and cultural well-being of the community.

Stanwood's *Land Use* elemental chapter establishes the policy basis for guiding the City's growth and development to achieve the desired urban form, intensity, and aesthetic. This elemental chapter is prepared in accordance with the Growth

Management Act (GMA), RCW 36.70A.070(1) which outlines what is required to be described in a *Land Use* element:

- Designate the proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses.
- Describe population densities, building intensities, and estimates of future population growth.

### What is our intent for Stanwood's land use and zoning?

In 2044, Stanwood would maintain a charming, community-oriented atmosphere by balancing a thriving, connected downtown district and uptown commercial area, building a variety of housing units and densities to support the community's economic diversity, and celebrating rural roots by preserving historical sites and invaluable ecological lands, supporting local businesses, and celebrating the local arts and culture. Stanwood will be better interconnected with non-motorized and transit-focused transportation infrastructure encouraging physical and mental well-being and offering locals an opportunity to live, work, and prosper. Open spaces and parks highlight the sweeping landscapes while also providing outlets for physical activities and operating as a non-motorized transportation system. Natural areas and critical areas will be protected as living infrastructure critical to the community's longevity.

The 2024 Comprehensive Plan Update builds upon the legacy of previously adopted comprehensive plans and other long-range plans to ensure responsible, sensible, and equitable growth while retaining the City's distinct character.

- Protect the quality and quantity of groundwater used for public water supplies.
- Consideration of utilizing urban planning approaches that promote physical activity and wellbeing.
- Evaluate drainage, flooding, and stormwater runoff in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including the Puget Sound or waters entering the Puget Sound.

In addition to the GMA, the *Land Use* elemental chapter is also informed by and developed in accordance with the Snohomish County Countywide Planning Policies and the Puget Sound Regional Council (PSRC) Vision 2050 Multi-County Policies, the Snohomish County Buildable Lands Report along with other coinciding elements of the Stanwood Comprehensive Plan.

### REGIONAL COORDINATION

The Snohomish County Tomorrow (SCT) is a collaborative and cooperative public inter-jurisdictional effort between Snohomish County, 19 of its cities, and the Tulalip Tribes aimed towards the overall improvement across all jurisdictions and their relationship with the region. SCT primarily develops and updates the Countywide Planning Policies and ensures congruency across comprehensive plans throughout the county. Coordination for the provision of services and the implementation of the Growth Management Act goals and VISION 2050 Multicounty Planning Policies are also functions of the SCT. This cross-collaboration is intended to produce high-quality growth and transportation analyses and reporting, housing data and analyses, and federal transportation funding throughout Snohomish County and the region.

The vision for Snohomish County Tomorrow was developed by a steering committee of elected officials from the county, cities, towns, and the Tulalip Tribe who are driven to provide a consensus and recommendations on growth management policies. The vision statement is outlined below:

#### SCT Vision Statement

**SCT Effectively Cooperates, Collaborates, and Communicates with Snohomish County Government its Cities and Tribes in addition to other regional governments in an effort towards creating and implementing a positive regional vision.**

SCT serves as a Partner and Advisor with local and regional governments and the tribes on crucial issues affecting our community including:

- Implementation of the Growth Management Act (primary function)
  - Buildable Lands
  - Growth Targets
  - Annexations Principles
  - Countywide Planning Policies
- Transportation system planning and operations (including funding the system,

managing congestion and maintaining concurrency, and supporting an integrated mass transportation system tying East/West and North/South)

- Housing affordability/Options and Homelessness
- Economic development
- Capital facilities, schools, parks ...
- Adequate state and local funding to address all of these issues.

Because of its deep-seated commitment to cooperation and collaboration on these issues, SCT is recognized as one of the most effective regional leaders addressing state and regional growth management issues.

## Current Land Use Inventory

The land use inventory includes the estimated acreage of all existing land based on current zoning, including vacant land, within the Urban Growth Area of Stanwood. The inventory is a critical component in understanding the current conditions of the city and whether there are sufficient lands available to accommodate growth. How do we understand what zones or regulations should be changed in the future if we do not understand what lands and development exist today?

The following subsections describe what zones currently exist within Stanwood and determine if there is a capacity to satisfy anticipated growth trajectories in population, housing, and jobs. If existing zones do not meet future capacity needs, it is up to the community to determine how existing lands will be zoned or delineated to adapt for the future.

### EXISTING LAND USE

The City of Stanwood has a cumulative total of 2,218 acres within the Stanwood Urban Growth Area (UGA), with 1910 acres zoned and within the city's limits and 308 acres solely within the UGA regulated and maintained by Snohomish County. Stanwood is currently divided into 13 zoning districts as described in **Error! Reference source not found..**

Exhibit 2 summarizes the ratio and acreage of each zone with the city's limits exclusive of public rights-of-way and waterways. Stanwood is a primarily residential city with much of the land use zoned for single-family residential (36.8%). Approximately nineteen percent of the city's lands are zoned for primarily commercial or industrial uses (19.2%). Municipal lands zoned Public Facilities or Parks and Open Space make up approximately 14.1% of the area

### What is an Urban Growth Area?

Urban Growth Areas, or UGA's, are areas designated by the county where future city annexations may occur to meet growth projections. For example, what if Stanwood did not have enough lands available within city limits to meet projected housing needs? The city would need to consider an annexation of unincorporated lands to meet growth targets.

Counties and cities work collaboratively to identify areas where growth is most likely to occur and begin planning for utilities, public facilities, and services. A UGA is regulated and maintained by the County until annexation occurs which is initiated and processed by the city.

within city limits. Exhibit 3 describes the amount of developed, vacant and re-developable acreage in each of the city’s zones.

Exhibit 1: Future Land Use Map and 2024 Zoning Map of Stanwood

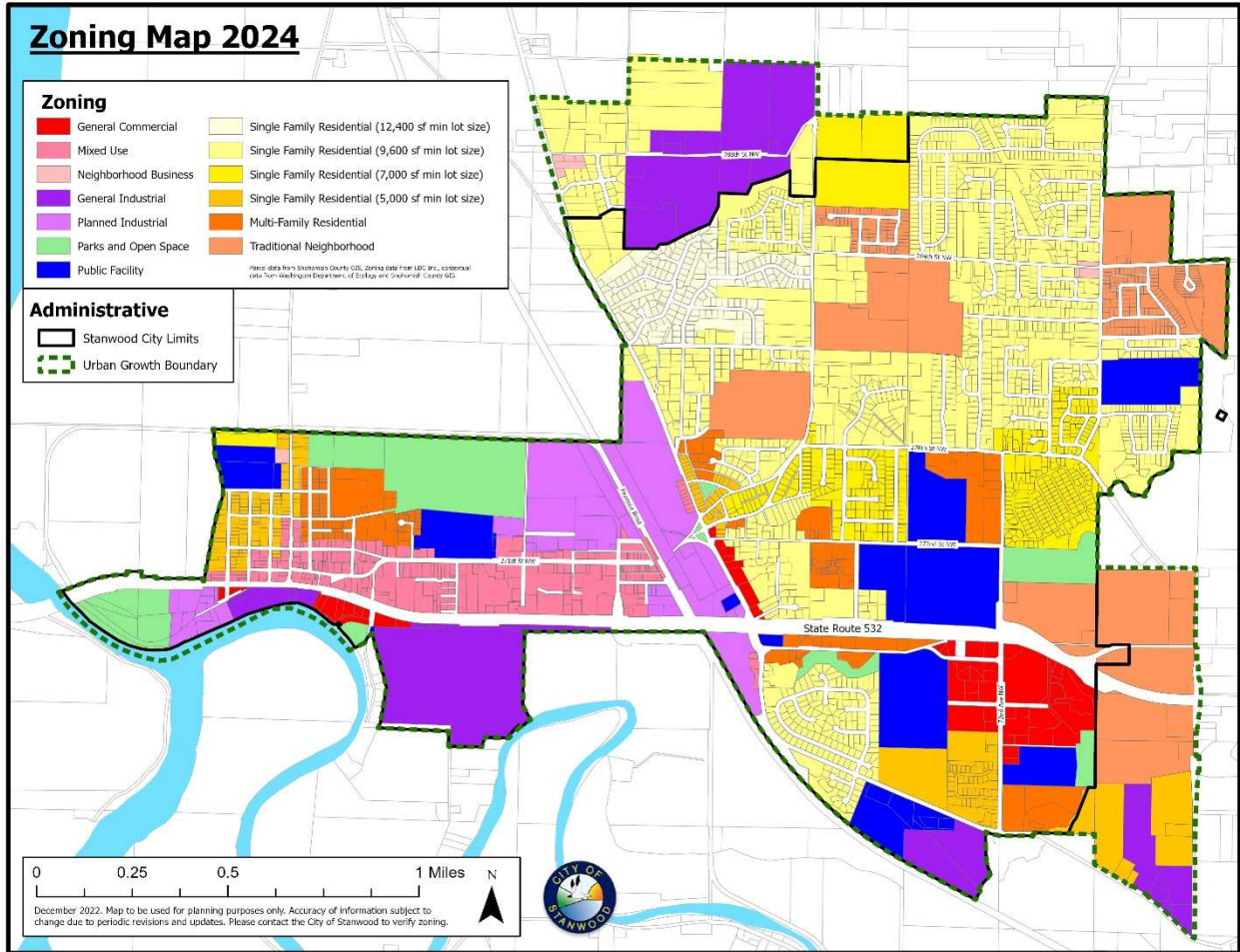


Exhibit 2: Stanwood Existing Land Use Inventory

Land Use	Acres	Percent
General Commercial	63.56	3.33%
General Industrial	96.15	5.03%
Mixed Use	87.14	4.56%
Multi-Family Residential	91.22	4.78%
Neighborhood Business	2.42	0.13%
Parks and Open Space	104.04	5.45%
Planned Industrial	119.72	6.27%
Public Facilities	165.65	8.67%
Single Family Residential (12,400sf min lot size)	57.78	3.02%

**City of Stanwood Comprehensive Plan**

Single Family Residential (5,000 sf min lot size)	63.84	3.34%
Single Family Residential (7,000 sf min lot size)	117.55	6.15%
Single Family Residential (9,600 sf min lot size)	464.63	24.32%
Traditional Neighborhood	162.40	8.50%
Non-zoned Areas within City Limits	314.10	16.44%
<b>Total:</b>	<b>1910.21</b>	<b>100.00%</b>

1. Acreage derived from areas shown in *Exhibit 1*.

**Exhibit 3: Summary of Zoned and Vacant Acreage**

Zone	Acres in Use	Vacant Acres	Total Acres in Zone
General Commercial	56.89	6.67	63.56
General Industrial	85.86	10.29	96.15
Mixed Use	79.15	7.99	87.14
Multi-Family Residential	77.51	13.71	91.22
Neighborhood Business	2.42	0.00	2.42
Parks and Open Space	90.90	13.14	104.04
Planned Industrial	68.83	50.90	119.72
Public Facilities	161.19	4.46	165.65
Single Family Residential 12.4	42.56	15.22	57.78
Single Family Residential 5.0	46.10	17.74	63.84
Single Family Residential 7.0	107.63	9.92	117.55
Single Family Residential 9.6	395.19	69.44	464.63

Traditional Neighborhood	120.20	42.20	162.40
Non-zoned lands	314.10	N/A	314.10
<b>Total Zoned Area:</b>	<b>1334.43</b>	<b>261.68</b>	<b>1596.11</b>

1. Zoned acreage is based on data from Exhibit 1 and from the Snohomish Assessor

**ANNEXATION**

**Need to Write**

**RESIDENTIAL LANDS**

Stanwood allows a range of housing densities that provides a variety of housing opportunities. The wider the range is, the greater the opportunity for any individual or household to find housing to their particular needs, preference, or affordability. This range of housing can be seen not only in Stanwood zones of single or multi-family residential, but in their mixed-use and traditional neighborhood zones and includes housing types such as single-family homes, townhomes, duplexes, and apartments. Mixed-use housing will be discussed further in the following section, Residential and Commercial Lands.

Housing in Stanwood is predominantly single-family housing as can be seen in Exhibit 4. From 2015 to 2019, Stanwood has permitted 188 single-family units and 89 multi-family units and as of 2022, there are about 1,124 housing units in various phases of development (development pipeline). About 15.03% of multi-family and 15.96% of single-family residential zones are vacant.

**Exhibit 4: Summary of Residential Acreage Combined<sup>1,2</sup>**

Zoning	Acres in Zone	Acres in Use	Percent in Use	Acres Vacant	Percent Vacant
All Single-Family Residential <sup>3</sup>	703.81	591.48	84.04%	112.32	15.96%
All Multi-Family Residential <sup>4</sup>	91.22	77.51	84.97%	13.71	15.03%
<b>Total</b>	<b>795.03</b>	<b>669.00</b>	<b>84.15%</b>	<b>126.03</b>	<b>15.85%</b>

1. Zoned acreage is based on data in Exhibit 1.
2. Vacant land data based on Snohomish County Parcels data set, from the Snohomish County Assessor
3. SFR describes all single-family zones only (SFR 5.0, SFR 7.0, SFR 9.6, and SFR 12.4.)
4. MFR describes zones permitting residential uses that are intended for higher-density housing. This does not exclude single-family homes in multi-family zones.

Residential Lands Zoning Density

Various densities are permitted within the single-family residential zone in Stanwood as demonstrated in Exhibit 5. Density is defined as dwelling units per acre. Depending on the lot size, housing type, and remaining vacant acres available to each zone, the table below demonstrates the City’s potential to build standard single-family homes, homes in planned residential developments (PRD), or cottage homes.

The multifamily residential zone is permitted 20 dwelling units per acre and with 13.71 vacant acres, the city has the potential to develop about 274.2 units.

Exhibit 5: Zoning Density in Residential Zones<sup>1,2</sup>

Zoning	Base Standard dwelling unit/acre	Base Standard Zoning Density Max Unit Potential	PRD Review dwelling unit/acre	PRD Review Zoning Density Max Unit Potential	Cottage Zoning Density unit/acre	Cottage Zoning Density Max Unit Potential
Single-Family Residential 12.4	3.5	9.765	5	13.95	10	27.9
Single-Family Residential 9.6	5	258.8	6	310.56	10	517.6
Single-Family Residential 7.0	6	14.64	8	19.52	10	24.4
Single-Family Residential 5.0	10	168.9	N/A	N/A	10	168.9
Multi-Family Residential	20	268.8	N/A	N/A	N/A	N/A

1. Residential dwelling units/acre is based on Stanwood Municipal Code 17.60.020.
2. Zoning density max unit potential is determined by vacant zoned acreage data provided by the City of Stanwood multiplied by dwelling units/acre allowed per zone.

RESIDENTIAL / COMMERCIAL LANDS

Two zones, traditional neighborhood and mixed-use zones, allow for residential uses in addition to other uses such as commercial or public use. Traditional neighborhoods provide a mix of uses in lower residential neighborhoods while mixed-use zones provide a mix of uses in higher-density neighborhoods such as Uptown and the Downtown core.

Stanwood has about 249.5 acres of land zoned for Traditional Neighborhood or Mixed-Use zones. About 199 acres or 80% of land is in use and about 50.2 acres or 20% of land is vacant as demonstrated in Exhibit 6.

Exhibit 6: Summary of Residential / Commercial Acreage Combined<sup>1,2</sup>

Zoning	Acres in Zone	Acres in Use	Percent in Use	Acres Vacant	Percent Vacant
Traditional Neighborhood	162.40	120.20	74.01%	42.20	25.99%
Mixed-Use	87.14	79.15	90.83%	7.99	9.17%
<b>Total</b>	<b>249.54</b>	<b>199.35</b>	<b>79.89%</b>	<b>50.19</b>	<b>20.11%</b>

1. Zoned acreage is based on data in Exhibit 1.
2. Vacant land data based on Snohomish County Parcels data set, from the Snohomish County Assessor
3. Mixed-Use describes zones permitting residential uses that are intended for higher-density housing and other compatible uses. This does not exclude single-family homes in mixed-use zones.

Residential/Commercial Lands Zoning Density

Stanwood permits higher 20 dwelling units per acre in Traditional Neighborhoods and has no maximum density in Mixed-Use zones. With the remaining 42.2 vacant acres in the Traditional Neighborhood zone, the City could potentially develop 844 units. Mixed-use zones do not have a maximum density limit, but is restricted by development standards.

Exhibit 7: Zoning Density in Residential / Commercial Zones<sup>1,2</sup>

Zoning	Single-Family	Duplex	Townhouse/ Apartment in Mixed Use	Multifamily	Cottage	Zoning Density Max Unit Potential
Traditional Neighborhood	20 du/ac for all unit types. 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.					922.6
Mixed-Use	No maximum. 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.					Unlimited

1. Residential/Commercial dwelling units/acre is based on Stanwood Municipal Code 17.60.030.
2. Zoning density max unit potential is determined by vacant zoned acreage data provided by the City of Stanwood multiplied by dwelling units/acre allowed per zone.

**COMMERCIAL LANDS**

Stanwood has about 66 acres of land zoned or designated for economic activity in the General Commercial or Neighborhood Business zones. Currently, about 59.3 acres, or 89.89% of land is in use and 6.67 acres, or 10.11% are vacant as can be seen in Exhibit 8. Approximately 0.96 acres of commercial lands are considered re-developable by the 2021 Buildable Lands Report. The Snohomish County Buildable Land Report defines “re-developable” parcels as non-vacant parcels considered to be candidates for demolition in the next 20 years and are classified primarily on the building-to-land value ratio.

The majority of businesses in Stanwood are located along the main arterials in Downtown Center and Uptown Center along SR 532 and 72nd Avenue. The Uptown Center contains a significant amount of newer commercial development. The commercial uses in this area of town contain the Hagggen Grocery store, numerous fast-food restaurants, and automobile service stations, as well as other service-oriented businesses including banks, medical offices, and other professional offices. The following table summarizes the different commercial areas and zoning in Stanwood.

Exhibit 8 Commercial Zoning Acreage<sup>1, 2</sup>

Zoning	Acres in Zone	Acres in Use	Percent in Use	Acres Vacant <sup>3</sup>	Percent Vacant
General Commercial	63.56	56.89	89.51%	6.67	10.49%
Neighborhood Business	2.42	2.42	100.00%	0.00	0.00%
<b>Total</b>	<b>65.97</b>	<b>59.30</b>	<b>89.89%</b>	<b>6.67</b>	<b>10.11%</b>

1. Zoned acreage is based on data based on Exhibit 1.
2. Vacant land data is based on Snohomish County data, from the Snohomish County Assessor. Vacant lands included are undeveloped or undevelopable.
3. Vacant commercial land calculations do not include vacant building lots recently subdivided or approved, partially used parcels, re-developable parcels, or market-ready parcels.

**INDUSTRIAL LANDS**

As can be seen in Exhibit 9, Stanwood has about 215.9 acres of land zoned for either general industrial or planned industrial. About 155 acres or 72% of that land is currently being used while about 61 acres, or 28%, is vacant.

Stanwood's main industrial areas are in the West District, south of Route 532 (Twin City Foods), and in the East District along a north-south corridor parallel to the Burlington Northern Railroad tracks. Other key uses in the industrial zones in Uptown include the fairgrounds, compost facility, auto services, coffee roasting, and self-storage.

Exhibit 9: Industrial Zoning Acreage<sup>1, 2,3</sup>

Zoning	Acres in Zone	Acres in Use	Percent in Use	Acres Vacant <sup>3</sup>	Percent Vacant
General Industrial	96.15	85.86	89.29%	10.29	10.71%
Planned Industrial	119.72	68.83	57.49%	50.90	42.51%
<b>Total</b>	<b>215.87</b>	<b>154.68</b>	<b>71.65%</b>	<b>61.19</b>	<b>28.35%</b>

1. Vacant land data based on Snohomish County Parcels data set, from the Snohomish County Assessor
2. Zoned acreage is based on data provided by the City of Stanwood
3. Vacant industrial land calculations do not include vacant building lots recently subdivided or approved, partially used parcels, re-developable parcels, or market-ready parcels.

**ESSENTIAL PUBLIC FACILITIES**

Stanwood has approximately 165 acres devoted to public facilities and utilities. Public facilities include City Hall, maintenance buildings, fire and police stations, a library, schools, and utility facilities.

Essential Public Facilities are generally defined as facilities that are typically difficult to site including, but not limited, to airports; state education facilities; state or regional transportation facilities; state and local correctional facilities; solid waste handling facilities; inpatient facilities, including substance abuse facilities, mental health facilities, group homes, community facilities; secure community transition facilities; and regional transit authority facilities. Stanwood is responsible for establishing a process for identifying and siting essential public facilities and may not prohibit the siting of essential public facilities.

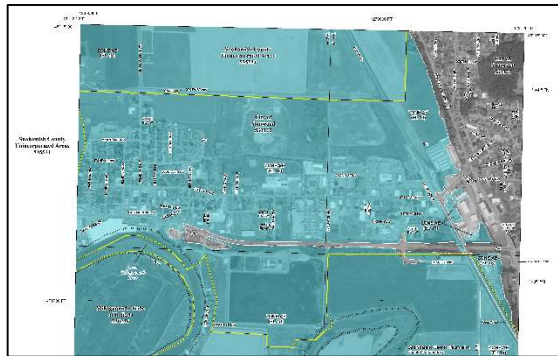
Water Supply

The City’s water supply is provided by groundwater wells in the East Stanwood Aquifer and one groundwater spring source treated by system-wide chlorination. Stanwood maintains and operates several water facilities that include booster stations, distribution systems, reservoirs, water source pump stations, and water treatment plants. Certified operators ensure that water quality and quantity is above the standards provided by the Department of Health. More information can be found in the *Utilities* element and the *2024 Comprehensive Water Plan*. Projects proposed to improve water quality and quantity and accommodate future demands on water supply services are described in the *Capital Improvement* element.

Stormwater and Flooding Management

Stanwood has two distinct drainage areas: Downtown and Uptown. The Downtown drainage system includes older parts of the city to the west that encompass City Hall, the library, and the downtown district. As shown in Exhibit 10, Stanwood’s downtown is located within FEMA Zone AE indicating that the western half of the city experiences annual flooding impacts (FEMA Map 53061C0351F).

Exhibit 10: FEMA Flood Zone



Uptown’s drainage system includes the hillside east of the downtown district, east of the Burlington Northern Railroad tracks and along the Pioneer Highway. The Uptown system is located just outside the 100-year floodplain with a few localized drainage problems near the Church Creek Sub-basin.

Stanwood Public Works maintains 15 stormwater retention and detention ponds, 27 miles of stormwater collection lines, all its storm ditches, and approximately 1,000 catch basins. A Municipal National Pollutant Discharge Elimination System (NPDES) permit was issued to the City Wastewater Treatment Plant to mitigate and cleanse runoff of discharge and prevent the pollution of the Stillaguamish River, the Puget Sound, and nearby jurisdictions. A NPDES Permit limits the discharge allowed into state waters, monitors and reports requirements, and ensures that discharge does not adversely affect water quality or human health.

More information on guidance for corrective actions can be found in the *Utilities* elemental chapter and the *2024 Comprehensive Stormwater Plan*. Projects proposed to alleviate impacts from flooding and accommodate future demands on stormwater services are described in the *Capital Improvement* elemental chapter.

Exhibit 11: Public Facilities and Utilities Acreage

Zoning	Acres in Zone	Acres in Use	Percent in Use	Acres Vacant	Percent Vacant
Public Facilities	165.65	161.19	97.31%	4.46	2.69%

1. Vacant land data based on Snohomish County Parcels data set, from the Snohomish County Assessor
2. Zoned acreage is based on data provided by the City of Stanwood, shown in Exhibit 1

**NATURAL FEATURES**

Parks and Open Space

Stanwood has about 104 acres zoned for parks, open spaces, and trails. Within the city, 64 acres of existing parklands facilitate active and passive outdoor recreation. This includes a 43-acre Heritage Park, a 15-acre Church Creek Park, and several smaller parks. Parks and open space zoning districts are intended to remain in perpetuity by the city. Parks are primarily located near schools, housing, and government facilities. Additional information regarding Stanwood’s parks system is in the *Parks and Recreation* elemental chapter.

Natural Resource Lands

Natural resource lands include lands devoted to agriculture, forestry, or mineral extraction. Based on criteria provided by the RCW 36.70A.020 (8) and WAC 365-190, the City does not have any of these lands designated in the City. Snohomish County has not designated any of the UGA for the protection of these natural resources, though small hobby farms do exist. Additional information regarding Stanwood’s environmental features is in the *Natural Environment* elemental chapter.

**Exhibit 12: Parks and Open Space Acreage**

Zoning	Acres in Zone	Acres in Use	Percent in Use	Acres Vacant	Percent Vacant
Parks and Open Space	104.04	90.90	87.37%	13.14	12.63%

1. Vacant land data based on Snohomish County Parcels data set, from the Snohomish County Assessor
2. Zoned acreage is based on data provided by City of Stanwood, shown in Exhibit 1.

**FUTURE LAND USE CAPACITY**

The future land use analysis is to determine the amount of land which is needed to satisfy the anticipated growth over the next 20 years in population, jobs, and housing, in the City of Stanwood and the UGA. Snohomish County is tasked with assigning targets for population, housing, and jobs for each city and unincorporated area within its boundaries. Snohomish County assigns capacity targets based on the most recently published official 20-year population projection for Snohomish County from the Office of Financial Management (OFM), the Puget Sound Regional Council’s (PSRC) most recent population and employment distribution represented by the VISION 2050 Regional Growth Strategy (RGS), and further distribution of the population and employment RGS allocations to jurisdictions to arrive at the initial capacity targets that emphasize growth in and near centers and high-capacity transit,

addresses jobs and housing balance, manages and reduces the rate of rural growth over time, and supports infill within the urban growth area.

While Stanwood is expected to exceed the capacity for housing units, alternative solutions can be considered to ensure that the city does not experience a shortage of employment opportunities within the city. In fact, with the right land use practice, Stanwood can exceed the expectation of employment for the area. New zoning districts for the city can allow a better distribution of land and a greater variety of uses helping Stanwood meet employment projections.

**POPULATION CAPACITY**

Population projections are a shared responsibility between the state Office of Financial Management (OFM) and counties participating in the GMA. Under RCW 43.62.035 and 36.70A.130, the OFM is required to prepare a population growth forecast with high and low projections for each county as part of the comprehensive planning process. OFM develops a growth range by evaluating trends in population, including but not limited to birth rates, death rates, and migration. The projected population target determined for Stanwood is 11,395 as seen in Exhibit 15.

**Exhibit 15: Stanwood UGA Population Targets**

	2020 Census Population	2020-2044 Population Growth Amount	2044 Population Targets	2020-2044 Population Percent of Total County Growth
Stanwood (city limits)	7,705	3,258	10,963	1.1%
Stanwood UGA (unincorporated)	142	290	432	0.1%
<b>Combined:</b>	7,847	3,548	11,395	1.2%

Source: Snohomish County Countywide Policies

The County maintains UGAs that provide capacity for 20 years of population growth. The population target within the Stanwood UGA is an increase of 290 people for a total of 432 people by 2044.

Stanwood is only required to plan for growth within its municipal boundaries. As determined by the Snohomish County 2021 Buildable Lands Report, Stanwood is targeting an increase of 1.1 percent of the population for a total of 10,963 by 2044. **The 2044 population target is within the established capacity, there is sufficient land within the Stanwood UGA to**

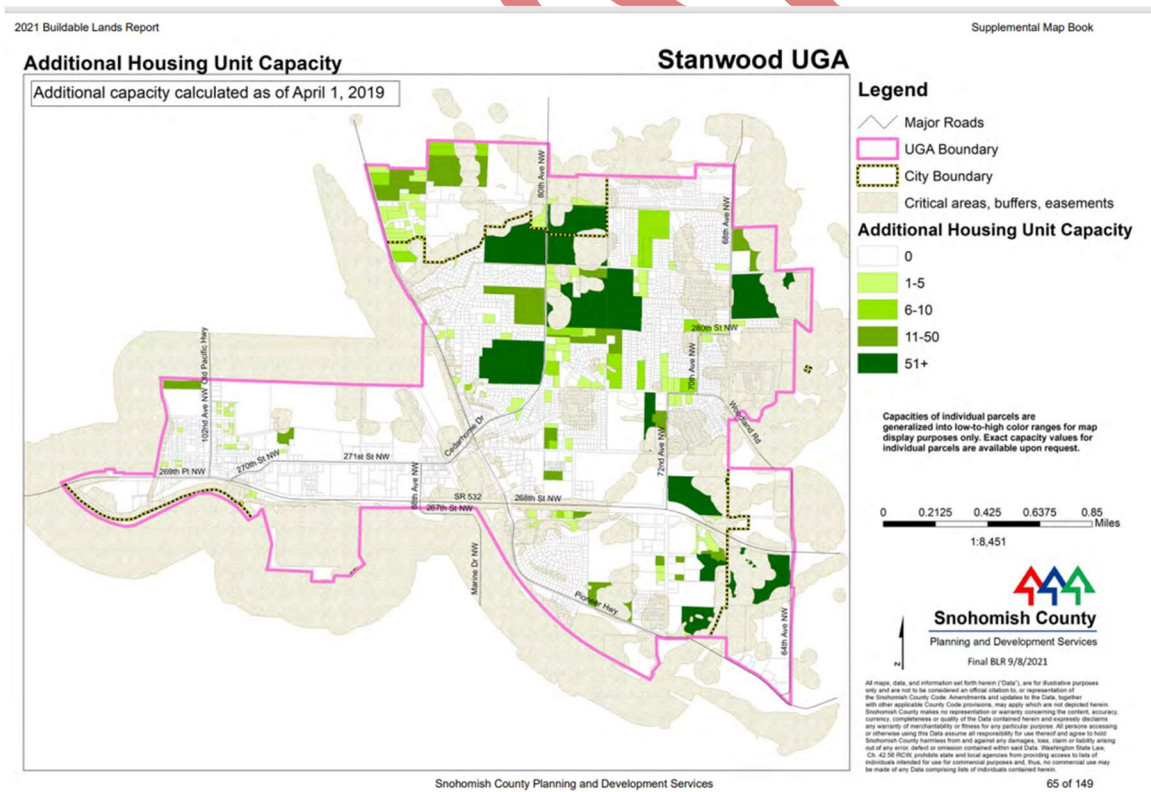
accommodate 20 years of growth. The established capacity is based on existing and actual development densities. The Comprehensive Plan provides recommendations, goals, and policies to guide the City on how to accommodate growth. The following analysis demonstrates how Stanwood has the capacity or is developing capacity for 2044 targets.

**RESIDENTIAL CAPACITY**

There are approximately 2,979 housing units existing with approximately 70% of homes owned and 30% rented. The *Housing* elemental chapter anticipates an increase in the housing stock by 407 dwelling units, a cumulative total of 4,064 units, by 2044 to meet growth projections. Between 2017 and 2020, the city permitted 649 new dwelling units and as of 2022, there has been an increase in multifamily permit activity exceeding single-family permit activity. Additional information on Stanwood’s housing needs and forecasting can be found in the *Housing* elemental chapter.

The city currently has several projects in the predevelopment pipeline that are estimated to bring in 1,124 new dwelling units (544 single-family and 580 multifamily units) within the city limits. The *Snohomish County Buildable Lands Report* indicates new housing will be in the central north area and in the Downtown area as shown in Exhibit 16.

**Exhibit 16: Snohomish County Buildable Lands Report**



Based on the *Snohomish County Buildable Land Report 2021*, current city zoning, pipeline projects and an assessment of gross buildable land area project a housing capacity surplus of

407 units by 2044. In conjunction with what is currently in the predevelopment pipeline, the City has overachieved in housing projections by 126 units.

**ECONOMIC DEVELOPMENT GROWTH TARGETS**

The 2024 Zoning Map demonstrates that Stanwood is anticipated to exceed the employment projection of 112 jobs in 2044 as described Exhibit 19. The predevelopment pipeline is predicted to bring 177 jobs to the city, increasing the city’s employment capacity to 289 jobs to the city’s capacity under the current Zoning Map.

**Demographics**

It is vital to understand population growth and development trends to create reflective goals and policies that are in tune with community needs. Trends provide insight into the future direction of Stanwood and inform decisions based on the demand for housing and employment. Trends are influenced by complex variables such as quality of life, efficiency and convenience, transportation infrastructure, economic growth and resiliency, and community culture. Since public facilities, services, and their costs are based on population, it is key for Stanwood to plan for population forecasts with established trends in mind.

**POPULATION CHARACTERISTICS**

Stanwood is a stable community with an upward trajectory of growth. The 2022 population of Stanwood is 8,405 people. Stanwood’s population has nearly doubled over the last 20 years and grew 135% over the past 12 years as can be seen in Exhibits 13 and 14. The population density of Stanwood is approximately 4 persons per acre. The main concentration of Stanwood’s population is split between the residential area in West District and the residential area located easterly of the Pioneer Highway.

<sup>4</sup> 8,405 people / 2,093.43 acres = 4 people/acre (as of 2022)

**Exhibit 13: City of Stanwood Historical Population**

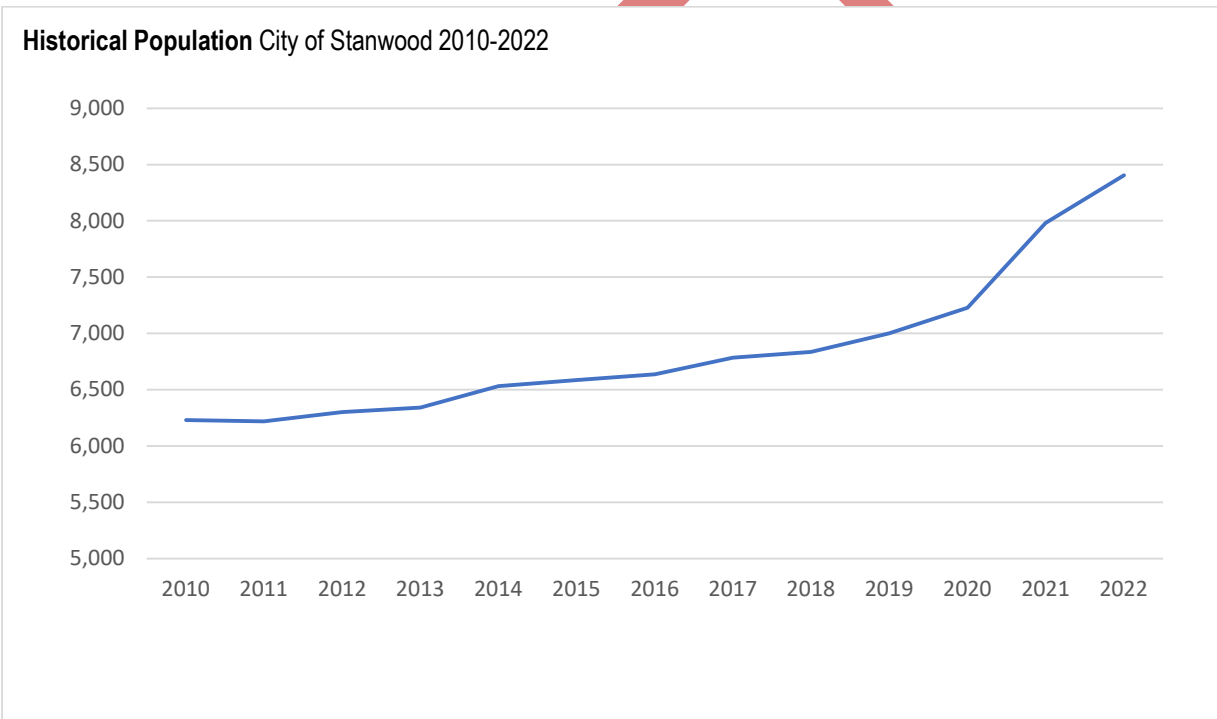
<b>Year</b>	<b>Total Population</b>	<b>Annual Rate of Population Increase</b>
2010	6,231	2.60%
2011	6,220	-0.17%
2012	6,300	1.28%

## City of Stanwood Comprehensive Plan

2013	6,340	0.63%
2014	6,530	3.00%
2015	6,585	.84%
2016	6,635	.76%
2017	6,785	2.26%
2018	6,835	.74%
2019	7,020	2.71%
2020	7,705	9.76%
2021	7,980	3.57%
2022	8,405	5.33%

2010 - 2022 WA State OFM Population Data

Exhibit 14: Population Trends



Source: Washington Office of Financial Management and U.S. Census estimates.

### ECONOMIC DEVELOPMENT CHARACTERISTICS

In 2019, Stanwood had a total of 3,426 jobs. About 73% of jobs are in the service sector, 14% are in the industrial sector, 10% are in retail, and 3% are in the government sector. Almost all of net new job growth in the past ten years took place in the service and government sectors (Exhibit 18).

**Exhibit 18: At Place of Work Employment, City of Stanwood, 2009-2019**

Sector	2009 Jobs	2019 Jobs	Change	2009-2019
				AGR
Industrial	554	477	(77)	-1.5%
Retail	352	326	(26)	-0.8%
Service	2,211	2,518	307	1.3%
Government	46	105	59	8.6%
<b>Total</b>	<b>3,163</b>	<b>3,426</b>	<b>263</b>	<b>0.8%</b>

Source: U.S. Census On the Map Data. AGR = average annual growth rate.

**ECONOMIC DEVELOPMENT TRENDS**

Businesses are continuing to expand. Retail vacancy rates were 2.6% in Snohomish County and have been decreasing over the years while rents have increased by 5% or more.

The office market is rebounding from the pandemic slower than the retail and industrial markets. Office vacancy rates remained in the low to mid 7% range and are down from the previous year. The average rent ranges from \$28 to \$29 per square foot annually which compares favorably to other parts of the region.

Industrial market growth has mostly been concentrated in transportation and warehousing in the region. Manufacturing activity has been stable with moderate job growth. Industrial vacancy rates have declined in Snohomish County to 3.1% with over 4.1 million square feet in 23 projects in the predevelopment pipeline.

In Stanwood, the 189,000-square-foot Twin City Foods food processing/packaging/warehouse building is now being marketed as a fore-lease opportunity. However, dull industrial job growth in the city in conjunction with more competitive industrial opportunities in the north end of the region with better freeway and rail access may limit the TCF building to storage and warehousing uses. As of 2023, there is active interest in redeveloping the TFC site.

City Landscape

**ENTRY POINTS**

**NEED TO WRITE**

**DOWNTOWN BUSINESS DISTRICT**

As of 2024, the City adopted a new Downtown Business zone to allow and encourage a mix of uses including housing and employment as buildings are rehabilitated and sites are redeveloped (Exhibit 17).

Stanwood’s downtown is predominantly comprised of historic residential and commercial structures. The Downtown Business zone encourages façade and building revitalization with bonus density allowances allowing some additional building height for mixed-use developments. Potential redevelopment of underutilized sites near the train depot can also provide additional employment and housing capacity in Downtown.

The zone permits mixed commercial/residential structures in certain areas of the city, particularly for mixing uses in any given building. Higher-density residential development is encouraged to be placed near retail, transportation, employment, and other amenities where commercial development serves residential areas.

As of 2022, there were approximately 59 tax lots with underutilized buildings and redevelopment potential within the Downtown Business Zone. According to the Snohomish County Buildable Lands Report, the remaining buildable lands in the Downtown areas have the capacity to accommodate another 37 households and 324 jobs.

The Downtown Business Zone designation and the related development incentives, the Downtown area accommodates a mix of 2-3 story structures with ground floor commercial, upper-level offices and apartments and live/work buildings in mixed-use developments.

Exhibit 17: Proposed Downtown Redevelopment Area



Prepared by FCS Group.

Urban Planning Approaches to Promoting Physical Activity

The GMA encourages cities to utilize urban planning approaches that promote physical activity in the *Land Use* elemental chapter. While the *Parks and Open Space* element and the *Transportation* element address infrastructure and facility needs regarding walking, biking, and outdoor recreation, the *Land Use* element connects these facilities to physical places that encourage alternative transportation modes. A unified downtown under one zone can enhance connectivity and placemaking throughout the downtown district, parks, services, job centers, and the rail station.

Stanwood has made a concerted effort to increase physical activity, particularly in the Downtown core. Through planning efforts like the 2015 Downtown Plan, the 2021-2026 City Beautification Action Plan, and the Twin City Mile Revitalization Project, the City is working on creating inviting and safe pedestrian-friendly streets, and increasing access to urban greenways and open spaces.

Additionally, by establishing a mixed-use district, the City is creating spaces where Stanwood residents have the ability to walk to amenities and services instead of driving. By increasing proximity from a resident’s house to anything they could possibly want or need, not only has the City introduced an efficient urban form for housing and other uses, but has created an opportunity for residents to engage in light forms of physical activity.

A mixed-use district, coupled with complete streets or streets designed to accommodate pedestrians and bicyclists as well as cars, would greatly increase the opportunity for physical activity. This urban planning approach, completed inter-jurisdictionally, has the ability to extend physical activity beyond Stanwood’s city limits and into the region, further catapulting the intentions for the GMA.

**HISTORIC PRESERVATION**

The historic downtown overlay recognizes and protects the historical character of Downtown Stanwood from 1890 to 1920. Site planning, street grid, and architectural and building scales are all carefully considered in the re-investment and re-use of these structures. Famous structures that can be seen and visited today include the First National Bank, Sons of Norway, Hartney’s Style Shop, the 1929 Fire Station, the Stanwood Hotel, IOOF HALL- Floyd Norgaard Cultural Center, the Masonic Hall, Stanwood Hardware & Furniture, the Presbyterian Church, and Stanwood City Hall just to name a few.

**UPTOWN DISTRICT**

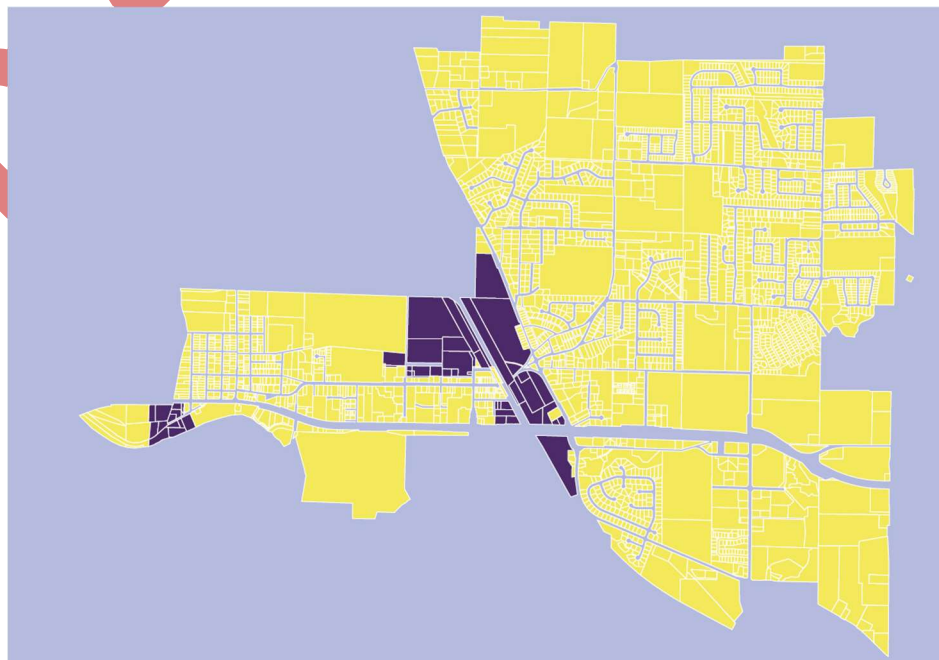
**NEED TO WRITE**

**Planned Industrial Zone (PI)**

There are swaths of lands in Stanwood zoned for industrial job activity however industrial activity has flattened out or declined over the past several years. While existing industrial operations should be protected, the city must evaluate alternative options for the use of industrial lands or structures that are underutilized, do not generate many jobs, and may not provide livable wages.

The Planned Industrial zone permits most industrial activities to occur as well as professional office and business uses (Exhibit 20). The PI zone

**Exhibit 20: Proposed Planned Industrial Zones**



*Prepared by FCS Group.*

allows more flexibility for industrial operations to have retail/wholesale showrooms and contain such uses as commercial kitchens, brewpubs, meetings/event space, offices, and entertainment/recreation than past industrial zones previously allowed.

With a change to PI, there is a potential job density shift from nearly 100% industrial (manufacturing, distribution, wholesale trade, construction, utilities) to a new job mix of 80% industrial and 20% service/retail jobs.

## COMMUNITY ENGAGEMENT & LAND USE VISION

The Comprehensive Plan is developed to include goals, policies, and data not only shaped by regional frameworks such as the GMA, Regional 2050 Plan, and Snohomish County County-wide Planning Policies, but fundamentally by the hopes and visions of the community it serves. In Stanwood's efforts to capture the community land use vision, various forms of engagement were conducted. This included an online survey that was distributed over Facebook and Twitter and emailed to a party of record list and to specific stakeholders. It also included five in-person outreach events that took place at the Farmers Market and a Planning Café open house. A visioning exercise was held with the Planning Commission, and a Community Development Committee provided ideas and questions to consider.

A number of key topics related to land use and economic development overlapped. Zoning ultimately determines the parameters of the economic landscape; in other words, zoning determines how, where, and what businesses can operate. Recurring themes from below are indicated with the following *Economic Development* icon. Below is a summary of key topics and feedback received from the public regarding land use:

### ❖ Retaining Small Town Character

- Stanwood should be a business friendly environment that supports growth of small businesses and reduce opportunities for "Big Box" retailers. Local businesses should have more opportunities for incentives and development.
- More commercialized areas are needed for residents to shop locally instead of driving to adjacent municipalities to shop.
- There is concern that local businesses can not succeed in mixed use buildings.
- The Downtown District should remain small and quaint.
- A town center is needed for public gatherings and events.

### ❖ Historic Downtown District

- Economic development should focus in the Downtown District with mixed use retail and supportive tourist services (such as hotels, restaurants, and gift shops).
- Downtown is the historic core of the City, which should be protected. Growth should happen downtown but should utilize existing buildings and infrastructure.

- The Downtown District must be revitalized and transformed into a “Main Street” environment to encourage businesses to utilize existing buildings and draw people to the city’s center.
  - A pedestrian focused environment is needed to enhance connectivity and safety downtown and should include amenities such as sidewalks, repurposed bricking, and wayfinding signage.
- ❖ **Shifting Business Development**
- Higher wage jobs are needed within the city’s limits to support population growth and local businesses. Residents want to work where they live.
  - Stanwood should encourage professional and technological industries to develop by removing potential zoning barriers.
  - A new grocery store is needed in the northwest region to reduce food deserts. Grocery stores are concentrated along SR 532 and there are no options available along Pioneer Highway.
  - Businesses should be developed more evenly throughout the City. Development is focused along SR 532 impacting roadways and commuting times.
- **Ensuring Parks and Openspaces are Protected and Enhanced**
- Parks and openspaces should be maintained and improved upon to ensure opportunities for outdoor recreation and tourism.
  - New parks should be considered in Uptown and near the town center.
- **Growing Sensibly and Responsibly**
- The downtown area should encompass a majority of the growth to help reduce sprawl and permit higher-density multifamily housing near transportation and amenities.
  - Financially accessible and affordable housing should be provided for low-income and senior residents.
  - Create more distinct and unique looking neighborhoods.
- **Improve City Facilities and Infrastructure**
- The library, police station, and City Hall should receive investment for improvements as the municipal representations of the city.
  - Stanwood could benefit from more support for preschools, schools, and educational programs.
  - Water and sewer could be more affordable for low-income residents.

## Conclusion

Land use and zoning are the parameters that regulate the quality and appropriateness of development. As such, residents and businesses are continuously invested in proposed changes that change what is allowed to be developed in their backyard. Stanwood’s land use strategy prioritizes the city’s economic identity, preserves small town character, supports

growth, establishes regional draw, maintains compatibility of growth and zoning, and coordinates connectivity. The city's zones have established balance in meeting existing community needs with the future needs of the community's children, new residents, and growing businesses. Future housing and employment capacity is available by 2044 for **1,085 new homes** and **289 new jobs** to meet the anticipated growth projections for Stanwood.

The next section provides the guide describing how Stanwood tracks and maintains a desirable balance of land use needs over the next 20 years through the implementation of goals and policies.

DRAFT

Exhibit B  
2024 Land Use  
Element Goals and  
Policies  
Clean Version



2024 COMPREHENSIVE PLAN &  
MUNICIPAL CODE UPDATE  
PROJECT  
Policy Review

Comprehensive plan edits concentrate on simplifying the text, removing redundant policies and adding new policies addressing regional planning policies. More policies do not mean better policies. The Land Use Element goals and policies listed below include four general changes:

- New – New policies/goals proposed to address identified new regional or local policy gaps in addition to expanding upon the vision of Stanwood residents
- Revised – Existing policies that can be revised to address policy gaps or for better clarity and simplification
- Moved – Policies that have been moved from other sections to better flow or for relevancy
- Deleted – Existing goals or policies that were removed due to redundancy, simplification, already implemented/adopted, or more appropriate for the Municipal Code or other elements of the Comprehensive Plan. All goals and policies proposed for deletion are located at the end of this document (pages 16-28)

## Land Use Goals and Policies

### **Associated Text: Introduction**

#### Subsection: Introduction

#### **LUG 1 Provide an amendment process that allows for annual updates of this Comprehensive Plan. (OLD LUG 23 – MOVED)**

LUP 1.1 All amendments to the City’s Comprehensive Plan and development regulations shall ensure early and continuous public participation per RCW 36.70A.140. *(OLD LUP 23.4 – REVISED AND MOVED)*

LUP 1.2 The City shall ensure coordination of Comprehensive Plans by requesting input from other agencies with jurisdiction during the drafting process, or at a minimum, by requesting comments during the state and public review periods. *(OLD LUP 23.5 – MOVED)*

LUP 1.3 City shall attempt to process applications for state and local permits in a timely, transparent, and fair manner to ensure predictability. *(OLD LUP 19.5 – MOVED & REVISED)*

## **Subsection: Regional Coordination**

### **LUG 2 Plan current and future land uses in accordance with the Stanwood community values and vision, Snohomish Countywide Planning Policies, and the Washington State Growth Management Act. *(OLD LUG 1 – REVISED)***

LUP 2.1: Continue to participate in regional planning efforts, such as Snohomish County Tomorrow and the Puget Sound Regional Council, to ensure that the values of the growing community are represented and that Stanwood continues to have input into larger scale planning issues that affect the City. *(OLD LUP 1.2 – REVISED)*

LUP 2.2 Conduct inclusive and equitable planning processes through public engagement of disadvantaged areas and underrepresented groups in the city to represent a variety of perspectives and reduce disparities experienced by sects of the community. *(NEW POLICY)*

LUP 2.3 Monitor changes to the Growth Management Act, Puget Sound Vision 2050, and Snohomish County Tomorrow policies. Revise and adopt changes to goals and policies as needed to maintain regional consistency. *(NEW POLICY)*

LUP 2.4 Density designations for residential and mixed-use land should be consistent with the Comprehensive Plan, regionally adopted plans, and the Growth Management Act. *(OLD LUP 17.4 – MOVED & REVISED)*

## **Associated Text: Current Land Use Inventory**

### **Subsection: Existing Land Use**

### **LUG 3 Re-vitalize and reinforce the character of Stanwood as new development, redevelopment, and infill occurs. *(OLD LUG 2 – MOVED & REVISED)***

LUP 3.1 Development shall occur in alignment with adopted plans such as Twin City Mile, City Beautification, and Stanwood Destiny by Design. *(NEW POLICY)*

LUP 3.2 Encourage building designs that emulates Stanwood’s culture and history, including but not limited to Early Century architectural styles and details. *(OLD LUP 2.1 – MOVED & REVISED)*

LUP 3.3 Recognize Stanwood is the urban focal point of a rural, agricultural community and support residential use at urban densities. *(OLD LUP 2.8 – MOVED & REVISED)*

LUP 3.4 Preserve parks, resource lands, open spaces and recreational opportunities. *(OLD LUP 2.10 – MOVED & REVISED)*

LUP 3.5 The City shall maintain the Comprehensive Plan Future Land Use Map (FLUM) (see Figure LU-1). The City’s Zoning Map, municipal code, and development standards shall align with the FLUM (See Figure XXX). *(OLD LUP 19.2 – MOVED & REVISED)*

LUP 3.6 Zoning designations and land uses shall be guided by the assigned Future Land Use designations. *(OLD LUP 19.3 – MOVED & REVISED, SUBSECTIONS a-r DELETED)*

### **Subsection: Urban Growth Area (Call-out Box)**

**LUP 4 Promote coordinated and efficient growth within the Stanwood Urban Growth Area (UGA) with neighboring jurisdictions and Tribes, Snohomish County, and the Puget Sound Regional Council as the Stanwood Urban Growth Area (UGA) is developed. (OLD LUG 17 – MOVED & REVISED)**

LUP 4.1 - New development may only occur within the UGA or along existing major transportation routes outside the floodplain in an effort to concentrate new growth in underutilized lands. *(OLD LUP 17.1 – MOVED & REVISED)*

LUP 4.2 Engage with Tribal agencies to address regional issues and disparities, and to understand shared impacts and benefits to growth. *(NEW POLICY)*

LUP 4.3 Ensure land use compatibility between adjacent jurisdictions to ensure sensitive, culturally significant, underinvested, or disadvantaged lands or land uses are protected. *(NEW POLICY)*

LUP 4.4 Collaborate with Snohomish County during the periodic update process to evaluate if the city must annex Urban Growth Area lands to meet future growth targets in accordance with Countywide Planning Policies. *(OLD LUP 17.5 – MOVED & REVISED)*

LUG 4.5 Protect protection of existing agricultural and forest lands within unincorporated Stanwood the city by locating urban development within the City and limiting expansions

of the Urban Growth Area boundaries in accordance with the Right to Farm Act. (*OLD LUG 21 – MOVED & REVISED*)

LUP 4.6 Emphasize the role of Stanwood as the urban core of a larger, rural region and encourage urban development within city limits. (*NEW POLICY*)

## **Subsection: Annexation (need to write)**

### **LUG 5 Allow phased annexation of the City’s adopted Urban Growth Area (UGA) consistent with the Growth Management Act. (*OLD LUG 18 – MOVED & REVISED*)**

LUP 5.1 Unincorporated areas must annex to Stanwood for eligibility to receive a full range of city-provided services. (*OLD LUP 18.1 – MOVED & REVISED*)

LUP 5.2 Within the UGA, consult and inform affected residents in the land use designation of potential annexation areas to determine if concurrent rezones are necessary to reflect the use and intent of geographic areas in the UGA and if there will be changes to public services that warrant public notice. (*OLD LUP 18.2 – MOVED & REVISED*)

LUP 5.3 The areas for annexation to Stanwood are determined by Snohomish County and include the territory contiguous with boundaries of the City. Annexations shall be processed under the adopted annexation approval criteria within the Stanwood Municipal Code. (*OLD LUP 18.3 – MOVED & REVISED*)

LUP 5.4 Annexation efforts should be coordinated and processed efficiently among interested property owners of contiguous property within the UGA to establish uniform development requirements appropriate to the subject annexation area. Individual property owners should not be precluded from pursuing annexation. (*OLD LUP 17.5 – MOVED & REVISED*)

LUP 5.5 Annexation impacts shall be balanced with other annexation policy goals such as providing public service, governmental structure, or infrastructure. (*OLD LUP 18.6 – MOVED & REVISED*)

LUP 5.6 Individual annexation areas should be part of logical, orderly growth for the City in accordance with the Office of Financial Management and U.S. Census Bureau. (*OLD LUP 18.7 – MOVED & REVISED*)

LUP 5.7 The property owners of the annexation area should fund the public facility improvements necessary to serve new development. The funding requirements shall be

consistent with applicable Stanwood policies and regulations. *(OLD LUP 18.9 SUBSECTION a – MOVED)*

LUP 5.8 Existing development within newly annexed areas should have a full level of public services and facilities at the time of annexation or as soon as practicable thereafter. Flexibility in full sewer connection shall be granted to individual or phased projects with a signed annexation agreement. *(OLD LUP 18.10 – MOVED & REVISED)*

## Subsection: Residential Lands

(should LUG 3 go here instead?)

## Subsection: Residential / Commercial Lands

## Subsection: Commercial Lands

**LUG 6 Maintain commercial districts with a sufficient range of uses that provide a variety of essential goods and services to residents while preserving and supporting development of local businesses. *(OLD LUP 2.9 – MOVED & REVISED, SUBSECTIONS a-b DELETED)***

LUP 6.1 Commercial developments should include pedestrian connectivity promoting an inviting and walkable city. *(NEW POLICY)*

LUP 6.2 Stanwood should support a variety of commercial and service uses that serve the residents of the larger, rural community and allows residents to meet their basic daily needs within the city. *(NEW POLICY)*

LUP 6.3 Encourage neighborhood scale commercial nodes in the Traditional Neighborhood and Neighborhood Business designations with businesses that provide essential goods and services. *(OLD LUG 11 – MOVED & REVISED)*

LUP 6.4 Balance the need for “big box” and local businesses by prioritizing placement of “big box” stores in auto oriented and commercialized areas of the city, particularly Uptown, and enhancing opportunities for local businesses Downtown. *(NEW POLICY)*

LUP 6.5 Support development of major retailer stores providing key goods and services, such as clothing and furniture, to Stanwood and the surrounding unincorporated areas reducing the city’s economic spillage into other urbanized areas. *(NEW POLICY)*

LUP 6.6 Evaluate commercial land use designations in Stanwood with the following focuses:

- a. Availability of capital facilities, roadways, and utilities;
- b. Relationship to the downtown;
- c. Proximity to residential uses to promote residential density near or around small commercial nodes in the UGA;
- d. Compatibility with existing and planned land uses within Stanwood and adjacent jurisdictions. *(OLD LUP 17.3 – MOVED & REVISED)*

### Subsection: Industrial Lands

### Subsection: Essential Public Facilities

#### **LUG 7 Provide for the siting of essential public facilities, as dictated by the Growth Management Act (GMA). *(OLD LUG 24 – MOVED & REVISED)***

LUP 7.1 Evaluate the need for an interlocal agreement with Snohomish County to find mutual strategies to reduce public costs, prevent adverse impacts to marginalized or historically disproportionately burdened populations, and minimize environmental impacts. *(NEW POLICY)*

LUP 7.2 The City should strive to locate essential public facilities outside of the floodplain as required by FEMA. *(NEW POLICY)*

LUP 7.3 City shall not utilize eminent domain unless there is demonstrated absolute needs of a taking in order to meet the GMA requirements for essential public facilities. The City shall provide private property owners with the just compensation for lands subjected to eminent domain. *(OLD LUP 19.4, MOVED AND REVISED)*

LUP 7.4 The city shall not prevent the sitting of an essential public facility but should mitigate the impacts of development. *(NEW POLICY)*

LUP 7.5 Siting of an essential public facility should not be located in areas that have experienced disproportional impacts to marginalized communities. *(NEW POLICY)*

**LUG 8 Support the development of trade schools and learning opportunities or apprenticeship programs accessible to the residents of Stanwood. (OLD LUG 25 – MOVED & REVISED)**

LUP 8.1 Support the Snohomish County Regional Apprenticeship Pathways (RAP) program. *(NEW POLICY)*

LUP 8.2 Support high school accessibility to and awareness of trade schools and apprenticeship opportunities that provide a pathway to living wage jobs. *(NEW POLICY)*

**Subsection: Natural Features**

**Associated Text: Future Land Use Capacity**

**Subsection: Future Land Use**

**LUG 9 Future land use designations shall ensure the optimum use of the land for present and future generations while preserving and maintaining the quality of the natural environment. (OLD LUG 19 – MOVED & REVISED)**

LUP 9.1 Plan for a balanced mix of land uses based on land availability, capacity to provide public services, and limiting environmental impacts of development. *(OLD LUP 19.1 – MOVED & REVISED)*

LUP 9.2 Promote retention of resource lands, historic and culturally significant sites, open spaces, and designated park and recreation lands. *(OLD LUP 19.6 – MOVED & REVISED)*

LUP 9.3 Identify underdeveloped or underutilized lands and establish density lot size and road access standards that create incentives for infill development or redevelopment. *(OLD LUP 1.1 – MOVED AND REVISED)*

LUP 9.4: Ensure Stanwood is able to accommodate growth targets by establishing zoning regulations that attract quality development from the housing and commercial markets. *(OLD LUP 1.3 – MOVED AND REVISED)*

LUP 9.5 Ensure that the land supply necessary for 20-year employment, housing, and population projections is available. *(OLD LUP 16.2 – MOVED & REVISED)*

MOVED AND REVISED POLICY LUP 9.6 Ensure growth allocations are distributed equitably. Use tools such as impact fees and plant investment charges to provide funds for necessary infrastructure improvements. *(OLD LUP 17.6 – MOVED & REVISED)*

## **Text: City Landscape**

### **Subsection: Entry Points (need to write)**

**LUG 10 Enhance the aesthetic quality of entry points to the city along SR 532 in accordance with the Twin City Mile, Downtown Master Plan, and City Beautification Plan to establish a “sense of place” within Stanwood. *(OLD LUG 9 – MOVED & REVISED)***

LUP 10.1 Maintain a unified signage plan that establishes the gateways to both the Uptown and Downtown Districts and also directs people to local services and facilities. *(OLD LUP 9.1 – MOVED & REVISED)*

LUP 10.2 Maintain attractive landscaping, vistas, and open spaces along SR 532. *(OLD LUP 9.6 – MOVED & REVISED)*

LUP 10.3 Encourage the planting of street trees and work with the Washington State Department of Transportation (WSDOT) and property owners to provide street trees along SR 532. *(OLD LUP 9.7 – MOVED & REVISED)*

LUP 10.4 Work with WSDOT to improve the quality of SR 532 and its capacity for vehicle traffic. *(OLD LUP 9.8 – MOVED & REVISED)*

### **Subsection: Downtown Business District**

**LUG 11 Develop Downtown Stanwood, defined as the area incorporating East End, the 271<sup>st</sup> Corridor, and West End and recognize that the Downtown District serves the City and tri-county region as consistent with the Downtown Master Plan. *(OLD LUG 4 – MOVED & REVISED)***

LUP 11.1 Allow a mix of residential, office, retail, entertainment and service uses to operate and serve incorporated Stanwood, unincorporated

Snohomish County, Skagit County, and Island County. *(OLD LUP 4.1 – MOVED & REVISED)*

LUP 11.2 Support residential, commercial, and mixed use re-development of the downtown and recognize the area as a transit and pedestrian focused. *(OLD LUP 4.2 – MOVED & REVISED)*

LUP 11.3 Encourage a compact Downtown to facilitate easy pedestrian and bicycle access between shops, buildings and surrounding neighborhoods. *(OLD LUP 8.1 – MOVED & REVISED)*

LUP 11.4 Foster an atmosphere in the Downtown in which customers are encouraged to park their cars and walk to multiple shops and services. *(OLD LUP 8.2 – MOVED & REVISED)*

LUP 11.5 Reduce the proliferation of driveways by encouraging shared access. *(OLD LUP 8.3 – MOVED)*

LUP 11.6 Support increased bus service in the area around the transit center in East End serving the Amtrak railroad station. *(OLD LUP 8.4 – MOVED & REVISED)*

LUP 11.7 Encourage buildings to be located closer to streets and sidewalks, and parking areas to be located behind the buildings. *(OLD LUP 8.5– MOVED & REVISED)*

LUP 11.8 Encourage use of downtown development incentives and flexible standards to and promote business and infill development the development or enhancement of retail areas to achieve a balanced shopping, dining, cultural, and entertainment experience in the Downtown Center District. *(OLD LUG 6 – MOVED & REVISED)*

LUP 11.9 Allow flexibility in mixed use developments with residential units built into a convenient, transit oriented, and walkable downtown where there is not convenient access to commercial storefronts. *(OLD LUP 4.4 – MOVED & REVISED)*

LUP 11.10 Establish urban site planning, parking, pedestrian connections, street furniture and landscaping to encourage creative development of the Downtown. Maintain a pedestrian scale in the downtown district relating to features such as, but not limited to, massing, lighting, signage, and arcades or awnings. *(OLD LUP 4.6 – MOVED & REVISED, SUBSECTIONS a-c, and f DELETED)*

- a. Allow creative options to achieve landscaping requirements, such as roof gardens, window boxes, container plantings, and hardscape consisting of decorative

paving in lieu of a portion of landscape requirements. [OLD LUP 4.6] *(OLD LUP 4.6 subsections d-e – MOVED & REVISED)*

NEW POLICY b. Provide development flexibility for opportunities to develop public art, plazas, courtyards, or other public amenities.

c. When appropriate, site new civic and cultural facilities, including City Hall and the Library, in the Downtown District. *(OLD LUP 6.2 – MOVED & REVISED)*

d. Encourage outdoor dining, outdoor street furniture and temporary outdoor displays that create an interesting, visually stimulating, and interactive downtown. *(OLD LUP 4.7 – MOVED & REVISED)*

LUP 11.11 Incentives supporting development in the Downtown Center should be evaluated to reduce the cost of development within the floodplain. Stanwood should coordinate with FEMA and the Washington State Department of Ecology to re-evaluate floodplain boundaries as community resilience measures are implemented. *(OLD LUP 7.8 – MOVED & REVISED, SUBSECTIONS a-d DELETED)*

LUP 11.12 Create Develop a more robust visual and physical connection between the east and west ends of the business areas within the Downtown by encouraging infill development that adds to a critical mass of building in along the 271st corridor. (OLD LUG 5 – MOVED & REVISED)

LUP 11.13 Reduce the visual impact of existing surface parking lots through techniques such as accessory commercial development on pads, and landscaping. *(OLD LUP 5.2 – MOVED)*

LUP 11.14 Encourage small scale, specialty, and local retail along the front of 271st Ave. Encourage residential uses between 271st Ave (behind storefronts) and larger-scale retail and service uses along SR 532. *(OLD LUP 5.5 – MOVED & REVISED)*

LUP 11.15 Develop a vital, an inviting and attractively designed Downtown. (OLD LUG 7 – MOVED & REVISED)

LUP 11.16 Advocate for greater pedestrian scale and attractive façades with incentive programs or grants and collaboration with developers, community organizations, and property owners. *(OLD LUP 7.2 – MOVED & REVISED)*

LUP 11.17 New commercial developments should be required to provide open spaces for public gathering, seating and eating at a scale appropriate for the development. *(OLD LUP 7.7 – MOVED & REVISED)*

LUP 11.18 Create visual alignment in the Downtown District through a wayfinding signage program that includes decorative “sense of place” banners and signage that outlines opportunities for recreation, education, or key downtown activities and places in alignment with the Downtown Plan and the Twin City Revitalization project. *(NEW POLICY)*

## **Subsection: Historic Preservation**

### **LUG 12 Preserve historical residential neighborhoods with by preserving character, scale, architecture, and unique natural and manmade features as assets that create a livable and uniquely desirable community. *(OLD LUG 3 – MOVED & REVISED)***

LUP 12.1 Recognize the “best” architectural qualities of desired historic and modern structures by documenting identifiable architectural districts and create incentives for replication of those elements in new development. *(OLD LUP 3.2 – MOVED & REVISED)*

LUP 12.2 Adopt regulations that determines how uses and project designs for new commercial and industrial development that complement the historical character, scale, and needs of neighborhoods. *(OLD LUP 3.5 – MOVED & REVISED)*

LUP 12.3 Promote restoration of historic buildings and encourage compatibility of new developments with historic structures. *(OLD LUP 7.6 – MOVED)*

LUP 12.4 Maintain historical street signs to existing street signs to recognize and strengthen the historical character of the Downtown Center. *(OLD LUP 7.6 & LUP 9.2 – MOVED & REVISED)*

LUP 12.5 Acknowledge the cultural significance of sites throughout the city recognizing the influence that tribal and minority communities have had in Stanwood’s boundaries. Implementation may occur through public art, signage, plaques, parks, public amenities if they recognize historic and culturally significant places, structures, or uses. *(NEW POLICY)*

### **LUG 13 Encourage preservation of lands, culturally significant sites and structures of historic significance. *(OLD LUG 20 – REVISED)***

LUP 13.1 Inventory and document historical and cultural sites by engaging with tribes and other cultural communities. *(OLD LUP 20.1 – REVISED)*

LUP 13.2 Consider the impact of cultural loss for projects proposed on historic lands and coordinate feedback from Tribes. (*NEW POLICY*)

LUP 13.3 Encourage property owners to engage in restoration of historic properties, uses, and buildings Ensure compatibility of new developments with historic structures through building design standards. (*OLD LUP 20.2 & LUP 7.6 – MOVED & REVISED*)

LUP 13.4 Maintain and rehabilitate historic buildings and structures through consistent code enforcement to ensure public safety. (*OLD LUP 2.6 – MOVED & REVISED*)

LUP 13.5 Provide information about flood proofing exemptions for designated historic structures and evaluate how preservation designations for older residential and commercial structures located in the Downtown may reduce costs of rehabilitation and restoration. (*OLD LUP 2.7 – MOVED & REVISED*)

LUP 13.6. When structures display a desired historic period, architectural character and scale, develop flexible interpretations of standards to encourage re-investment and re-use. (*OLD LUP 3.3 – MOVED & REVISED*)

LUP 13.7 Educate eligible properties of available historic and cultural preservation resources. (*NEW POLICY*)

### **Subsection: Uptown District (need to write)**

#### **LUG 14 Maintain and encourage further infill development of commercial and mixed-use structures in the Uptown District to support new jobs, retailer provided essential goods and services, and a variety of housing opportunities. (*OLD LUG 10 – MOVED & REVISED*)**

LUP 14.1 Support residential, commercial, and mixed use re-development and infill of the Uptown District and allow shared parking and off-site parking when appropriate. Commercial developments should include pedestrian connectivity through drive aisles and parking lots in the Uptown District. (*OLD LUP 10.5 – MOVED & REVISED*)

LUP 14.2 Plan for auto-oriented site development within the Uptown District ~~Center~~ with a combination of private and public street systems and large parcels with shared access through private drive aisles in parking lots. (*OLD LUP 10.2 – MOVED & REVISED*)

LUP 14.3 Allow a variety of retail, service, office, and other commercial uses as well as incentivizing mixed use, middle house, subsidized and affordable housing, senior housing

and assisted living residential uses in the Uptown District. *(OLD LUP 10.3 – MOVED & REVISED)*

LUP 14.4 Allow surface parking to accommodate shopping centers in the Uptown District with limited restriction on the location of parking. *(OLD LUP 10.4 – MOVED & REVISED)*

LUP 14.5 Regulate uptown signage and building design standards with design guidelines appropriate for multi-store commercial complexes enhancing the quality of the uptown atmosphere and reducing sign litter in accordance with the Economic Development Action Plan. *(NEW POLICY)*

LUP 14.6 Plan for an interconnected system of amenities and infrastructure throughout Uptown, including non-motorized transportation routes, parks, trails, and recreation facilities, connecting the District to surrounding residential neighborhoods. *(OLD LUP 10.7 – MOVED & REVISED)*

LUP 14.7 Create visual alignment in the Uptown District through a wayfinding signage program that includes decorative “sense of place” banners and signage that outlines opportunities for recreation, education, or key uptown activities and places in alignment with the Twin City Revitalization project. *(NEW POLICY)*

### **Subsection: Planned Industrial Zone**

#### **LUG 15 Encourage compatibility between industrial uses and nearby non-industrial development where industrial land abuts other land uses. *(OLD LUG 13 – MOVED & REVISED)***

LUP 15.1 Discourage industrial development that would negatively impact residential and commercial land uses, shorelines, and environmentally sensitive areas. *(OLD LUP 13.1 – MOVED & REVISED)*

LUP 15.2 Zone industrial use in areas with proximal access to arterials and state routes. Emphasize the location of complimentary industrial uses in areas zoned for Planned Industrial adjacent to the Downtown District. *(OLD LUP 4.3 – MOVED & REVISED)*

LUP 15.3 A mix of appropriate industrial uses with the inclusion of retail, offices, eating and dining, public spaces, and recreation opportunities in business park-type developments are encouraged. *(NEW POLICY)*

**LUG 16 Encourage industrial uses to share and coordinate development of mutually beneficial or shared, and essential public infrastructure. (OLD LUG 14 – MOVED & REVISED)**

LUP 16.1 Focus job growth and business development within the Planned Industrial zone with corresponding improvements along the city’s major transportation corridors. (NEW POLICY)

LUP 16.2 Support existing businesses while encouraging the clustering of new developments and businesses to share facilities such as internal roadways, parking facilities, and rail access. (OLD LUP 14.1 – MOVED & REVISED)

LUP 16.3 Incorporate development requirements for open space and recreation, transportation, and community-oriented spaces such as linear parks and pedestrian/bicycle trails in industrial developments. (OLD LUP 14.2 – MOVED & REVISED)

**LUG 17 Support existing local businesses while promoting development of new planned industrial, office, and complimentary uses since both local and large scale businesses provide livable wage jobs. (OLD LUG 15 – MOVED & REVISED)**

LUP 17.1 The amount of land planned and allocated for industrial use should be reasonably scaled to meet the demonstrated demand for industrial activity and livable wage job opportunities. (OLD LUP 16.1 – MOVED & REVISED)

LUP 17.2 Protect existing industrial lands and uses from possible future land use conflicts when evaluating changes to zoning standards and boundaries. (OLD LUP 13.5 – MOVED & REVISED)

LUP 17.3 Conduct an assessment of permitted industrial uses to ensure there is consistent review of other potential uses that encourage a diverse range of living wage jobs. The assessment should occur alongside the 10-year periodic Comprehensive Plan update. (NEW POLICY)

LUP 17.4 Support businesses oriented in emerging services, technologies, and industries, such as green businesses, through the Unclassified Use Permit Process. (NEW POLICY)

# Deleted Goals and Policies

## Existing goals or policies that were removed due to redundancy, simplification, already implemented/adopted, or more appropriate for the Municipal Code or different element of Comprehensive Plan

~~DELETED POLICY~~ LUP 2.2 Encourage American styles representing commercial buildings built from 1890 to 1920.

~~DELETED POLICY~~ LUP 2.3 Encourage restoration of existing deteriorated structures built before 1950.

~~DELETED POLICY~~ LUP 2.9 subsections a-b

- ~~a. To allow residents to meet their basic daily needs within town,~~
- ~~b. Support a network of personal and business interactions that result in a friendly hometown.~~

~~DELETED POLICY~~ LUP 2.5 Reflect the height and setbacks of abutting structures in the design of infill projects proposed for a single lot.

~~DELETED POLICY~~ LUP 3.1 Re-create the following qualities of existing residential areas in remodels and residential infill development

- ~~a. One and two story scale of single family structures~~
- ~~b. Window and door trim and architectural modulation on all sides of a house visible from a street~~
- ~~c. Variation in building materials~~
- ~~d. Welcoming entry features such as porches~~
- ~~e. Variable front setbacks~~
- ~~f. Street trees~~
- ~~g. Mix of rear access and front access garages plus a mix of detached and attached garages~~

~~h. Usable private open space~~

~~i. Open views of buildings and yards from local streets without continuous solid fencing~~

~~**DELETED POLICY** LUP 4.3 Allow light industrial uses in areas without strong access for retail or service uses.~~

~~**DELETED POLICY** LUP 4.5 Disallow outdoor storage as a primary use.~~

~~**DELETED POLICY** LUP 4.6 subsections a-c, and f~~

~~a. Encourage redevelopment of property by creating flexible parking for required parking spaces.~~

~~b. Disallow parking between the sidewalk and structures in the front of buildings.~~

~~c. Maintain and use alleys for service delivery, garbage, and parking access.~~

~~f. Disallow solid wood fencing.~~

~~**DELETED POLICY** LUP 5. 1 Allow larger floor area ratios to encourage efficient use of land and prevent a sprawl form of development within the Center.~~

~~**DELETED POLICY** LUP 5.3 Utilize the wide right of way on the south side of 271st to create a green space and sidewalk/trail that unifies the frontages between the east and west ends.~~

~~**DELETED POLICY** LUP 5.4 Require new commercial development proposals to include the design and construction of walkways and/or sidewalks to integrate and link to commercial activities and school or other civic uses in the area such as the library.~~

~~**DELETED POLICY** LUP 6.1 Encourage mixed use structures in the Downtown Center that combine residential and commercial uses where deemed appropriate.~~

~~**DELETED POLICY** LUP 7.3 Provide incentives for property owners to facilitate the improvement of deteriorated facades, signage and general outside appearance in the downtown. Base the improvements on the design characteristics of the downtown.~~

~~**DELETED POLICY** LUP 7.8 subsections a-d~~

~~Incentives may include programs such as:~~

~~a. Streamlined processing;~~

- ~~b. Reduction in impact fees when road and park facilities are not required to serve new capacity;~~
- ~~c. Regional stormwater and drainage facilities;~~
- ~~d. Off site mitigation sites for wetland, flood and stormwater mitigation.~~

~~**DELETED POLICY** LUP 7.1 The City recognizes the importance of a well designed, aesthetically pleasing built environment in attracting customers to its commercial centers. Therefore, the City supports the adoption of design/development guidelines that addresses facades, signage and site planning.~~

~~**DELETED POLICY** LUP 7.4 Develop design guidelines, for sign awning design, and color schemes.~~

~~**DELETED POLICY** LUP 7.5 Regulate signage in downtown to address pedestrians and contribute to quality downtown atmosphere.~~

~~**DELETED GOAL LUG 8 Encourage pedestrian mobility in the Downtown Center.**~~

~~**DELETED POLICY** LUP 9.3 Maintain design guidelines that control or direct development along SR 532 to minimize the appearance of a strip mall.~~

~~**DELETED POLICY** LUP 9.4 Discourage the proliferation of backlit pole signs along SR 532.~~

~~**DELETED POLICY** LUP 9.5 Promote clustering of commercial development, with building setbacks along SR 532.~~

~~**DELETED POLICY** LUP 9.9 Provide for pedestrian sidewalks along SR 532 from the west City limits to 98th Ave NW and connect these sidewalks to downtown sidewalk network.~~

~~**DELETED POLICY** LUP 10.1 Establish the Uptown Center as the area bordered by SR 532, Pt. Susan Middle School, Twin City Elementary and the City limits to the east as an area for infill retail and service commercial development.~~

~~**DELETED POLICY** LUP 10.6 Encourage mixed use development within the Center.~~

~~**DELETED POLICY** LUP 11.1 Uses in the neighborhood business areas should provide goods and services generated by demand in the surrounding residential area.~~

~~**DELETED POLICY** LUP 11.2 Uses should exclude drive through windows.~~

~~**DELETED GOAL LUG 12 Preserve views in residential areas.**~~

~~DELETED POLICY~~ LUP 12.1 Encourage development that does not monopolize prime views.

~~DELETED POLICY~~ LUP 12.2 Maintain building height limitations as provided in the Zoning Code

~~DELETED POLICY~~ LUP 13.2 Require mitigation of any negative impacts of noise, light, glare, dust and other effects when considering the development of an industry.

~~DELETED POLICY~~ LUP 13.3 Require installation of adequate landscape or structural buffers to separate differing land uses from the adverse impacts of industrial development.

~~DELETED POLICY~~ LUP 13.4 Provide for sexually oriented business to be located in an adult entertainment zoning overlay.

~~DELETED POLICY~~ LUP 13.5 Protect existing industry from possible future land use conflicts.

~~DELETED POLICY~~ LUP 14.3 Encourage clustering industrial land uses adjacent to existing industrial development centers.

~~DELETED POLICY~~ LUP 15.1 To the greatest extent possible, any conversion, redevelopment, or redesignation of industrial land for other uses should be avoided. If conversion, redevelopment, or redesignation is unavoidable, impacts should be minimized and any proposal shall result in no net loss of industrial land within the City.

~~DELETED POLICY~~ LUP 16.1 The amount of land planned and allocated for industrial use should be reasonably scaled to meet the demonstrated demand.

~~LUP 17.2~~ Concentrate new growth within or adjacent to existing development in the Stanwood UGA.

~~DELETED POLICY~~ LUP 18.3 Ensure that the public is provided information and opportunities to evaluate and have input on decisions related to changes of public services service delivery and boundary changes associated with annexations.

~~DELETED POLICY~~ LUP 18.4 Evaluate proposed annexations based on the following criteria:

- a. The ability of the City to provide public services at the City's adopted levels of service within the six year timelines allowed under concurrency.

~~b. The annexation would facilitate an appropriate balance between the provision of jobs and the availability of housing.~~

~~c. The annexations would simplify governmental structure in annexing areas and the resultant City of Stanwood.~~

~~d. The relative costs to serve the proposed annexation versus the revenue to be derived from the annexation (a negative net revenue projection by itself should not be considered grounds for disapproval).~~

~~e. The annexation would result in future improvements to the resultant City of Stanwood services through potential enhancements of levels of service or through elimination of duplication services. Services include water, sanitary sewers, storm water drainage, utility drainage basins, transportation, park and open space, library, and public safety.~~

~~f. The annexation would include those who already use City services or who impact City infrastructure.~~

~~g. Annexation boundaries would facilitate the efficient delivery of emergency and public services.~~

~~h. The annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island.~~

~~i. The annexation would follow logical boundaries, such as streets, waterways, neighborhoods, or substantial topographic changes.~~

~~j. The annexation would create logical city boundaries and not create unincorporated islands or irregular municipal boundaries.~~

~~**DELETED POLICY** LUP 18.8 Annexation proponents requesting different zoning designation other than that shown on comprehensive land use and zoning maps should apply for a particular Comprehensive Plan Land Use Map Amendment and concurrent Zoning classification amendment concurrently with the annexation proposal. The zoning application should be processed as a regular rezone and the rezone ordinance decided concurrently with the City Council approval of the annexation. Amendments to zoning/land use classification can only be applied for during the Comprehensive Plan amendment process as outlined in Section I Introduction and Plan Background chapter.~~

~~**DELETED POLICY** LUP 18.9 Subsections b-d~~

~~b. The city may annex areas that require public facility improvements to correct health and safety related problems.~~

~~c. If an area annexing to Stanwood has public facilities that do not meet city standards and the property owners of the annexation area want to improve the facilities to meet City standards, the property owners of the annexation area will fund those improvements, or the proportion of those improvements, that do not have a citywide benefit.~~

~~d. Public facility improvements within annexed areas that have a citywide benefit may be considered for funding through City revenues as part of the Stanwood capital facilities and improvements planning processes~~

~~**DELETED POLICY** LUP 18.11 Both sides of streets and roads, including rights of way should be made part of an annexation~~

~~**DELETED POLICY** LUP 19.3 subsections a-r~~

~~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 (5-10 dwelling 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. Variable 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.

~~The GC-MXO designation is implemented by the GC-MXO (General Commercial Mixed-Use Overlay) zoning.~~

~~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 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 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.~~

~~**DELETED POLICY** LUP 21.1 Allow for the preservation of existing agricultural lands and the establishment of new agricultural lands in the SR 12.4 zone.~~

~~**DELETED POLICY** LUP 21.2 Limit incompatible land uses adjacent to registered agricultural lands within the city limits.~~

~~**DELETED GOAL** LUG 22 Allow protection of existing forest lands within the city~~

~~**DELETED POLICY** LUP 22.1 Limit incompatible land uses adjacent to registered forest lands within the city limits.~~

~~**DELETED POLICY** LUP 23.1 Provide application and procedures for amending the Comprehensive Plan in the Stanwood Municipal Code.~~

~~**DELETED POLICY** LUP 23.2 Approve amendments, that meet the following criteria:~~

- ~~a. The amendment bears a substantial relation to the public health, safety, or welfare;~~
- ~~b. The amendment is warranted because of changed circumstances or because of a need for additional property in the proposed Comprehensive Plan designation or because the proposed amendment is appropriate for reasonable development of the subject property;~~
- ~~c. The subject property is suitable for development in conformance with standards under the proposed Comprehensive Plan designation;~~
- ~~d. The amendment will not be materially detrimental to uses or property in the immediate vicinity of the subject property;~~
- ~~e. The proposed Comprehensive Plan amendment has merit and value for the community as a whole; and~~

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

~~DELETED POLICY LUP 23.3.3 Approve only those zoning text and/or map amendments that are consistent with and implement this Comprehensive Plan.~~

~~DELETED POLICY LUP 25.1 Develop a land use framework that supports the development of a college in the Stanwood UGA.~~

~~DELETED POLICY LUP 25.2 Study the costs and impacts of locating a college in the Stanwood area.~~

~~DELETED POLICY LUP 25.3 Amend the Stanwood Capital Improvement Program to include needed improvements to support the college.~~

~~DELETED POLICY LUP 25.4 Coordinate with adjacent jurisdictions and service providers to support the development of the college.~~

## **Relocated Goals and Policies**

**Existing, revised, or new goals or policies that were removed due to be placed in future Comprehensive Plan Chapters that would be more appropriate for the policy's intent.**

NEW POLICY LUP 14.3 Prioritize collaboration on roadway improvements and managing transportation gateways with Snohomish County, Island County, and WSDOT to support job development while enhancing the safety and efficiency of the transportation network. – RECOMMENDED FOR TRANSPORTATION

Exhibit C  
2024 Land Use Element  
Goals and Policies  
~~Strikethrough Version~~



2024 COMPREHENSIVE PLAN &  
MUNICIPAL CODE UPDATE  
PROJECT  
Policy Review

Comprehensive plan edits concentrate on simplifying the text, removing redundant policies and adding new policies addressing regional planning policies. More policies do not mean better policies. The Land Use Element goals and policies listed below include four general changes:

- New – New policies/goals proposed to address identified new regional or local policy gaps in addition to expanding upon the vision of Stanwood residents
- Revised – Existing policies that can be revised to address policy gaps or for better clarity and simplification
- Moved – Policies that have been moved from other sections to better flow or for relevancy
- Deleted – Existing goals or policies that were removed due to redundancy, simplification, already implemented/adopted, or more appropriate for the Municipal Code or other elements of the Comprehensive Plan. All goals and policies proposed for deletion are located at the end of this document (pages 16-28)

## Land Use Goals and Policies

### Associated Text: Introduction

#### Subsection: Introduction

#### **LUG 1 Provide an amendment process that allows for annual updates of this Comprehensive Plan. (OLD LUG 23 – MOVED)**

LUP 1.1 All amendments to the City’s Comprehensive Plan and development regulations shall ensure early and continuous public participation ~~as formalized in a public participation program~~, per RCW 36.70A.140. **(OLD LUP 23.4 – REVISED AND MOVED)**

LUP 1.2 The City shall ensure coordination of Comprehensive Plans by requesting input from other agencies with jurisdiction during the drafting process, or at a minimum, by requesting comments during the state and public review periods. **(OLD LUP 23.5 – MOVED)**

LUP 1.3 City shall attempt to process applications for state and local permits in a timely, transparent, and fair manner to ensure predictability. (*OLD LUP 19.5 – MOVED & REVISED*)

## Subsection: Regional Coordination

**LUG 2 Plan current and future land uses in accordance with the Stanwood community values and vision, Snohomish Countywide Planning Policies, and the Washington State Growth Management Act. ~~Snohomish Countywide Planning Policies, and the values and vision of Stanwood’s community residents and business people.~~ (*OLD LUG 1 – REVISED*)**

LUP 2.1: Continue to participate in regional planning efforts, such as Snohomish County Tomorrow and the Puget Sound Regional Council, to ensure that the values of a ~~small~~ the growing community are represented and that Stanwood continues to have input into larger scale planning issues that affect the City. (*OLD LUP 1.2 – REVISED*)

NEW POLICY LUP 2.2 Conduct inclusive and equitable planning processes through public engagement of disadvantaged areas and underrepresented groups in the city to represent a variety of perspectives and reduce disparities experienced by sects of the community.

NEW POLICY LUP 2.3 Monitor changes to the Growth Management Act, Puget Sound Vision 2050, and Snohomish County Tomorrow policies. Revise and adopt changes to goals and policies as needed to maintain regional consistency.

LUP 2.4 Density designations for residential and mixed-use land should be consistent with the Comprehensive Plan, regionally adopted plans, and the Growth Management Act. ~~vision and goals for the community of Stanwood, while still meeting Growth Management Act mandates.~~ (*OLD LUP 17.4 – MOVED & REVISED*)

## **Associated Text: Current Land Use Inventory**

### Subsection: Existing Land Use

**LUG 3 Re-vitalize and reinforce the character of Stanwood’s ~~existing residential and commercial neighborhoods~~ as new development, redevelopment, and infill occurs. ~~and redevelopment occur.~~ (*OLD LUG 2 – MOVED & REVISED*)**

NEW POLICY LUP 3.1 Development shall occur in alignment with adopted plans such as Twin City Mile, City Beautification, and Stanwood Destiny by Design.

LUP 3.2 Encourage building designs that emulates Stanwood’s culture and history, including but not limited to Early Century architectural styles and details. ~~styles representative of the building styles used through the history of Stanwood without restriction of architectural style.~~ (OLD LUP 2.1 – MOVED & REVISED)

LUP 3.3 Recognize Stanwood is the urban focal point of a rural, agricultural community and ~~continue the existing pattern of~~ support residential use at urban densities ~~surrounded by working agriculture as a quality of life asset.~~ (OLD LUP 2.8 – MOVED & REVISED)

LUP 3.4 Encourage preservation of Preserve parks, resource lands, open spaces and recreational opportunities. (OLD LUP 2.10 – MOVED & REVISED)

LUP 3.5 The City shall maintain the Comprehensive Plan Future Land Use Map (FLUM) (see Figure LU-1). The City’s Zoning Map, municipal code, and development standards shall align with the FLUM (See Figure XXX). ~~All zoning shall be consistent with this FLUM.~~ (OLD LUP 19.2 – MOVED & REVISED)

LUP 3.6 Zoning designations and land uses shall be categorized guided by the following assigned Future Land Use 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.~~ (OLD LUP 19.3 – MOVED & REVISED, SUBSECTIONS a-r DELETED)

## Subsection: Urban Growth Area (Call-out Box)

**LUP 4 Promote coordinated and efficient growth within the Stanwood Urban Growth Area (UGA) with neighboring jurisdictions and Tribes, Snohomish County, and the Puget Sound Regional Council as the Stanwood Urban Growth Area (UGA) is developed. (OLD LUG 17 – MOVED & REVISED)**

LUP 4.1 - ~~Major~~ New development may only occur within the UGA ~~to the northeast of town or to the east~~ along existing major transportation routes outside the floodplain in an effort to concentrate new growth in underutilized lands. (OLD LUP 17.1 – MOVED & REVISED)

NEW POLICY LUP 4.2 Engage with Tribal agencies to address regional issues and disparities, and to understand shared impacts and benefits to growth.

NEW POLICY LUP 4.3 Ensure land use compatibility between adjacent jurisdictions to ensure sensitive, culturally significant, underinvested, or disadvantaged lands or land uses are protected.

LUP 4.4 Collaborate with Snohomish County during the periodic update process to evaluate if the city must annex Urban Growth Area lands to meet future growth targets in accordance with Countywide Planning Policies. ~~other jurisdictions within the UGA at least once every ten years to evaluate the effectiveness of the adopted Urban Growth Boundary. (OLD LUP 17.5 – MOVED & REVISED)~~

LUP 4.5 ~~Protect~~ ~~Allow protection of~~ existing agricultural and forest lands within unincorporated Stanwood the city by locating urban development within the City and limiting expansions of the Urban Growth Area boundaries in accordance with the Right to Farm Act. (OLD LUG 21 – MOVED & REVISED)

NEW POLICY LUP 4.6 Emphasize the role of Stanwood as the urban core of a larger, rural region and encourage urban development within city limits.

## Subsection: Annexation (need to write)

**LUG 5 ~~To Allow~~ reasonable-phased annexation of the unincorporated portion of the City's adopted Urban Growth Area (UGA) consistent with the Growth Management Act. (OLD LUG 18 – MOVED & REVISED)**

LUP 5.1 Unincorporated areas ~~within the UGA~~ must annex to Stanwood ~~to~~ for eligibility to receive a full range of city-provided services. (OLD LUP 18.1 – MOVED & REVISED)

LUP 5.2 Within the UGA, ~~collaborate with adjacent Snohomish County and consult~~ and inform ~~with~~ affected residents in the land use designation of potential annexation areas to determine if concurrent rezones are necessary to reflect the use and intent of geographic areas in the UGA and if there will be changes to public services that warrant public notice. (OLD LUP 18.2 – MOVED & REVISED)

LUP 5.3 The ~~immediate~~ areas for annexation to Stanwood are determined by Snohomish County and ~~shall~~ include the territory contiguous with boundaries of the City. Annexations shall be processed under the adopted annexation approval criteria within the Stanwood Municipal Code. (REVISED) ~~such as:~~

- ~~a. Peninsulas and islands of unincorporated lands;~~
- ~~b. Neighborhoods where municipal type services have been extended;~~

~~e. Lands subject to development pressure;~~

~~d. Developed areas where urban type services are needed to correct health and safety related problems;~~

~~**e. Natural land features such as mountains, rivers, streams, and wetlands.** (OLD LUP 18.3 – MOVED & REVISED)~~

LUP 5.4 Annexation efforts should be coordinated and processed efficiently among interested property owners of contiguous property within the UGA to establish uniform development requirements appropriate to the subject annexation area. Applicants for annexations are encouraged to apply jointly with other interested property owners or residents to reduce costs for the applicants and enable the City to process annexation applications more efficiently. However, Individual property owners should not be precluded from pursuing annexation. (OLD LUP 17.5 – MOVED & REVISED)

LUP 5.5 City staff should conduct an assessment report of the costs to ~~expand municipal services and provide infrastructure to service potential annexation areas and evaluate the potential tax revenues gained.~~ provide service and of the tax revenues, which would be generated in the area. The City recognizes that these impacts are only a few of several criteria to be evaluated, and must be Annexation impacts shall be balanced with other annexation policy goals such as providing public service, governmental structure, or infrastructure. (OLD LUP 18.6 – MOVED & REVISED)

LUP 5.6 Individual annexation areas should be part of logical, orderly growth for the City in accordance with the Office of Financial Management and U.S. Census Bureau. ~~and should avoid irregular boundaries. Islands of unincorporated areas and City peninsulas, and natural land features should be avoided to reduce irregular boundaries.~~ Peninsulas should be allowed only if needed to serve other areas. Lands closest to City boundaries should annex before areas further out. (OLD LUP 18.7 – MOVED & REVISED)

LUP 5.7 The property owners of the annexation area should fund the public facility improvements necessary to serve new development. The funding requirements shall be consistent with applicable Stanwood policies and regulations. (OLD LUP 18.9 SUBSECTION a – MOVED)

LUP 5.8 Existing development within newly annexed areas should have a full level of public services and facilities (such as streets, utilities, public safety, parks) at the time of annexation or as soon as practicable thereafter. Flexibility in full sewer connection shall be granted to individual or phased projects with a signed annexation agreement. (OLD LUP 18.10 – MOVED & REVISED)

## Subsection: Residential Lands

(should LUG 3 go here instead?)

## Subsection: Residential / Commercial Lands

## Subsection: Commercial Lands

**LUG 6 Maintain commercial ~~centers~~ districts with a sufficient range of uses that provide a variety of essential goods and services to residents while preserving and supporting development of local businesses. (OLD LUP 2.9 – MOVED & REVISED, SUBSECTIONS a-b DELETED)**

NEW POLICY LUP 6.1 Commercial developments should include pedestrian connectivity promoting an inviting and walkable city.

NEW POLICY LUP 6.2 Stanwood should support a variety of commercial and service uses that serve the residents of the larger, rural community and allows residents to meet their basic daily needs within the city.

LUP 6.3 Encourage neighborhood scale commercial nodes in the Traditional Neighborhood and Neighborhood Business designations with businesses that provide essential goods and services. (OLD LUG 11 – MOVED & REVISED)

NEW POLICY LUP 6.4 Balance the need for “big box” and local businesses by prioritizing placement of “big box” stores in auto oriented and commercialized areas of the city, particularly Uptown, and enhancing opportunities for local businesses Downtown.

NEW POLICY LUP 6.5 Support development of major retailer stores providing key goods and services, such as clothing and furniture, to Stanwood and the surrounding unincorporated areas reducing the city’s economic spillage into other urbanized areas.

LUP 6.6 ~~Consider these criteria when determining~~ Evaluate commercial land use designations in ~~the Stanwood UGA~~ with the following focuses:

- a. Availability of capital facilities, roadways, and utilities;
- b. Relationship to the downtown;
- c. Proximity to residential uses to ~~create~~ promote residential “~~villages~~” density near or around small commercial nodes in the UGA;

d. Compatibility with existing and planned land uses within Stanwood and adjacent jurisdictions. (OLD LUP 17.3 – MOVED & REVISED)

## Subsection: Industrial Lands

## Subsection: Essential Public Facilities

**LUG 7 Provide for the siting of essential public facilities, as dictated by the Growth Management Act (GMA) and Capital Facilities elemental goals and policies, (An interlocal agreement was executed between the City of Stanwood and Snohomish County on June 27, 2001. The purpose of this document is to develop a common siting process for essential public facilities. This document is adopted by reference.) The following Snohomish County Goals and Policies are applicable. (OLD LUG 24 – MOVED & REVISED)**

NEW POLICY LUP 7.1 Evaluate the need for an interlocal agreement with Snohomish County to find mutual strategies to reduce public costs, prevent adverse impacts to marginalized or historically disproportionately burdened populations, and minimize environmental impacts.

NEW POLICY LUP 7.2 The City should strive to locate essential public facilities outside of the floodplain as required by FEMA.

LUP 7.3 City shall not utilize eminent domain unless there is demonstrated absolute needs of a taking in order to meet the GMA requirements for essential public facilities. The City shall provide private property owners with the just compensation for lands subjected to eminent domain. take land for public use without just compensation. (OLD LUP 19.4, MOVED AND REVISED)

NEW POLICY LUP 7.4 The city shall not prevent the sitting of an essential public facility but should mitigate the impacts of development.

NEW POLICY LUP 7.5 Sitting of an essential public facility should not be located in areas that have experienced disproportional impacts to marginalized communities.

**LUG 8 Encourage Support the development of an institution of higher education trade schools and learning opportunities or apprenticeship programs accessible to the residents of within the Stanwood UGA. (OLD LUG 25 – MOVED & REVISED)**

NEW POLICY LUP 8.1 Support the Snohomish County Regional Apprenticeship Pathways (RAP) program.

NEW POLICY LUP 8.2 Support high school accessibility to and awareness of trade schools and apprenticeship opportunities that provide a pathway to living wage jobs.

## Subsection: Natural Features

# Associated Text: Future Land Use Capacity

## Subsection: Future Land Use

**LUG 9 Future land use designations shall ensure the optimum use of the land for present and future generations while ~~minimizing the threat to~~ preserving and maintaining the quality of the natural environment. (OLD LUG 19 – *MOVED & REVISED*)**

LUP 9.1 Plan for a balanced mix of land uses based on land availability, capacity to provide public services, and limiting environmental impacts of development. ~~and the capacity to provide public services.~~ (OLD LUP 19.1 – *MOVED & REVISED*)

LUP 9.2 Promote retention of resource lands, historic and culturally significant sites, open spaces, and designated park and recreational lands. ~~opportunities.~~ (OLD LUP 19.6 – *MOVED & REVISED*)

LUP 9.3 Identify underdeveloped or underutilized lands and establish density lot size and road access standards that create incentives for infill development or redevelopment. ~~in urban areas that are either underdeveloped or underutilized.~~ (OLD LUP 1.1 – *MOVED AND REVISED*)

LUP 9.4: ~~Ensure Stanwood is able~~ Create adequate land use capacity to accommodate growth targets by establishing zoning regulations that zoning land with sufficient density and range of uses to allow the housing and commercial markets to attract quality development from the housing and commercial markets. (OLD LUP 1.3 – *MOVED AND REVISED*)

LUP 9.5 Ensure that the land supply necessary for 20-year employment, housing, and population projections is available. (OLD LUP 16.2 – *MOVED & REVISED*)

MOVED AND REVISED POLICY LUP 9.6 Ensure ~~the equitable distribution of the costs of~~ growth allocations are distributed equitably. Use tools such as impact fees and plant investment charges to provide funds for necessary infrastructure improvements. *(OLD LUP 17.6 – MOVED & REVISED)*

## **Text: City Landscape**

### **Subsection: Entry Points (need to write)**

**LUG 10 Enhance the aesthetic quality of entry points to the city along SR 532 in accordance with the Twin City Mile, Downtown Master Plan, and City Beautification Plan to establish a “sense of place” within Stanwood. (OLD LUG 9 – MOVED & REVISED)**

LUP 10.1 Maintain a unified signage plan that establishes the gateways to both the Uptown and Downtown ~~Centers~~ Districts and also directs people to ~~districts~~ local services and facilities. *(OLD LUP 9.1 – MOVED & REVISED)*

LUP 10.2 Maintain attractive landscaping, vistas, and open spaces along SR 532, particularly the south side of SR 532 between 88th and 98th Streets. *(OLD LUP 9.6 – MOVED & REVISED)*

LUP 10.3 Encourage the planting of street trees and work with the Washington State Department of Transportation (WSDOT) and property owners to provide street trees ~~on~~ along SR 532. *(OLD LUP 9.7 – MOVED & REVISED)*

LUP 10.4 Work with WSDOT to improve the quality of ~~reduce the speed limit on~~ SR 532 and its capacity for vehicle traffic. *(OLD LUP 9.8 – MOVED & REVISED)*

### **Subsection: Downtown Business District**

**LUG 11 Develop Downtown Stanwood, defined as the area incorporating East ~~District~~ End, the 271<sup>st</sup> Corridor, and West End and recognize that the Downtown District serves the City and tri-county region as consistent with the Downtown Master Plan. ~~surrounding agricultural area and Camano Island.~~ (OLD LUG 4 – MOVED & REVISED)**

LUP 11.1 Allow a mix of residential, office, retail, entertainment and service uses to **operate and** serve incorporated Stanwood, unincorporated Snohomish County, **Skagit County**, and ~~Camano Island in~~ Island County. *(OLD LUP 4.1 – MOVED & REVISED)*

LUP 11.2 Support **residential, commercial, and mixed use** re-development of the **downtown and recognize the area as a transit and pedestrian focused** area within the Transit Overlay for pedestrian oriented development organized around the Amtrak Station. ~~Develop a sub-area plan for the Transit Overlay area and develop flexible parking standards within the Overlay to encourage business development.~~ *(OLD LUP 4.2 – MOVED & REVISED)*

LUP 11.3 Encourage a compact Downtown ~~Center~~ to facilitate easy pedestrian and bicycle access between shops, buildings and surrounding neighborhoods. *(OLD LUP 8.1 – MOVED & REVISED)*

LUP 11.4 ~~Strive for an~~ **Foster an** atmosphere in the Downtown in which customers are encouraged to park their cars and walk to multiple shops and services. *(OLD LUP 8.2 – MOVED & REVISED)*

LUP 11.5 Reduce the proliferation of driveways by encouraging shared access. *(OLD LUP 8.3 – MOVED)*

LUP 11.6 Support increased bus service in the area around the transit center in East District **End** serving the Amtrak railroad station. *(OLD LUP 8.4 – MOVED & REVISED)*

LUP 11.7 Encourage buildings to be located closer to streets **and sidewalks**, and parking areas to be located behind the buildings. *(OLD LUP 8.5– MOVED & REVISED)*

LUP 11.8 Encourage use of downtown development incentives and flexible standards to and promote business and infill development the development or enhancement of retail areas to achieve a balanced shopping, dining, cultural, and entertainment experience in the Downtown Center District. *(OLD LUG 6 – MOVED & REVISED)*

LUP 11.9 Allow **flexibility in mixed use developments with residential units built into a convenient, transit oriented, and walkable downtown where there is not convenient access to commercial storefronts.** ~~residential use on ground and upper floors.~~ *(OLD LUP 4.4 – MOVED & REVISED)*

LUP 11.10 Establish urban ~~rather than suburban~~ site planning, parking, pedestrian connections, street furniture and landscaping **to encourage creative development of the Downtown. Maintain a pedestrian scale in the downtown district relating to features**

such as, but not limited to, massing, lighting, signage, and arcades or awnings. (OLD LUP 4.6 – MOVED & REVISED, SUBSECTIONS a-c, and f DELETED)

a. Allow creative options to achieve landscaping requirements, such as roof gardens, window boxes, ~~and~~ container plantings, and hardscape consisting of decorative paving in lieu of a portion of landscape requirements. [OLD LUP 4.6] (OLD LUP 4.6 subsections d-e – MOVED & REVISED)

**NEW POLICY b. Provide development flexibility for opportunities to develop public art, plazas, courtyards, or other public amenities.**

c. When appropriate, site new civic and cultural facilities, including City Hall and the Library, in the Downtown ~~Center~~ District. (OLD LUP 6.2 – MOVED & REVISED)

d. Encourage outdoor dining, outdoor street furniture and temporary outdoor displays that create an interesting, visually stimulating, and interactive downtown. ~~interest and activity~~. (OLD LUP 4.7 – MOVED & REVISED)

LUP 11.11 Incentives supporting development in the Downtown ~~Center~~ should be evaluated to reduce the cost of development within the floodplain. Stanwood should coordinate with FEMA and the Washington State Department of Ecology to re-evaluate floodplain boundaries as community resilience measures are implemented. (OLD LUP 7.8 – MOVED & REVISED, SUBSECTIONS a-d DELETED)

LUP 11.12 Create Develop a more robust visual and physical connection between the east and west ends of the business areas within the Downtown Center by encouraging infill development that adds to a critical mass of building in along the 271st corridor. (OLD LUG 5 – MOVED & REVISED)

LUP 11.13 Reduce the visual impact of existing surface parking lots through techniques such as accessory commercial development on pads, and landscaping. (OLD LUP 5.2 – MOVED)

LUP 11.14 Encourage small scale, specialty, and local retail along the front of 271st Ave. Encourage residential ~~larger-scale retail and service~~ uses between 271st Ave (behind storefronts) and larger-scale retail and service uses along SR 532. (OLD LUP 5.5 – MOVED & REVISED)

LUP 11.15 Develop a vital, an inviting and attractively designed Downtown ~~Center~~. (OLD LUG 7 – MOVED & REVISED)

LUP 11.16 ~~Revise downtown design guidelines to promote~~ Advocate for greater pedestrian scale and attractive façades with incentive programs or grants and

collaboration with developers, community organizations, and property owners. (OLD LUP 7.2 – MOVED & REVISED)

LUP 11.17 New commercial developments ~~may~~ should be required to provide open spaces for public gathering, seating and eating at a scale appropriate for the development. (OLD LUP 7.7 – MOVED & REVISED)

NEW POLICY 11.18 Create visual alignment in the Downtown District through a wayfinding signage program that includes decorative “sense of place” banners and signage that outlines opportunities for recreation, education, or key downtown activities and places in alignment with the Downtown Plan and the Twin City Revitalization project.

## Subsection: Historic Preservation

**LUG 12 Recognize Preserve historical residential neighborhoods with by preserving Stanwood's existing character, scale, architecture, and unique natural and manmade features neighborhood quality as assets that create a livable and uniquely desirable community will add to the desirability of the community. (OLD LUG 3 – MOVED & REVISED)**

LUP 12.1 Recognize the “best” architectural qualities of desired historic and modern structures by documenting identifiable architectural districts and create incentives for replication of those elements in new development. *(OLD LUP 3.2 – MOVED & REVISED)*

LUP 12.2 ~~Limit~~ Adopt regulations that determines how uses and project designs for new commercial and industrial development ~~to uses and project designs that complement the small town~~ historical character, scale, and needs of neighborhoods. of Stanwood. *(OLD LUP 3.5 – MOVED & REVISED)*

LUP 12.3 Promote restoration of historic buildings and encourage compatibility of new developments with historic structures. *(OLD LUP 7.6 – MOVED)*

LUP 12.4 ~~Add~~ Maintain historical street signs to existing street signs to recognize and strengthen the historical character of the Downtown Center. *(OLD LUP 7.6 & LUP 9.2 – MOVED & REVISED)*

**NEW POLICY LUP 12.5 Acknowledge the cultural significance of sites throughout the city recognizing the influence that tribal and minority communities have had in Stanwood’s boundaries. Implementation may occur through public art, signage, plaques, parks, public amenities if they recognize historic and culturally significant places, structures, or uses.**

**LUG 13 Encourage preservation of lands, culturally significant sites and structures of historic significance. (OLD LUG 20 – REVISED)**

LUP 13.1 Inventory and document historical and cultural sites by engaging with tribes and other cultural communities. (OLD LUP 20.1 – REVISED)

NEW POLICY LUP 13.2 Consider the impact of cultural loss for projects proposed on historic lands and coordinate feedback from Tribes.

LUP 13.3 Encourage property owners to engage in restoration of historic properties, uses, and buildings. ~~Promote restoration of historic buildings and encourage~~ Ensure compatibility of new developments with historic structures through building design standards. (OLD LUP 20.2 & LUP 7.6 – MOVED & REVISED)

LUP 13.4 Maintain and rehabilitate historic residential buildings and structures ~~neighborhoods~~ through consistent code enforcement to ensure public safety. (OLD LUP 2.6 – MOVED & REVISED)

LUP 13.5 Provide information about flood proofing exemptions for designated historic structures and evaluate how preservation designations for older residential and commercial structures located in the Downtown ~~Center~~ may reduce costs of rehabilitation and restoration. (OLD LUP 2.7 – MOVED & REVISED)

LUP 13.6 ~~Allow re-use of existing structures.~~ When structures display a desired historic period, architectural character and scale, ~~allow~~ develop flexible interpretations of standards to encourage re-investment and re-use.(OLD LUP 3.3 – MOVED & REVISED)

NEW POLICY LUP 13.7 Educate eligible properties of available historic and cultural preservation resources.

**Subsection: Uptown District (need to write)**

**LUG 14 ~~Develop a second~~ Maintain and encourage further infill development of commercial and mixed-use structures base in the Uptown District Center to support new jobs, retailer provided essential goods and services, and a variety of housing opportunities. ~~as a focal point for the newly developing part of the City.~~ (OLD LUG 10 – MOVED & REVISED)**

LUP 14.1 Support residential, commercial, and mixed use re-development and infill of the Uptown District and allow shared parking and off-site parking ~~in the Uptown Center~~ when appropriate. ~~when approved by the City~~ Commercial developments should include

pedestrian connectivity through drive aisles and parking lots in the Uptown District. (OLD LUP 10.5 – MOVED & REVISED)

LUP 14.2 Plan for ~~suburban-style~~ auto-oriented site development within the Uptown District Center with a combination of private and public street systems and large parcels ~~many of which have~~ with shared access through private drive aisles in parking lots. (OLD LUP 10.2 – MOVED & REVISED)

LUP 14.3 Allow a variety of retail, service, office, and other commercial uses as well as incentivizing mixed use, middle house, subsidized and affordable housing, senior housing and assisted living residential uses in the Uptown District Center. (OLD LUP 10.3 – MOVED & REVISED)

LUP 14.4 Allow surface parking to accommodate ~~an auto-oriented~~ shopping centers in the Uptown District Center and site planning, ~~with no~~ with limited restriction on the location of parking. (OLD LUP 10.4 – MOVED & REVISED)

**NEW POLICY LUP 14.5 Regulate uptown signage and building design standards with design guidelines appropriate for multi-store commercial complexes enhancing the quality of the uptown atmosphere and reducing sign litter in accordance with the Economic Development Action Plan.**

LUP 14.6 ~~Encourage provision of~~ Plan for an interconnected system of amenities and infrastructure throughout Uptown, including non-motorized transportation routes, parks, trails, and recreation facilities, connecting the District Center to surrounding residential neighborhoods. (OLD LUP 10.7 – MOVED & REVISED)

**NEW POLICY 14.7 Create visual alignment in the Uptown District through a wayfinding signage program that includes decorative “sense of place” banners and signage that outlines opportunities for recreation, education, or key uptown activities and places in alignment with the Twin City Revitalization project.**

## **Subsection: Planned Industrial Zone**

**LUG 15 Encourage compatibility between industrial uses and nearby non-industrial development Discourage conflicts where industrial land abuts other land uses. (OLD LUG 13 – MOVED & REVISED)**

LUP 15.1 Discourage industrial development that ~~interferes with~~ would negatively impact residential and commercial land uses, shorelines, and environmentally sensitive areas in close proximity. (OLD LUP 13.1 – MOVED & REVISED)

LUP 15.2 Allow light **Zone** industrial uses in areas without strong proximal access to arterials and state routes. for retail or service uses. Emphasize the location of complimentary industrial uses in areas zoned for Planned Industrial adjacent to the Downtown District. (OLD LUP 4.3 – MOVED & REVISED)

NEW POLICY LUP 15.3 A mix of appropriate industrial uses with the inclusion of retail, offices, eating and dining, public spaces, and recreation opportunities in business park-type developments are encouraged.

**LUG 16 Encourage industrial uses to share/ and coordinate development of collective mutually beneficial or shared, and essential public infrastructure. (OLD LUG 14 – MOVED & REVISED)**

NEW POLICY LUP 16.1 Focus job growth and business development within the Planned Industrial zone with corresponding improvements along the city’s major transportation corridors.

LUP 16.2 Support existing businesses while encouraging the clustering of new developments and businesses local industry to share facilities such as internal roadways, parking facilities, and rail access. (OLD LUP 14.1 – MOVED & REVISED)

LUP 16.3 Incorporate development requirements for open space and recreation, transportation, and community-oriented spaces opportunities and development requirements for such as linear parks and pedestrian/bicycle trails in industrial developments. (OLD LUP 14.2 – MOVED & REVISED)

**LUG 17 ~~Protect~~ Support existing local businesses industrial lands from redevelopment while promoting development of new planned industrial, office, and complimentary uses since both local and large scale businesses provide livable wage jobs. available industrial land from redevelopment for other uses. (OLD LUG 15 – MOVED & REVISED)**

LUP 17.1 The amount of land planned and allocated for industrial use should be reasonably scaled to meet the demonstrated demand **for industrial activity and livable wage job opportunities.** (OLD LUP 16.1 – MOVED & REVISED)

LUP 17.2 Protect existing **industrial lands and uses** from possible future land use conflicts **when evaluating changes to zoning standards and boundaries.** (OLD LUP 13.5 – MOVED & REVISED)

NEW POLICY LUP 17.3 Conduct an assessment of permitted industrial uses to ensure there is consistent review of other potential uses that encourage a diverse range of living wage jobs. The assessment should occur alongside the 10-year periodic Comprehensive Plan update.

NEW POLICY LUP 17.4 Support businesses oriented in emerging services, technologies, and industries, such as green businesses, through the Unclassified Use Permit Process.

# Deleted Goals and Policies

## Existing goals or policies that were removed due to redundancy, simplification, already implemented/adopted, or more appropriate for the Municipal Code or different element of Comprehensive Plan

~~DELETED POLICY~~ LUP 2.2 Encourage American styles representing commercial buildings built from 1890 to 1920.

~~DELETED POLICY~~ LUP 2.3 Encourage restoration of existing deteriorated structures built before 1950.

~~DELETED POLICY~~ LUP 2.9 subsections a-b

- ~~a. To allow residents to meet their basic daily needs within town,~~
- ~~b. Support a network of personal and business interactions that result in a friendly hometown.~~

~~DELETED POLICY~~ LUP 2.5 Reflect the height and setbacks of abutting structures in the design of infill projects proposed for a single lot.

~~DELETED POLICY~~ LUP 3.1 Re-create the following qualities of existing residential areas in remodels and residential infill development

- ~~a. One and two story scale of single family structures~~
- ~~b. Window and door trim and architectural modulation on all sides of a house visible from a street~~
- ~~c. Variation in building materials~~
- ~~d. Welcoming entry features such as porches~~
- ~~e. Variable front setbacks~~
- ~~f. Street trees~~
- ~~g. Mix of rear access and front access garages plus a mix of detached and attached garages~~

~~h. Usable private open space~~

~~i. Open views of buildings and yards from local streets without continuous solid fencing~~

~~DELETED POLICY LUP 4.3 Allow light industrial uses in areas without strong access for retail or service uses.~~

~~DELETED POLICY LUP 4.5 Disallow outdoor storage as a primary use.~~

~~DELETED POLICY LUP 4.6 subsections a-c, and f~~

~~a. Encourage redevelopment of property by creating flexible parking for required parking spaces.~~

~~b. Disallow parking between the sidewalk and structures in the front of buildings.~~

~~c. Maintain and use alleys for service delivery, garbage, and parking access.~~

~~f. Disallow solid wood fencing.~~

~~DELETED POLICY LUP 5. 1 Allow larger floor area ratios to encourage efficient use of land and prevent a sprawl form of development within the Center.~~

~~DELETED POLICY LUP 5.3 Utilize the wide right of way on the south side of 271st to create a green space and sidewalk/trail that unifies the frontages between the east and west ends.~~

~~DELETED POLICY LUP 5.4 Require new commercial development proposals to include the design and construction of walkways and/or sidewalks to integrate and link to commercial activities and school or other civic uses in the area such as the library.~~

~~DELETED POLICY LUP 6.1 Encourage mixed use structures in the Downtown Center that combine residential and commercial uses where deemed appropriate.~~

~~DELETED POLICY LUP 7.3 Provide incentives for property owners to facilitate the improvement of deteriorated facades, signage and general outside appearance in the downtown. Base the improvements on the design characteristics of the downtown.~~

~~DELETED POLICY LUP 7.8 subsections a-d~~

~~Incentives may include programs such as:~~

~~a. Streamlined processing;~~

- ~~b. Reduction in impact fees when road and park facilities are not required to serve new capacity;~~
- ~~c. Regional stormwater and drainage facilities;~~
- ~~d. Off site mitigation sites for wetland, flood and stormwater mitigation.~~

~~**DELETED POLICY** LUP 7.1 The City recognizes the importance of a well designed, aesthetically pleasing built environment in attracting customers to its commercial centers. Therefore, the City supports the adoption of design/development guidelines that addresses facades, signage and site planning.~~

~~**DELETED POLICY** LUP 7.4 Develop design guidelines, for sign awning design, and color schemes.~~

~~**DELETED POLICY** LUP 7.5 Regulate signage in downtown to address pedestrians and contribute to quality downtown atmosphere.~~

~~**DELETED GOAL LUG 8 Encourage pedestrian mobility in the Downtown Center.**~~

~~**DELETED POLICY** LUP 9.3 Maintain design guidelines that control or direct development along SR 532 to minimize the appearance of a strip mall.~~

~~**DELETED POLICY** LUP 9.4 Discourage the proliferation of backlit pole signs along SR 532.~~

~~**DELETED POLICY** LUP 9.5 Promote clustering of commercial development, with building setbacks along SR 532.~~

~~**DELETED POLICY** LUP 9.9 Provide for pedestrian sidewalks along SR 532 from the west City limits to 98th Ave NW and connect these sidewalks to downtown sidewalk network.~~

~~**DELETED POLICY** LUP 10.1 Establish the Uptown Center as the area bordered by SR 532, Pt. Susan Middle School, Twin City Elementary and the City limits to the east as an area for infill retail and service commercial development.~~

~~**DELETED POLICY** LUP 10.6 Encourage mixed use development within the Center.~~

~~**DELETED POLICY** LUP 11.1 Uses in the neighborhood business areas should provide goods and services generated by demand in the surrounding residential area.~~

~~**DELETED POLICY** LUP 11.2 Uses should exclude drive through windows.~~

~~**DELETED GOAL LUG 12 Preserve views in residential areas.**~~

~~DELETED POLICY~~ LUP 12.1 Encourage development that does not monopolize prime views.

~~DELETED POLICY~~ LUP 12.2 Maintain building height limitations as provided in the Zoning Code

~~DELETED POLICY~~ LUP 13.2 Require mitigation of any negative impacts of noise, light, glare, dust and other effects when considering the development of an industry.

~~DELETED POLICY~~ LUP 13.3 Require installation of adequate landscape or structural buffers to separate differing land uses from the adverse impacts of industrial development.

~~DELETED POLICY~~ LUP 13.4 Provide for sexually oriented business to be located in an adult entertainment zoning overlay.

~~DELETED POLICY~~ LUP 13.5 Protect existing industry from possible future land use conflicts.

~~DELETED POLICY~~ LUP 14.3 Encourage clustering industrial land uses adjacent to existing industrial development centers.

~~DELETED POLICY~~ LUP 15.1 To the greatest extent possible, any conversion, redevelopment, or redesignation of industrial land for other uses should be avoided. If conversion, redevelopment, or redesignation is unavoidable, impacts should be minimized and any proposal shall result in no net loss of industrial land within the City.

~~DELETED POLICY~~ LUP 16.1 The amount of land planned and allocated for industrial use should be reasonably scaled to meet the demonstrated demand.

~~LUP 17.2~~ Concentrate new growth within or adjacent to existing development in the Stanwood UGA.

~~DELETED POLICY~~ LUP 18.3 Ensure that the public is provided information and opportunities to evaluate and have input on decisions related to changes of public services service delivery and boundary changes associated with annexations.

~~DELETED POLICY~~ LUP 18.4 Evaluate proposed annexations based on the following criteria:

- a. The ability of the City to provide public services at the City's adopted levels of service within the six year timelines allowed under concurrency.

~~b. The annexation would facilitate an appropriate balance between the provision of jobs and the availability of housing.~~

~~c. The annexations would simplify governmental structure in annexing areas and the resultant City of Stanwood.~~

~~d. The relative costs to serve the proposed annexation versus the revenue to be derived from the annexation (a negative net revenue projection by itself should not be considered grounds for disapproval).~~

~~e. The annexation would result in future improvements to the resultant City of Stanwood services through potential enhancements of levels of service or through elimination of duplication services. Services include water, sanitary sewers, storm water drainage, utility drainage basins, transportation, park and open space, library, and public safety.~~

~~f. The annexation would include those who already use City services or who impact City infrastructure.~~

~~g. Annexation boundaries would facilitate the efficient delivery of emergency and public services.~~

~~h. The annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island.~~

~~i. The annexation would follow logical boundaries, such as streets, waterways, neighborhoods, or substantial topographic changes.~~

~~j. The annexation would create logical city boundaries and not create unincorporated islands or irregular municipal boundaries.~~

~~**DELETED POLICY** LUP 18.8 Annexation proponents requesting different zoning designation other than that shown on comprehensive land use and zoning maps should apply for a particular Comprehensive Plan Land Use Map Amendment and concurrent Zoning classification amendment concurrently with the annexation proposal. The zoning application should be processed as a regular rezone and the rezone ordinance decided concurrently with the City Council approval of the annexation. Amendments to zoning/land use classification can only be applied for during the Comprehensive Plan amendment process as outlined in Section I Introduction and Plan Background chapter.~~

~~**DELETED POLICY** LUP 18.9 Subsections b-d~~

~~b. The city may annex areas that require public facility improvements to correct health and safety related problems.~~

~~c. If an area annexing to Stanwood has public facilities that do not meet city standards and the property owners of the annexation area want to improve the facilities to meet City standards, the property owners of the annexation area will fund those improvements, or the proportion of those improvements, that do not have a citywide benefit.~~

~~d. Public facility improvements within annexed areas that have a citywide benefit may be considered for funding through City revenues as part of the Stanwood capital facilities and improvements planning processes~~

~~**DELETED POLICY** LUP 18.11 Both sides of streets and roads, including rights of way should be made part of an annexation~~

~~**DELETED POLICY** LUP 19.3 subsections a-r~~

~~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 (5-10 dwelling 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. Variable 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.

~~The GC-MXO designation is implemented by the GC-MXO (General Commercial Mixed-Use Overlay) zoning.~~

~~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 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 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.~~

~~**DELETED POLICY** LUP 21.1 Allow for the preservation of existing agricultural lands and the establishment of new agricultural lands in the SR 12.4 zone.~~

~~**DELETED POLICY** LUP 21.2 Limit incompatible land uses adjacent to registered agricultural lands within the city limits.~~

### ~~**DELETED GOAL** LUG 22 Allow protection of existing forest lands within the city~~

~~**DELETED POLICY** LUP 22.1 Limit incompatible land uses adjacent to registered forest lands within the city limits.~~

~~**DELETED POLICY** LUP 23.1 Provide application and procedures for amending the Comprehensive Plan in the Stanwood Municipal Code.~~

~~**DELETED POLICY** LUP 23.2 Approve amendments, that meet the following criteria:~~

- ~~a. The amendment bears a substantial relation to the public health, safety, or welfare;~~
- ~~b. The amendment is warranted because of changed circumstances or because of a need for additional property in the proposed Comprehensive Plan designation or because the proposed amendment is appropriate for reasonable development of the subject property;~~
- ~~c. The subject property is suitable for development in conformance with standards under the proposed Comprehensive Plan designation;~~
- ~~d. The amendment will not be materially detrimental to uses or property in the immediate vicinity of the subject property;~~
- ~~e. The proposed Comprehensive Plan amendment has merit and value for the community as a whole; and~~

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

~~**DELETED POLICY** LUP 23.3.3 Approve only those zoning text and/or map amendments that are consistent with and implement this Comprehensive Plan.~~

~~**DELETED POLICY** LUP 25.1 Develop a land use framework that supports the development of a college in the Stanwood UGA.~~

~~**DELETED POLICY** LUP 25.2 Study the costs and impacts of locating a college in the Stanwood area.~~

~~**DELETED POLICY** LUP 25.3 Amend the Stanwood Capital Improvement Program to include needed improvements to support the college.~~

~~**DELETED POLICY** LUP 25.4 Coordinate with adjacent jurisdictions and service providers to support the development of the college.~~

## **Relocated Goals and Policies**

**Existing, revised, or new goals or policies that were removed due to be placed in future Comprehensive Plan Chapters that would be more appropriate for the policy's intent.**

**NEW POLICY LUP 14.3 Prioritize collaboration on roadway improvements and managing transportation gateways with Snohomish County, Island County, and WSDOT to support job development while enhancing the safety and efficiency of the transportation network. – RECOMMENDED FOR TRANSPORTATION**

# Exhibit D

## 2015 Land Use Element

## SECTION II - LAND USE ELEMENT

### Purpose / Introduction

The Land Use Element of Stanwood's Comprehensive Plan specifically considers the general distribution and location of land uses, as well as the appropriate intensity and density of land uses, given current development trends and anticipated future growth.

### Land Use Goals and Policies

The Land Use Element specifically considers the distribution and location of land uses within the city limits, and as growth occurs, in the Urban Growth Area. The Land Use Element describes trends, future needs, and the general character of Stanwood. The land use patterns are what determine the character of the City and the locations, type of future development and redevelopment that will occur. Land use determines where people in the City will reside, shop and work. It also affects the traffic patterns and the ability or inability to effectively alter those patterns over time.

The Growth Management Act lists planning goals that are to guide the development and adoption of a comprehensive plan and development regulations. This section of the City's comprehensive plan provides the means for achieving and maintaining desirable land use balances over a long period of time.

### Future Land Uses

#### Goal

**LUG 1 Plan current and future land uses in accordance with the Washington State Growth Management Act, Snohomish Countywide Planning Policies and the values and vision of Stanwood residents and business people.**

### Policies

**LUP 1.1** Establish density lot size and road access standards that create incentives for infill development in urban areas that are either underdeveloped or underutilized.

**LUP 1.2** Continue to participate in regional planning efforts, such as Snohomish County Tomorrow, to ensure that the values of a small community are represented and that Stanwood continues to have input into larger scale planning issues that affect the City.

**LUP 1.3** Create adequate land use capacity to accommodate growth targets by zoning land with sufficient density and range of uses to allow the housing and commercial markets to attract quality development.

**Character**

**Goal**

**LUG 2 Re-vitalize and reinforce the character of Stanwood’s existing residential and commercial neighborhoods as infill and redevelopment occur.**

**Policies**

**LUP 2.1** Encourage styles representative of the building styles used through the history of Stanwood without restriction of architectural style.

**LUP 2.2** Encourage American styles representing commercial buildings built from 1890 to 1920.

**LUP 2.3** Encourage restoration of existing deteriorated structures built before 1950.

**LUP 2.4** Re-create the following qualities of existing residential areas in remodels and residential infill development

- a. One and two story scale of single family structures
- b. Window and door trim and architectural modulation on all sides of a house visible from a street
- c. Variation in building materials
- d. Welcoming entry features such as porches
- e. Variable front setbacks
- f. Street trees
- g. Mix of rear access and front access garages plus a mix of detached and attached garages
- h. Usable private open space
- i. Open views of buildings and yards from local streets without continuous solid fencing

**LUP 2.5** Reflect the height and setbacks of abutting structures in the design of infill projects proposed for a single lot.

**LUP 2.6** Maintain and rehabilitate older residential neighborhoods through consistent code enforcement.

**LUP 2.7** Provide information about flood proofing exemptions for designated historic structures and evaluate how preservation designations for older residential and commercial structures located in the Downtown Center may reduce costs of rehabilitation and restoration.

**LUP 2.8** Recognize and continue the existing pattern of residential use at urban densities surrounded by working agriculture as a quality of life asset.

**LUP 2.9** Maintain commercial centers with a sufficient range of uses

- a. To allow residents to meet their basic daily needs within town,
- b. support a network of personal and business interactions that result in a friendly hometown.

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

## Goal

**LUG 3** Recognize Stanwood's existing character, scale, and neighborhood quality as assets that will add to the desirability of the community when incorporated into the design of new residential development.

## Policies

**LUP 3.1** Re-create the following qualities of existing residential areas in new development.

- a. One and two story scale of single family structures
- b. Window and door trim and architectural modulation on all sides of a house visible from a street
- c. Variation in building materials
- d. Welcoming entry features such as porches
- e. Variable front setbacks
- f. Interconnected street system
- g. Sidewalks
- h. Street trees
- i. Short walkable blocks
- j. A mix of rear access and front access garages plus a mix of detached and attached garages
- k. Usable private open space
- l. Open views of buildings and yards from local streets without continuous solid fencing

**LUP 3.2** Recognize the “best” architectural qualities of desired historic and modern structures and create incentives for replication of those elements in new development.

**LUP 3.3** Allow re-use of existing structures. When structures display a desired historic period, architectural character and scale, allow flexible interpretations of standards to encourage re-investment.

**LUP 3.4** Preserve a predominately single family land use pattern with some multi-family development in the residential zones with proximity to Downtown, or in proximity to Uptown.

**LUP 3.5** Limit new commercial and industrial development to uses and project designs that complement the small town character of Stanwood.

**LUP 3.6** Encourage preservation of open space and recreational opportunities as new development occurs.

### **Centers**

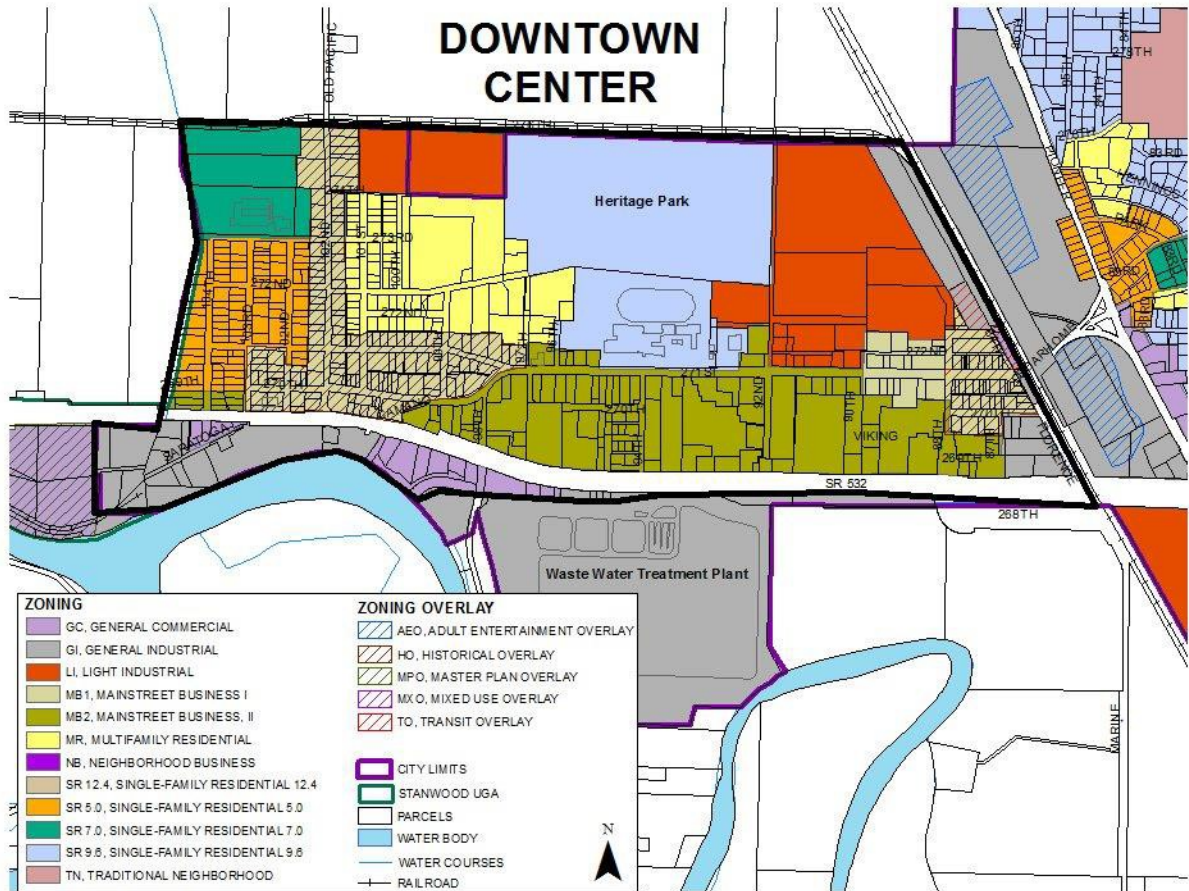
The Puget Sound Regional Council adopted Vision 2040 in April 2008 as long range policy planning document for Kitsap, King, Pierce and Snohomish Counties. Vision 2040 establishes a hierarchy of urban places and corresponding urban centers. The City of Stanwood is designated as a “Small City” in this typology. Small Cities have the authority to recognize and designate their core areas as Centers.

The historic Downtown of Stanwood and the Uptown mixed-use area are designated as local urban centers consistent with Vision 2040. Over the next twenty years Downtown Stanwood is expected to redevelop with commercial and residential development focused around the Amtrak rail station constructed in late 2008. Downtown is a historic center, and functions as a retail, service, transportation and community center for urban Stanwood, the adjacent Camano Island community and the surrounding agricultural area. The Downtown Center had a service area population of approximately 30,000 in 2007. *See also goals and policies in the Transportation Element related to downtown.*

The Uptown Center was developed in the early 1990s and provides a focal point for the rapidly developing east end of Stanwood. The Center has several vacant sites with capacity for mixed use and commercial development. Existing development includes retail, office employment, condominiums, services, senior housing and public schools.

**Downtown Center  
Goal**

**LUG 4 Develop Downtown Stanwood, defined as the area incorporating East District, the 271<sup>st</sup> Corridor, and West End as a Center consistent with Vision 2040 and recognize that this Center serves the City, surrounding agricultural area and Camano Island.**



**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 4.2** Support re-development of the area within the Transit Overlay for pedestrian oriented development organized around the Amtrak Station.

Develop a sub-area plan for the Transit Overlay area and develop flexible parking standards within the Overlay to encourage business development.

**LUP 4.3** Allow light industrial use in areas without strong access for retail or service uses.

**LUP 4.4** Allow residential use on ground and upper floors.

**LUP 4.5** Disallow outdoor storage as a primary use.

**LUP 4.6** Establish urban rather than suburban site planning, parking, pedestrian connections, street furniture and landscaping

- a. Encourage redevelopment of property by creating flexible parking for required parking spaces.
- b. Disallow parking between the sidewalk and structures in the front of buildings.
- c. Maintain and use alleys for service delivery, garbage, and parking access.
- d. Allow hardscape consisting of decorative paving in lieu of a portion of landscape requirements.
- e. Allow window box and container planting to meet landscape requirements.
- f. Disallow solid wood fencing.

**LUP 4.7** Encourage outdoor dining, outdoor street furniture and temporary outdoor displays that create interest and activity.

## Goal

**LUG 5** Create a connection between east and west business areas within the Downtown Center by encouraging development that adds to a critical mass of building in the 271<sup>st</sup> corridor.

## Policies

**LUP 5.1** Allow larger floor area ratios to encourage efficient use of land and prevent a sprawl form of development within the Center.

**LUP 5.2** Reduce the visual impact of existing surface parking lots through techniques such as accessory commercial development on pads, and landscaping.

**LUP 5.3** Utilize the wide right-of-way on the south side of 271<sup>st</sup> to create a green space and sidewalk/trail that unifies the frontages between the east and west ends.

**LUP 5.4** Require new commercial development proposals to include the design and construction of walkways and/or sidewalks to integrate and link to commercial activities and school or other civic uses in the area such as the library.

**LUP 5.5** Encourage small scale specialty retail along the front of 271st Ave. Encourage larger-scale retail and service uses between 271st Ave (behind storefronts) and SR 532.

### Goal

**LUG 6 Encourage and promote the development or enhancement of retail areas to achieve a balanced shopping, dining, cultural, and entertainment experience in the Downtown Center.**

### Policies

**LUP 6.1** Encourage mixed-use structures in the Downtown Center that combine residential and commercial uses where deemed appropriate.

**LUP 6.2** When appropriate, site new civic and cultural facilities, including City Hall and the Library, in the Downtown Center.

### Goal

**LUG 7 Develop a vital, attractively designed Downtown Center.**

### Policies

**LUP 7.1** The City recognizes the importance of a well-designed, aesthetically pleasing built environment in attracting customers to its commercial centers. Therefore, the City supports the adoption of design/development guidelines that addresses facades, signage and site planning.

**LUP 7.2** Revise downtown design guidelines to promote greater pedestrian scale and attractive façades.

**LUP 7.3** Provide incentives for property owners to facilitate the improvement of

deteriorated facades, signage and general outside appearance in the downtown. Base the improvements on the design characteristics of the downtown.

**LUP 7.4** Develop design guidelines for sign awning design, and color schemes.

**LUP 7.5** Regulate signage in downtown to address pedestrians and contribute to quality downtown atmosphere.

**LUP 7.6** Promote restoration of historic buildings and encourage compatibility of new developments with historic structures.

**LUP 7.7** New commercial developments may be required to provide open spaces for public gathering, seating and eating.

**LUP 7.8** Incentives supporting development in the Downtown Center should be evaluated to reduce the cost of development within the floodplain. Incentives may include programs such as:

- a. Streamlined processing;
- b. Reduction in impact fees when road and park facilities are not required to serve new capacity;
- c. Regional stormwater and drainage facilities;
- d. Off-site mitigation sites for wetland, flood and stormwater mitigation.

## **Goal**

### **LUG 8 Encourage pedestrian mobility in the Downtown Center**

## **Policies**

**LUP 8.1** Encourage a compact Downtown Center to facilitate easy pedestrian and bicycle access between shops, buildings and surrounding neighborhoods.

**LUP 8.2** Strive for an atmosphere in the Downtown in which customers are encouraged to park their cars and walk to multiple shops and services.

**LUP 8.3** Reduce the proliferation of driveways by encouraging shared access.

**LUP 8.4** Support increased bus service in the area around the transit center in East District serving the Amtrak railroad station.

**LUP 8.5** Encourage buildings to be located close to streets and parking areas to be located behind the buildings.

**Goal**

**LUG 9 Enhance the "quality of entry" to the city along SR 532.**

**Policies**

**LUP 9.1** Maintain a unified signage plan that establishes the gateways to both the Uptown and Downtown Centers and also directs people to districts and facilities.

**LUP 9.2** Add historical street signs to existing street signs to recognize and strengthen the historical character of the Downtown Center.

**LUP 9.3** Maintain design guidelines that control or direct development along SR 532 to minimize the appearance of a strip mall.

**LUP 9.4** Discourage the proliferation of backlit pole signs along SR 532.

**LUP 9.5** Promote clustering of commercial development, with building setbacks along SR 532.

**LUP 9.6** Maintain open space along SR 532, particularly the south side of SR 532 between 88<sup>th</sup> and 98<sup>th</sup> Streets.

**LUP 9.7** Encourage the planting of street trees and work with the Washington State Department of Transportation and property owners to provide street trees on SR 532.

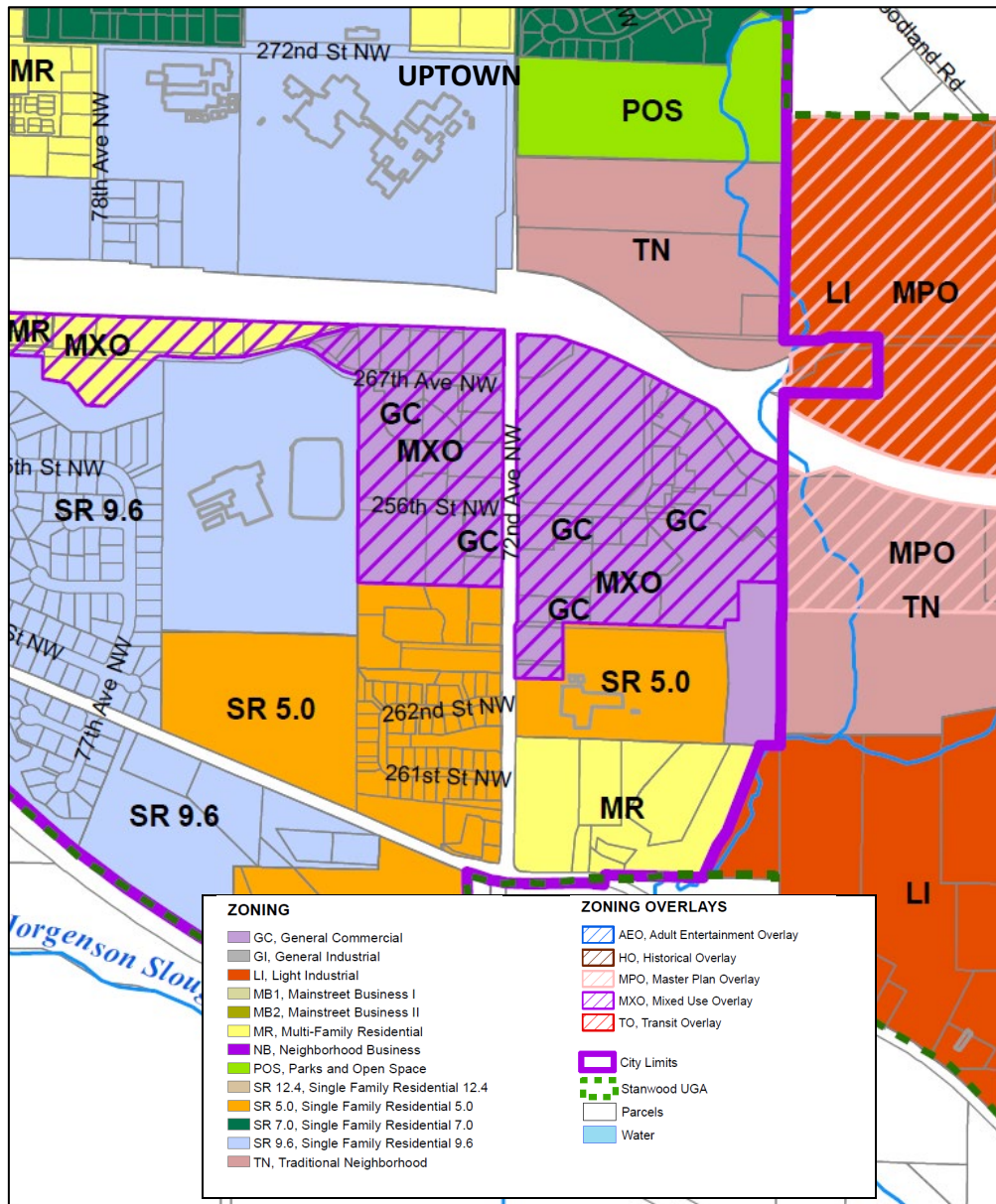
**LUP 9.8** Work with WSDOT to reduce the speed limit on SR532.

**LUP 9.9** Provide for pedestrian sidewalks along SR 532 from the west City limits to 98<sup>th</sup> Ave NW and connect these sidewalks to downtown sidewalk network.

**Uptown Center**

**Goal**

**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.**



**Policies**

**LUP 10.1** Establish the Uptown Center as the area bordered by SR 532, Pt. Susan Middle School, Twin City Elementary and the City limits to the east as an area for infill retail and service commercial development.

**LUP 10.2** Plan for suburban style site development within 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 restriction 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.

**LUP 10.7** Encourage provision of trails and recreation facilities connecting the Center to surrounding residential neighborhoods.

### **Commercial Outside Centers**

#### **Goal**

**LUG 11** Encourage neighborhood scale commercial nodes in the Traditional Neighborhood and Neighborhood Business designations.

#### **Policies**

**LUP 11.1** Uses in the neighborhood business areas should provide goods and services generated by demand in the surrounding residential area.

**LUP 11.2** Uses should exclude drive-through windows.

### **Views in Residential Areas** *(See also Housing Element for Goals and Policies)*

#### **Goal**

**LUG 12** Preserve views in residential areas.

#### **Policies**

**LUP 12.1** Encourage development that does not monopolize prime views.

**LUP 12.2** Maintain building height limitations as provided in the Zoning Code.

### **Industrial Land**

#### **Goal**

**LUG 13 Discourage conflicts where industrial land abuts other land uses.**

**Policies**

**LUP 13.1** Discourage industrial development that interferes with residential and commercial land uses in close proximity.

**LUP 13.2** Require mitigation of any negative impacts of noise, light, glare, dust and other effects when considering the development of an industry.

**LUP 13.3** Require installation of adequate landscape or structural buffers to separate differing land uses from the adverse impacts of industrial development.

**LUP 13.4** Provide for sexually-oriented business to be located in an adult entertainment zoning overlay.

**LUP 13.5** Protect existing industry from possible future land use conflicts.

**Goal**

**LUG 14.1 Encourage industry to share/coordinate collective infrastructure.**

**Policies**

**LUP 14.1** Encourage local industry to share facilities such as internal roadways, parking facilities, and rail access.

**LUP 14.2** Incorporate open space and recreation opportunities such as linear parks and pedestrian/bicycle trails in industrial developments.

**LUP 14.3** Encourage clustering industrial land uses adjacent to existing industrial development centers.

**Goal**

**LUG 15 Protect available industrial land from redevelopment for other uses.**

**Policies**

**LUP 15.1** To the greatest extent possible, any conversion, redevelopment, or redesignation of industrial land for other uses should be avoided. If conversion, redevelopment, or redesignation is unavoidable, impacts should be minimized and any proposal shall result in no net loss of industrial land within the City.

**Goal**

**LUG 16 Promote additional industrial areas.**

**Policies**

**LUP 16.1** The amount of land planned and allocated for industrial use should be reasonably scaled to meet the demonstrated demand.

**LUP 16.2** Ensure that the land supply necessary for 20-year employment projection is available.

**Urban Growth Areas**

**Goal**

**LUG 17 Promote coordinated and efficient growth within the Stanwood Urban Growth Area (UGA).**

**Policies**

**LUP 17.1** - Major new development may only occur within the UGA to the northeast of town or to the east along existing major transportation routes outside the floodplain.

**LUP 17.2** Concentrate new growth within or adjacent to existing development in the Stanwood UGA.

**LUP 17.3** Consider these criteria when determining commercial land use designations in the Stanwood UGA:

1. Availability of capital facilities and utilities;
2. Relationship to the downtown;
3. Proximity to residential uses to create residential “villages” near or around small commercial nodes in the UGA;
4. Compatibility with existing and planned land uses.

**LUP 17.4** Density designations for residential and mixed use land should be consistent with the vision and goals for the community of Stanwood, while still meeting Growth Management Act mandates.

**LUP 17.5** Collaborate with other jurisdictions within the UGA at least once every ten years to evaluate the effectiveness of the adopted Urban Growth Boundary.

**LUP 17.6** Ensure the equitable distribution of the costs of growth. Use tools such as impact fees and plant investment charges to provide funds for necessary infrastructure improvements.

## Annexation

### Goal

**LUG 18** To provide reasonable phased annexation of the unincorporated portion of the City's adopted Urban Growth Area (UGA) consistent with the Growth Management Act.

### Policies

**LUP 18.1** Unincorporated areas within the UGA must annex to Stanwood to receive a full range of city-provided services.

**LUP 18.2** Within the UGA, collaborate with adjacent Snohomish County and consult with affected residents in the designation of potential annexation areas.

**LUP 18.3** The immediate areas for annexation to Stanwood should include the territory contiguous with boundaries of the City such as:

- a. Peninsulas and islands of unincorporated lands;
- b. Neighborhoods where municipal type services have been extended;
- c. Lands subject to development pressure;
- d. Developed areas where urban type services are needed to correct health and safety related problems.

**LUP 18.4** Evaluate proposed annexations based on the following criteria:

- a. The ability of the City to provide public services at the City's adopted levels of service within the six-year timelines allowed under concurrency.
- b. The annexation would facilitate an appropriate balance between the provision of jobs and the availability of housing.
- c. The annexations would simplify governmental structure in annexing areas and the resultant City of Stanwood.
- d. The relative costs to serve the proposed annexation versus the revenue to be derived from the annexation (a negative net revenue projection by itself should not be considered grounds for disapproval).
- e. The annexation would result in future improvements to the resultant City of Stanwood services through potential enhancements of levels of service or through elimination of duplication services. Services include water, sanitary sewers, storm water drainage, utility drainage basins, transportation, park and open space, library, and public safety.

- f. The annexation would include those who already use City services or who impact City infrastructure.
- g. Annexation boundaries would facilitate the efficient delivery of emergency and public services.
- h. The annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island.
- i. The annexation would follow logical boundaries, such as streets, waterways, neighborhoods, or substantial topographic changes.
- j. The annexation would create logical city boundaries and not create unincorporated islands or irregular municipal boundaries.

**LUP 18.5** Applicants for annexations are encouraged to apply jointly with other interested property owners or residents to reduce costs for the applicants and enable the City to process annexation applications more efficiently. However, individual property owners should not be precluded from pursuing annexation.

**LUP 18.6** City staff should conduct an assessment report of the costs to provide service and of the tax revenues, which would be generated in the area. The City recognizes that these impacts are only a few of several criteria to be evaluated, and must be balanced with other annexation policy goals such as providing public service, governmental structure, or infrastructure.

**LUP 18.7** Individual annexation areas should be part of logical, orderly growth for the City and should avoid irregular boundaries. Islands of unincorporated areas and City peninsulas should be avoided. Peninsulas should be allowed only if needed to serve other areas. Lands closest to City boundaries should annex before areas further out.

**LUP 18.8** Annexation proponents requesting different zoning designation other than that shown on comprehensive land use and zoning maps should apply for a particular Comprehensive Plan Land Use Map Amendment and concurrent Zoning classification amendment concurrently with the annexation proposal. The zoning application should be processed as a regular rezone and the rezone ordinance decided concurrently with the City Council approval of the annexation. Amendments to zoning / land use classification can only be applied for during the Comprehensive Plan amendment process as outlined in Section I Introduction and Plan Background chapter.

**LUP 18.9** Funding Public Facilities in Annexed Areas:

- a. The property owners of the annexation area should fund the public facility improvements necessary to serve new development. The funding requirements shall be consistent with applicable Stanwood policies and regulations.

- b. The city may annex areas that require public facility improvements to correct health and safety related problems.
- c. If an area annexing to Stanwood has public facilities that do not meet city standards and the property owners of the annexation area want to improve the facilities to meet City standards, the property owners of the annexation area will fund those improvements, or the proportion of those improvements, that do not have a citywide benefit.
- d. Public facility improvements within annexed areas that have a citywide benefit may be considered for funding through City revenues as part of the Stanwood capital facilities and improvements planning processes.

**LUP 18.10** Existing development within newly annexed areas should have a full level of services (such as streets, utilities, public safety, parks) at the time of annexation or as soon as practicable thereafter.

**LUP 18.11** Both sides of streets and roads, including rights-of-way should be made part of an annexation.

**LUP 18.12** Explore creative ways to facilitate the transition of government services, especially public safety, transportation, parks and recreation, land use and development.

**LUP 18.13** Ensure that the public is provided information and opportunities to evaluate and have input on decisions related to service delivery and boundary change associated with annexations.

## Land Use Designations

### Goal

**LUG 19** Future land use designations shall ensure the optimum use of the land for present and future generations while minimizing the threat to the natural environment.

### Policies

**LUP 19.1** Plan for a balanced mix of land uses based on land availability and the capacity to provide public services.

**LUP 19.2** The City shall maintain the Comprehensive Plan Future Land Use Map (FLUM) (see Figure LU-1). All zoning shall be consistent with this FLUM.

**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.

The GC-MXO designation is implemented by the GC-MXO (General Commercial Mixed-Use Overlay) zoning.

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 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.

**LUP 19.4** City shall not take land for public use without just compensation.

**LUP 19.5** City shall attempt to process applications for state and local permits in a timely and fair manner to ensure predictability.

**LUP 19.6** Promote retention of open space and recreational opportunities.

**Historic Preservation**

**Goal**

**LUG 20** Encourage preservation of lands, sites and structures of historic significance.

**Policies**

**LUP 20.1** Inventory and document historical and cultural sites.

**LUP 20.2** Encourage property owners to engage in restoration of historic properties and buildings.

**Agricultural and Resource Lands**

**Goal**

**LUG 21** Allow protection of existing agricultural lands within the city.

**Policies**

**LUP 21.1** Allow for the preservation of existing agricultural lands and the establishment of new agricultural lands in the SR 12.4 zone.

**LUP 21.2** Limit incompatible land uses adjacent to registered agricultural lands within the city limits.

**Goal**

**LUG 22 Allow protection of existing forest lands within the city.**

**Policy**

**LUP 22.1** Limit incompatible land uses adjacent to registered forest lands within the city limits.

**Amendments**

**Goal**

**LUG 23 Provide an amendment process that allows for annual updates of this Comprehensive Plan.**

**Policies**

**LUP 23.1** Provide application and procedures for amending the Comprehensive Plan in the Stanwood Municipal Code.

**LUP 23.2** Approve amendments that meet the following criteria:

- A. The amendment bears a substantial relation to the public health, safety, or welfare;
- B. The amendment is warranted because of changed circumstances or because of a need for additional property in the proposed Comprehensive Plan designation or because the proposed amendment is appropriate for reasonable development of the subject property;
- C. The subject property is suitable for development in conformance with standards under the proposed Comprehensive Plan designation;
- D. The amendment will not be materially detrimental to uses or property in the immediate vicinity of the subject property;
- E. The proposed Comprehensive Plan amendment has merit and value for the community as a whole; and
- F. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan.

**LUP 23.3** Approve only those zoning text and/or map amendments that are consistent with and implement this Comprehensive Plan.

**LUP 23.4** All amendments to the City's Comprehensive Plan and development regulations shall ensure early and continuous public participation as formalized in a public participation program, per RCW 36.70A.140.

**LUP 23.5** The City shall ensure coordination of Comprehensive Plans by

requesting input from other agencies with jurisdiction during the drafting process, or at a minimum, by requesting comments during the state and public review periods.

## Essential Public Facilities

### Goal

**LUG 24 Provide for the siting of essential public facilities, as dictated by GMA. (An interlocal agreement was executed between the City of Stanwood and Snohomish County on June 27, 2001. The purpose of this document is to develop a common siting process for essential public facilities. This document is adopted by reference.) The following Snohomish County Goals and Policies are applicable.**

*GOAL CF 11 Facilitate the siting of essential public facilities sponsored by public or private entities and whose location within unincorporated areas may be appropriate.*

*Objective CF 11.A Secure a consensus of Snohomish County jurisdiction on a design for a common siting process.*

*CF Policy 11.A.1 The County shall follow the Process for Siting Essential Public Facilities of a Countywide or Statewide Nature in Snohomish County, as adopted by Snohomish County Tomorrow, and as presented in Appendix D of the Interlocal Agreement.*

*Objective CF 11.A.2 Snohomish County will review and modify its code provisions and administrative procedures as necessary to fully implement the common siting process within its areas of land use jurisdiction.*

*Objective CF 11.B Identify and secure sites for county facilities that are consistent with the plans of the host community.*

## Planning for an Institution of Higher Education

### Goal

**LUG 25 Encourage the development of an institution of higher education within the Stanwood UGA.**

### Policies

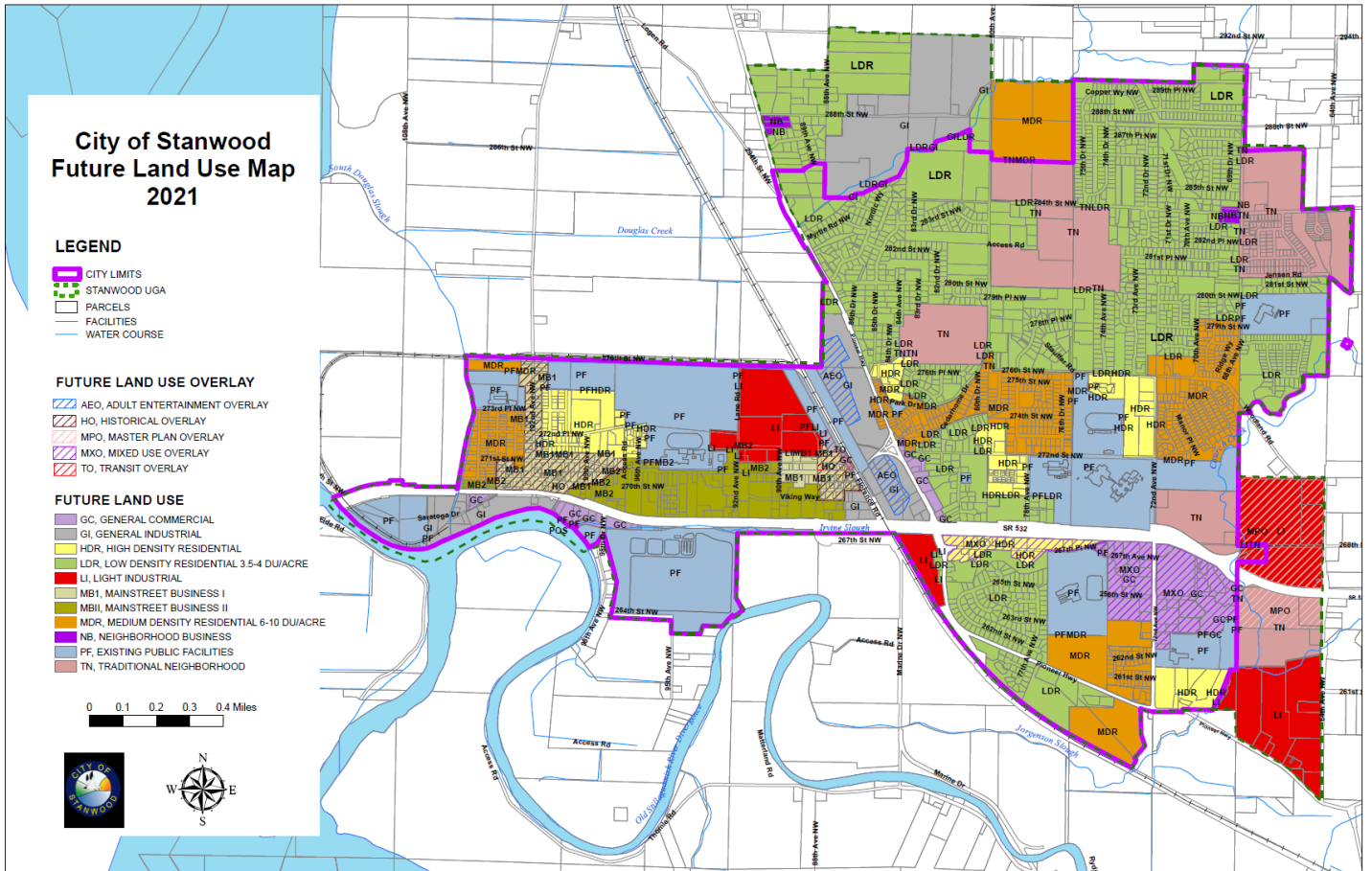
**LUP 25.1** Develop a land use framework that supports the development of a college in the Stanwood UGA.

**LUP 25.2** Study the costs and impacts of locating a college in the Stanwood area.

**LUP 25.3** Amend the Stanwood Capital Improvement Program to include needed improvements to support the college.

**LUP 25.4** Coordinate with adjacent jurisdictions and service providers to support the development of the college.

Figure LU-1: FLUM



## Land Use Inventory and Analysis

Within the city limits of Stanwood there are 1,773<sup>1</sup> zoned acres or 2.77<sup>2</sup> square miles of land. There are approximately 381 acres of rights-of-way within Stanwood. Table LU-1 describes acres being utilized and vacant acreage within the City.

**Table LU-1  
Summary of Zoned Acreage in Stanwood (2012)**

<b>Zone</b>	<b>Acres in Zone</b>	<b>Acres in Use</b>	<b>Acres Vacant</b>
Single Family Residential	1,318	1,151.78 (87%)	166.66 (13%)
Multi-Family	97.82	74 (76%)	23.74 (24%)
Commercial	177.92	161.16 (80%)	16.75 (20%)
Industrial	302.5	244.88 (83%)	58.56 (17%)
<b>Total</b>	<b>1,896.24</b>	<b>1,631.82 (86%)</b>	<b>265.71 (14%)</b>

1. Vacant land data based on Snohomish County Tomorrow 2012 Growth Buildable Lands Report, City of Stanwood
2. Zoned acreage is based on data provided by Snohomish County
3. Vacant land calculations do not include vacant building lots recently subdivided or approved, partially used parcels or Redevelopable parcels.

### Residential Lands

Typically, housing on the west side of town is older while housing on the east side consists of a mix of old and new homes. All new subdivisions have occurred on the higher ground in the eastern portion of the City. The western low-lying areas simply do not have any available acreage which can be utilized for new home construction, although small amounts of infill occur regularly. The lot sizes for homes in the west end of Stanwood are generally smaller than those in the eastern part of Stanwood. The western portion of the City is also in the floodplain.

Since the publication of the Comprehensive Plan in 1995, the area commonly referred to as “Uptown” has been developing. While the majority of this area is comprised of commercial uses, there are a few residential units made up of a mix of senior/assisted living housing and various forms of other multifamily developments, including apartments and condominiums. In addition 120-150 mixed-use units are planned for this area.

<sup>1</sup> Source: RH2 City Limits Boundary Shapefile, May, 2009

<sup>2</sup> 1,773 acres/640 acres (640 ac = 1 sq. mile) = 2.77 sq. miles

FIGURE LU-2: LAND USE INVENTORY

**Table LU-2  
Summary of Residential Acreage Combined  
( 2012)**

<b>Zoning</b>	<b>Acres in Zone</b>	<b>Acres in Use</b>	<b>Acres Vacant</b>
All SFR	1,318	1,151.78 (87%)	166.66(13%)
All MFR	97.82	74 (76%)	23.74 (24%)
<b>Total</b>	<b>1,415.82</b>	<b>1,225.78 (87%)</b>	<b>190.4 (13%)</b>

1. Vacant land data based on Snohomish County Tomorrow 2012 Growth Monitoring/Buildable Lands Report, City of Stanwood
2. Zoned acreage is based on data provided by Snohomish County
3. SFR is Single Family Residential; MFR is Multi-Family Residential.
4. Vacant residential land calculations do not include vacant building lots recently subdivided or approved, partially used parcels or re-developable parcels.

**Commercial Lands**

The majority of businesses in Stanwood are located along the main arterials in Downtown Center and Uptown Center along SR 532 and 72nd Avenue. The Uptown Center contains a significant amount of newer commercial development. The commercial uses in this area of town contain the Haggen Grocery store, numerous fast food restaurants, and automobile service stations, as well as other service-oriented businesses including banks, medical offices, and other professional offices.

The following matrix summarizes the different commercial areas and zoning in the commercial areas of Stanwood:

**Table LU-3  
Commercial Zoning Acreage  
(2012)**

<b>Zoning</b>	<b>Acres in Zone</b>	<b>Acres in Use</b>	<b>Acres Vacant</b>
Mainstreet Business I, II and Mixed Use Overlay	92.49	81.19 (88%)	11.30 (12%)
General Commercial	81.95	76.50 (93%)	5.45 (7%)
Neighborhood Business	3.47	3.47 (100%)	0 (0%)
<b>Total</b>	<b>177.92</b>	<b>161.16 (91%)</b>	<b>16.75 (9%)</b>

1. Vacant land data based on Snohomish County Tomorrow 2012 Growth Monitoring/Buildable Lands Report, City of Stanwood
2. Zoned acreage is based on data provided by Snohomish County

3. Vacant residential land calculations do not include vacant building lots recently subdivided or approved, partially used parcels or re-developable parcels.

**Industrial Lands**

Stanwood's main industrial areas are located in West District, south of Route 532 (Twin City Foods), and in East District along a north-south corridor parallel to the Burlington Northern Railroad tracks. There is one large industrial/high-tech user (Process Solutions) in Uptown Stanwood.

**Table LU-4  
Industrial Zoning Acreage  
March 2003**

<b>Zoning</b>	<b>Acres in Zone</b>	<b>Acres in Use</b>	<b>Acres Vacant</b>
General Industrial	190	161.87 (85%)	29.05 (15%)
Light Industrial	112.5	83.01 (74%)	29.51 (26%)
<b>Totals</b>	<b>302.5</b>	<b>244.88 (81%)</b>	<b>58.56 (19%)</b>

1. Vacant land data based on Snohomish County Tomorrow 2012 Growth Monitoring/Buildable Lands Report City of Stanwood
2. Zoned acreage is based on data provided by Snohomish County
3. Vacant residential land calculations do not include vacant building lots recently subdivided or approved, partially used parcels or re-developable parcels.
4. Light Industrial land calculation includes 25 acres of land designated Light Industrial Overlay

**Recreation**

At the present time, there are a number of smaller park facilities located in Stanwood. Most of these are located on or adjacent to school grounds. The City of Stanwood also maintains two larger parks - Church Creek and Heritage Park, which total 58 acres. (See the Capital Facilities Element of this study for a detailed recreational facility inventory.)

Heritage Park is the City's newest park. It is approximately 43 acres and provides both active and passive recreation opportunities. There are 3 baseball/softball fields with backstops, a skateboard park, bike/walking trail, soccer fields, a tot lot, and other recreational opportunities.

In total, Stanwood has 64 acres of existing parklands.

**Public Facilities and Utilities**

Stanwood has 121.06 devoted to public purpose and utilities (City office space, maintenance, fire/police, parks/recreation, library, schools, power, water, waste water, etc.).

**Table LU-5  
Public Facilities and Utilities Acreage**

<b>Facility and Utility</b>	<b>Square Feet in Use</b>	<b>Acres in Use</b>	<b>Total Acres in Use</b>
City Office	5,192	-	0.12
Maintenance Shop	3,600	-	0.08
Fire Station	14,843	-	0.34
Police Facilities	4,560	-	0.1
Parks/Recreation	-	63.97	63.97
Trails	-	2.4	0.2.4
Sewer Treatment	-	40.0	40.0
Library	5,400	-	0.1
Schools	607,834	-	13.95
<b>Totals</b>	<b>-</b>	<b>-</b>	<b>121.06</b>

Source: Figures taken from Capital Facilities Element

### **Natural Resource Lands**

Natural resource lands include lands devoted to agricultural, forestry, or mineral extraction. Based on criteria provided in RCW 36.70A.020 (8) and WAC 365-190, the

City does not have any of these lands designated in the City. Snohomish County has not designated any of the UGA for protection of these natural resources, though small hobby farms do exist. One defunct gravel pit exists in the City’s southeast UGA; this land is being prepared for conversion to urban land use.

### **Vacant and Partially Utilized Lands**

There are currently 623.99<sup>3</sup> acres of land in Stanwood, including the unincorporated UGA, that are vacant, partially utilized or redevelopable parcels. This figure does not include lands classified as “pending” in the 2012 Buildable Lands Report. Pending lands are vacant building lots recently subdivided or approved (80.53 acres). See Appendix C for the land capacity analysis associated with this plan.

### **Physical Description**

(See the Natural Features Element for a complete physical description of the City and the UGA, including drainage. Drainage is also detailed in the Capital Facilities Element).

<sup>3</sup> Snohomish County, Buildable Lands Report, 2012

**Population Structure and Characteristics**

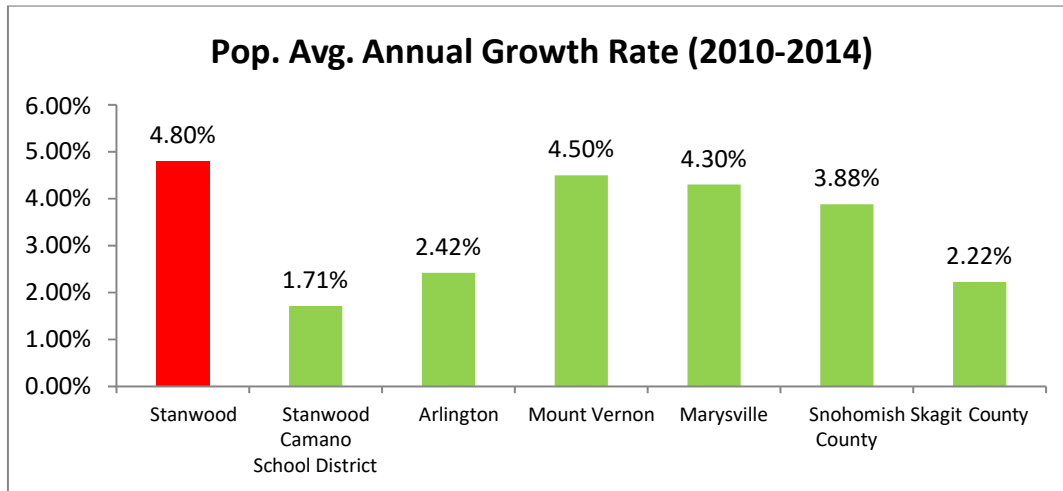
The population of Stanwood has grown steadily over the last three decades. Stanwood's population has increased by approximately 47% in the past 10 years (2003-2013), i.e. from 4,323 to 6,340. See Table LU-6 for historic population figures.

**Table LU-6  
City of Stanwood Historical Population**

<b>Year</b>	<b>Total Population</b>	<b>Annual Rate of Population Increase</b>
1990	1,961	
1995	2,910	
2000	3,923	
2005	4,858	
2010	6,231	2.60%
2011	6,220	-0.17%
2012	6,300	1.28%
2013	6,340	0.63%

Average annual rate of growth over 23 years: 4.93%

Source: 2000 U.S. Census Data 1990 -2000  
2010 - 2014 WA State OFM Population Data  
\* P



	<b>Stanwood</b>	<b>Stanwood Camano School District</b>	<b>Arlington</b>	<b>Mount Vernon</b>	<b>Marysville</b>	<b>Snohomish County</b>	<b>Skagit County</b>
<b>Pop. Avg. Annual Growth Rate (2010-2014)</b>	4.80%	1.71%	2.42%	4.50%	4.30%	3.88%	2.22%
<b>Pop. 2010 (Census)</b>	6,231	32,907	17,926	31,743	60,020	713,335	116,901
<b>Pop. 2014 (OFM Est.)</b>	6,530	33,470	18,360	33,170	62,600	741,000	119,500

- Stanwood has added population since 2010. Population growth mainly coming from development of new residential subdivisions within the community.

The population density of Stanwood is approximately 2.9<sup>4</sup> persons per acre. The main concentration of Stanwood's population is split between the residential area in West District and the residential area located just to the east of the Pioneer Highway. The concentration of single-family homes is greatly reduced beyond 84th St. to the east.

## **Population Targets**

Snohomish County Tomorrow has issued a projected 2035 Population Growth Target for the City of Stanwood of 10,116 people within the City of Stanwood – not including the UGA. This represents roughly a 59.5 % increase over the current population or an annual growth rate of approximately 2.7% over the next 22 years. The projected number is significantly lower than Stanwood’s historical average annual growth rate of 4.93%, but higher than any single year’s increase since 2010.

Snohomish County historically has developed population and employment growth distributions using low, medium and high countywide growth scenarios. However, for the 2035 forecasts, the County decided to focus its subcounty distribution efforts on a single countywide growth projection that was consistent with the OFM’s medium projection. Pursuing a single countywide target, it was stressed, was appropriate at a time of reduced local resources. Focusing solely on the OFM medium projection also made sense as it is termed OFM’s “most likely” under the GMA, and past and current growth rates did not indicate that this approach should be changed. It was also noted that previous growth allocation efforts in Snohomish County had not departed significantly from OFM’s medium countywide projection.

The Countywide Planning Policies for Snohomish County, Appendix B, Table 1, identifies the population targets for Stanwood as follows:

**Table LU-7  
2035 Population Growth Targets**

<b>Stanwood City/UGA</b>	<b>Existing (2013)</b>	<b>Target (2035)</b>
City	6,340	10,116
UGA	167	969
<b>TOTAL</b>	<b>6,507</b>	<b>11,085</b>

<sup>4</sup> 6,340 people / 2,187 acres = 2.9 people/acre (as of 2013)

**Employment Targets**

Employment targets will affect the need for land zoned non-residentially. The Countywide Planning Policies for Snohomish County, Appendix B, Table 3, identifies the employment targets for Stanwood as follows:

**Table LU-8  
2035 Employment Growth Targets**

<b>Stanwood City/UGA</b>	<b>Existing (2013)</b>	<b>Target</b>
City	3,258	4,688
UGA	198	1,035
<b>TOTAL</b>	<b>3,456</b>	<b>5,723</b>

**Future Needs Assessment**

**Land Analysis**

The land supply analysis for the City of Stanwood has been compiled to aid in the land use decision-making process. The purpose of this analysis is to determine the amount of land which is needed to satisfy the anticipated growth over the next 20 years, in the City of Stanwood and the UGA.

A joint agreement between the City of Stanwood and Snohomish County has set an Urban Growth Area (UGA) boundary where the amount of land needed for future growth for the City of Stanwood has been jointly determined by both the City and Snohomish County.

Snohomish County Tomorrow provided cities within the County with population and employment growth targets. For 2035 the City of Stanwood was allocated 10,116 people within the city and 969 within the UGA for a total population target of 11,085. Based on these population targets an assessment was conducted to determine if the current city boundaries have sufficient land capacity to accommodate the projected growth. This analysis also serves as a tool to determine whether or not future growth will need to be located outside the city limits within the UGA.

**Residential Land Analysis<sup>5</sup>**

In order to meet the projected 2035 targeted growth the City needs an additional 1,832<sup>6</sup> dwelling units.

<sup>5</sup> Appendix C, Land Supply Analysis, includes a detailed breakdown of residential land capacity

<sup>6</sup> 11,085 (2035 target population) – 6,340 (2013 population) = 4,745 people / 2.59 (2010 US Census avg. household size) = 1,832 dwelling units

The total net buildable acres inside the City limits of Stanwood that are vacant, partially used or redevelopable is 268 acres. Applying reductions factors as described in Appendix C, Land Supply Analysis, the available residential acreage is reduced to 198 acres. Available residential land within the City limits could provide an estimated 1,355 additional dwelling units.

The total net acreage within the City's UGA that is vacant, partially used or re-developable that can be used for residential uses is 201 acres. Applying reduction factors reduces this number to 149 acres. Therefore, the UGA could provide an estimated 723 additional dwelling units.

The combination of available buildable land within the City limits and the UGA of 347 acres could accommodate an estimated 2,078 dwelling units. Thus there is sufficient residential land to meet the City's 20 year housing needs.

### Commercial/Industrial Land Analysis

The City of Stanwood 2035 employment target is 5,723. Stanwood's planning area currently provides approximately 3,456<sup>7</sup> jobs. To meet its target employment for 2035 the City needs an additional 2,267<sup>8</sup> jobs.

The total net acres of buildable commercial land inside the City limits of Stanwood that is vacant, partially used or re-developable is 45.66 acres. Applying reduction factors reduces this number to 34.02 acres. Conversely, the total net acres of buildable industrial land within the City limits of Stanwood that is vacant, partially used or re-developable is 44.45 acres. Reduction factors reduce this number to 35.71 acres. To calculate the number of employees that commercial and industrial land could support is based on historic averages regarding the number of employees per acre. These averages can be found in *Appendix C, Land Supply Analysis*. The total employment capacity for commercial and industrial land within the City limits is approximately 1,640.

The total net acres of commercial and industrial land within the City's UGA is 75.82 acres. This number is reduced to 53.33 acres when reduction factors are applied. The total employment capacity for commercial and industrial land within the UGA is approximately 1,146.

Therefore, available land within the City limits and the UGA could support an additional 2,786 jobs, which exceeds the 2,267 needed jobs to meet the 2035 employment target.

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<sup>7</sup> Countywide Planning Policies for Snohomish County Adopted June 1, 2011, and amended through June 4, 2014.

<sup>8</sup>  $5,723 - 3,456 = 2,267$  additional jobs.

Exhibit E  
Proposed SMC Title 9

# SMC Title 9 Draft

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-  Because RCW 35A.12.130 requires an ordinance to contain no more than one subject, each of Titles 9 and 13 should be adopted as three separate ordinances.
-  Because of the interactivity between Title 13 and other provisions for the code, the other sections identified for amendment in Title 13 should be adopted simultaneously.

 The following adopting language is proposed to handle codification instructions for adoption of these ordinances.

SMC Title 9 is amended to read as shown in the attachment.

SMC 5.04.050 and SMC 5.04.060 is repealed.

SMC Title 13 is amended to read as shown in the attachment.

# Title 9 Public Peace, Safety, and Welfare

- i** This title is based on the existing SMC Title 9, Public Peace, Morals, and Safety.
- i** We have slightly renamed this title to be more consistent with contemporary language and other jurisdictions' codes. Other jurisdictions frequently name this title their "Criminal Code" or "Penal Code" however we disfavor that because other code chapters will likely also include criminal provisions.
- i** This title is intended for general criminal provisions. Other provisions through the SMC may also include criminal penalties (e.g., traffic regulations in Title 10, health/sanitation in Title 7, animals in Title 8).
- i** Many existing chapters of SMC Title 9 have been reorganized into the new chapter structure. See the December 2022 scoping memo for details.
- i** Generally, this title seeks to incorporate by reference criminal state law provisions and avoid re-inventing the wheel in description of offenses.
- i** Why is it important to locally adopt these laws? Because RCW 3.50.100 provides that fees imposed by municipal court for the violation of any municipal ordinances are deposited in the city's general fund.

**!** The City attorney has recommended that existing chapter 9.50 Public Nuisance and Disturbance Noises be moved to Title 7, Health and Sanitation. Noise is frequently characterized as a health issue, so it may make sense to place it in Title 7, but noise also certainly disturbs the peace, and could be left in Title 9, which is also a common practice. We need a decision on organization of this chapter soon because the readoption of Title 9 as constructed below will replace chapter 9.50.

## Chapter 9.02 General Provisions

- i** This is a new chapter for some important universal provisions.

### 9.02.010 Applicability

This chapter applies to the entirety of SMC Title 9.

### 9.02.020 Definitions

The provisions of RCW 9A.04.110 Definitions as presently constituted or hereinafter amended are adopted by reference.

### 9.02.030 General Provisions

- (1) The provision of a criminal penalty for any unlawful act does not preclude the City's use of civil remedies.
- (2) Where not otherwise specified, a violation of the Stanwood Municipal Code that is categorized as a crime is to be considered a misdemeanor.

- i** The following subsection replaces existing SMC Chapter 9.25 Emergency Response Cost Recovery and increases the recovery amount from \$1000 to \$2500.

- (3) It is the policy of the City of Stanwood to exercise the provisions of RCW 38.52.430 to recover the expenses of emergency response where that response is related to a person's intoxication.

### **9.02.040 Adoption by reference**

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

- RCW 9.01.110 Omission, when not punishable.
- RCW 9A.04.060 Common law to supplement statutes
- RCW 9A.04.070 Who amenable to criminal statutes
- RCW 9A.04.090 Application of general provisions of code.

### **9.02.050 Restitution**

The municipal court may require any defendant convicted under this code, or any person subject to a civil infraction per RCW 7.80.120, to make restitution.

### **9.02.060 Severability**

If any section, sentence, clause, or phrase of this title is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality may not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this title.

## **Chapter 9.08 Anticipatory Offenses**

**i** The following adopted sections make any attempt, solicitation, and conspiracy for all Class C felonies prosecutable by the City as gross misdemeanors.

### **9.08.010 Adoption by reference**

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

- RCW 9A.28.020 Criminal attempt.
- RCW 9A.28.030 Criminal solicitation.
- RCW 9A.28.040 Criminal conspiracy.

## **Chapter 9.10 Offenses against Persons**

**i** This chapter replaces existing SMC 9.04 Assault and most of existing SMC 9.20 Disorderly Conduct.

### **9.10.010 Adoption by reference**

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

- RCW 9.61.230 Telephone harassment
- RCW 9A.36.041 Assault in the fourth degree
- RCW 9A.36.050 Reckless endangerment

RCW 9A.36.070 Coercion  
RCW 9A.36.160 Failing to summon assistance.  
RCW 9A.36.161 Failing to summon assistance—Penalty.

RCW 9A.46.020 Harassment  
RCW 9A.46.040 Court ordered requirements upon person charged with crime – Violation  
RCW 9A.46.080 Order restricting contact – Violation  
RCW 9A.46.110 Stalking

RCW 9A.49.030 Unlawful discharge of a laser in the second degree  
RCW 9A.86.010 Disclosing intimate images  
RCW 9A.90.120 Cyber harassment

## Chapter 9.12 Offenses against Property

**i** This chapter replaces existing SMC 9.12 Crimes Against Property.

### 9.12.010 Adoption by reference

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

RCW 9.45.062 Failure to deliver leased personal property.

RCW 9A.48.010 Definitions.

RCW 9A.48.050 Reckless burning in the second degree.

RCW 9A.48.060 Reckless burning – Defense.

RCW 9A.48.090 Malicious mischief in the third degree.

RCW 9A.52.060 Making or having burglar tools.

RCW 9A.52.010 Definitions.

RCW 9A.52.070 Criminal trespass in the first degree.

RCW 9A.52.080 Criminal trespass in the second degree.

RCW 9A.52.090 Criminal trespass – Defenses.

RCW 9A.52.100 Vehicle prowling in the second degree.

RCW 9A.56.010 Definitions

RCW 9A.56.050 Theft in the third degree

RCW 9A.56.063 Making or possessing motor vehicle theft tools

RCW 9A.56.060 Unlawful issuance of checks or drafts

RCW 9A.56.170 Possessing stolen property in the third degree

RCW 9A.56.180 Obscuring the identity of a machine

RCW 9A.56.270 Shopping cart theft

RCW 9A.61.010 Definitions

RCW 9A.61.020 Defrauding a public utility

RCW 9A.61.050 Defrauding a public utility in the third degree

RCW 9A.90.030 Definitions

RCW 9A.90.50 Computer trespass in the second degree

**i** The following section addresses catalytic converter theft.

RCW 19.290.100 Scrap metal license—Penalties

## Chapter 9.14 Offenses against Public Morals

**i** This chapter replaces existing AMC 9.28 Houses of Prostitution.

### 9.14.010 Adoption by reference

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

RCW 9A.42.010 Definitions.

RCW 9A.42.035 Criminal mistreatment third degree

RCW 9A.42.037 Criminal mistreatment fourth degree

RCW 9A.42.080 Abandonment of a dependent person

RCW 9A.42.090 Defense to abandonment of a dependent person

RCW 9A.44.130 Registration of sex offender

RCW 9A.44.132 Failure to register as a sex offender or kidnapping offender – Refusal to provide DNA

RCW 9A.88.010 Indecent exposure

RCW 9A.88.030 Prostitution

RCW 9A.88.090 Permitting prostitution

RCW 9A.88.110 Patronizing a prostitute

RCW 66.44.100 Opening or consuming liquor in public place—Penalty

RCW 66.44.150 Buying liquor illegally

RCW 66.44.180 General penalties—Jurisdiction for violations

RCW 66.44.270 Furnishing liquor to minors

## Chapter 9.16 Offenses against Public Order

### 9.16.010 Adoption by reference

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

RCW 9.40.100 Tampering with fire alarm or firefighting equipment.

RCW 9A.50.020 Interfering with access to health care.

RCW 9A.60.045 Criminal impersonation in the second degree.

RCW 9A.72.150 Tampering with physical evidence.

RCW 9A.76.020 Obstructing a law enforcement officer.

RCW 9A.76.030 Refusing to summon aid for a peace officer.

RCW 9A.76.040 Resisting arrest.

RCW 9A.76.130 Escape.

RCW 9A.84.010 Riot.

RCW 9A.84.030 Disorderly conduct

RCW 9A.84.020 Failure to disperse.

RCW 9A.84.040 False reporting.

### 9.16.020 Aiming or discharging weapons.

**i** This section replaces SMC 9.20.110, Discharge of Firearms, and is expanded to include additional weapons and aiming such weapons.

(1) It is unlawful for any person to:

(a) aim any firearm, whether loaded or not, at or toward any human being;

(b) willfully discharge any firearm;

(c) willfully discharge an air gun, bow and arrow, sling shot, or like weapon in any place where persons or property might be unreasonably endangered thereby, whether or not injury or damage results.

(2) This section does not apply to:

- (a) police officers while in the discharge of their lawful duties;
  - (b) persons exercising the right specified in RCW 9A.16.020;
  - (c) persons continuing with best farm management practices currently in existence, including, but not limited to, the slaughtering or humane destruction of livestock or wildlife, or the hazing of wildlife or wildfowl in conformance with the requirements of the Washington State Fish and Wildlife Department, the U.S. Department of Agriculture, and the United States Fish and Wildlife Service;
  - (d) persons discharging firearms loaded with blank cartridges for signal or ceremonial purposes in any athletic or sports event, recognized public event, any public ceremonial functions such as military funeral salutes, or by any memorial or military organizations or service groups for ceremonial purposes.
- (3) A violation of this section is a misdemeanor.

## Chapter 9.18 Offenses against Juveniles

### 9.18.010 Adoption by reference

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

- RCW 9.68A.090 Communicating with a minor for immoral purpose
- RCW 9.68A.150 Allowing minor on the premises of a live erotic performance
- RCW 9.69.100 Duty of witness of offense against minor or any violent offense
- RCW 9A.44.096 Sexual misconduct with a minor in the second degree
- RCW 13.32A.080 Harboring a minor

**i** RCW 26.28.080 regarding sales of tobacco to a minor includes vapor products.

RCW 26.28.080 Selling or giving tobacco to a minor

RCW 70.345.010 Definitions

RCW 70.345.030 License required [for sale of vapor products]

RCW 70.345.100 Product tastings—Requirements—Penalty.

RCW 70.345.140 Purchase or possession [of vapor products] by persons under eighteen

### 9.18.020 Leaving children unattended in parked automobile

**i** RCW 9.91.060 governs leaving children unattended in parked automobile, but only while the adult enters a tavern. This section mirrors that provision without the restrictive clause. Note that RCW 46.61.685, in the traffic code that is adopted by Title 10, governs leaving children unattended in standing vehicle with motor running.

- (1) It is unlawful for a person having the care and custody, whether temporary or permanent, of minor children under the age of twelve years, to leave such children in a parked automobile unattended by an adult.
- (2) A violation of this section is a misdemeanor.

## **Chapter 9.20 Domestic Violence Violations and Orders**

### **9.20.010 Adoption by reference**

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

RCW 7.105.010 Definitions.

RCW 7.105.450 Enforcement and penalties – Other than antiharassment protection orders and extreme risk protection orders.

RCW 7.105.455 Enforcement and penalties – Antiharassment protection orders.

RCW 7.105.460 Enforcement and penalties – Extreme risk protection orders – False petitions.

RCW 7.105.465 Enforcement and penalties – Knowledge of order.

RCW 9.41.040 Unlawful possession of firearms – Ownership, possession by certain persons.

RCW 9.41.800 Surrender of weapons or licenses – Prohibition on future possession or licensing.

RCW 9.41.810 Violation – Penalty.

RCW 9A.36.150 Interfering with the reporting of domestic violence.

RCW 9A.40.010 Definitions.

RCW 9A.40.070 Custodial interference in the second degree.

RCW 9A.40.080 Custodial interference – Assessment of costs – Defense – Consent defense, restricted.

RCW 10.99.020 Definitions.

RCW 10.99.040 Restrictions upon and duties of court.

RCW 10.99.045 Appearances by defendant – No-contact order.

RCW 10.99.050 Victim contact – Restriction, prohibition – Violation, penalties – Written order – Procedures.

RCW 10.99.055 Enforcement of orders.

RCW 10.99.070 Liability of peace officers.

RCW 26.09.300 Restraining orders – Notice – Refusal to comply – Arrest – Penalty – Defense.

## **Chapter 9.22 Substance Abuse**

### **9.22.010 Adoption by reference**

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

RCW 69.38.010 "Poison" defined.

RCW 69.38.050 False representation—Penalty.

RCW 69.38.060 Manufacturers and sellers of poisons—License required—Penalty.

RCW 69.41.010 Definitions.

RCW 69.41.030 Legend drug without prescription or order prohibited—Exceptions—Penalty

RCW 69.41.350 Steroid—Penalties.

RCW 69.50.101 Definitions.

RCW 69.50.412 Prohibited acts: E—Penalties.

RCW 69.50.445 Cannabis in view of general public or public place—Penalty

RCW 69.50.4011 Counterfeit substances—Penalties

RCW 69.50.4013 Possession of controlled substance—Penalty

RCW 69.50.4014 Possession of forty grams or less of cannabis—Penalty

## 9.22.020 Possession of Drug Paraphernalia

**i** This section replaces existing SMC Chapter 9.22 Drug Paraphernalia Restrictions.

**i** Note that the *use* of drug paraphernalia is prohibited by RCW 69.50.412, incorporated by reference above.

- (1) It is unlawful to possess “drug paraphernalia,” as defined in RCW 69.50.102, for any purpose related to any controlled substance other than cannabis.
- (2) A violation of this section is a misdemeanor.

## Chapter 9.40 Parks

**i** Based on existing SMC 9.40 regarding park regulations.

### 9.40.010 Applicability

This chapter applies to all parks owned and operated by the City of Stanwood.

### 9.40.020 Definitions

**!** Confirm that the Public Works Director is the official in charge of parks.


"Director" means the director of Public Works or the director's designee.


"Park" means any park owned or operated by the City of Stanwood.


### 9.40.030 Use of Parks

Consistent with SMC Chapter 9.50, use of city parks is conditioned upon compliance with the rules in this chapter and SMC 9.50.040.


## 9.40.040 General Rules

 This chapter organizes types of rules by subject and class of civil infraction. Each section has a single class of infraction for violations. If you want to prescribe a different class of infraction for a violation, let's move that rule to its own section.


 For reference, each class of infraction is set by statute and also includes substantial statutory assessments:  
class 1: \$250  
class 2: \$125  
class 3: \$50  
class 4: \$25

 The rules that follow are based on existing SMC 9.40.010.


(1) Within the boundaries of any park owned or operated by the City of Stanwood, it is unlawful to:

 Fixed hours would be easier to enforce than "dusk till dawn". Deleted "camp or remain overnight," as it is included in the hourly prohibition.

- (a) be present in any park, or park any vehicle in any park, between dusk and dawn except with written permission of the Director;
- (b) possess or consume any alcoholic beverage except within a permitted beer garden;
- (c) permit any dog to be off-leash except in designated off-leash areas;
- (d) knowingly causes a horse to be upon park premises;
- (e) operate, stop, park, or leave a motor vehicle, including any motorcycle or motor-driven cycle, any place in the park, except on a driveway or parking area;
- (f) engages in the sale of any merchandise or services, or operate any concession, without authorization from a special event permit issued under Chapter 5.06 SMC or a temporary use permit issued under SMC Title 17;

 Deleted "engage in any disorderly conduct proscribed by a city ordinance" because that is now covered by SMC 9.50.

(g) use park facilities without paying any applicable user fee adopted by city council resolution.

 Existing SMC 9.40.040 Violations uses the Class B infraction system defined in existing SMC Title 13 that we propose to eliminate. Converting the Class B infraction to a Class 3 civil infraction would carry the same \$50 penalty, plus statutory assessments.

(2) A violation of this section is a class 3 civil infraction.

## 9.40.050 Speed Limits

(1) The Director may set speed limits for roads, paths, and parking lots in City parks applicable to all vehicles.

(2) It is unlawful to operate any vehicle, including any bicycle, in excess of the posted speed limits.

(3) A violation of this section is a class 4 civil infraction.

### **9.40.060 Closed Areas**

- (1) The Director may close any section of a park at any time by posting notice in the closed section.
- (2) It is unlawful for a person to enter or remain in a closed section of a park without written permission from the Director.
- (3) A violation of this section is a class 3 civil infraction.

### **9.40.070 Smoking and Vaping.**

- (1) It is unlawful to smoke within any city park.
- (2) It is unlawful to vape or carry any active vaping device within any city park.
- (3) A violation of this section is a class 4 civil infraction.

### **9.40.080 Damage to Parks and Park Facilities**

- (1) It is unlawful to:
  - (a) build any fire within the park except in a designated area;
  - (b) cut, remove, or damage any flower, tree, shrub, or other landscaping;
  - (c) mutilate, deface, injure, damage, or molest any building installation, personal property, or equipment;  
or
  - (d) scatters any litter, including broken glass, waste or discarded paper or waste of any kind, in the park, except in receptacles provided for that purpose.
- (2) A violation of this section is a class 1 civil infraction.

## **Chapter 9.42 Fireworks**

**i** This chapter will supplant some portions of SMC Chapter 5.04 which governs permits for display fireworks so that police enforcement of fireworks violations are contained in Title 9, while the regulations and procedures regarding fireworks permits are contained in Title 5.

### **9.42.010 Adoption by reference**

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

RCW 70.77.485 Unlawful possession of fireworks—Penalties.

RCW 70.77.488 Unlawful [reckless] discharge or use of fireworks—Penalty.

RCW 70.77.510 Unlawful sales or transfers of display fireworks—Penalty.

RCW 70.77.515 Unlawful sales or transfers of consumer fireworks—Penalty.

RCW 70.77.520 Unlawful to permit fire nuisance where fireworks kept—Penalty.

RCW 70.77.540 Penalty.

### **9.42.020 Purchase and Sales.**

- (1) It is unlawful to sell or purchase consumer fireworks within the City of Stanwood except during the following times:

- (a) from 12:00 noon to 11:00 p.m. on June 28;
  - (b) from 9:00 a.m. to 11:00 p.m. on each day from June 29 through July 4;
  - (c) from 9:00 a.m. to 9:00 p.m. on July 5; and
  - (d) from 12:00 noon to 11:00 p.m. on each day from December 27 through December 31.
- (2) It is unlawful to sell fireworks without a valid license issued per SMC Chapter 5.04.
- (3) A violation of this section is a class 1 civil infraction.

#### **9.42.030 Use and Discharge.**

- (1) It is unlawful to use or discharge consumer fireworks within the City of Stanwood except during the following times:
- (a) from 12:00 noon to 11:00 p.m. on June 28
  - (b) from 9:00 a.m. to 11:00 p.m. on each day from June 29 to July 3
  - (c) from 9:00 a.m. to 12:00 midnight on July 4;
  - (d) from 9:00 a.m. to 11:00 p.m. on July 5;
  - (e) from 6:00 p.m. on December 31 until 1:00 a.m. on January 1 of the subsequent year.
- (2) This section does not apply to a public display of fireworks licensed per SMC Chapter 5.04.
- (3) A violation of this section is a class 2 civil infraction.

## **Chapter 9.50 Conduct and Trespass from City Property**


**i** People that behave dangerously, illegally, or threateningly may need to be trespassed from city property. To protect the due process rights of those people, it's important to adopt a code of conduct, procedures, graduated exclusion periods, and appeal provisions. This chapter is based on similar code chapters from Port Townsend and Anacortes.

#### **9.50.010 Purpose and policy.**

- (1) The purpose of this chapter is to:
- (a) Adopt a legally sound process for being able to exclude from city property persons whose behavior is dangerous, unsafe, illegal, or unreasonably disruptive to other users;
  - (b) Define the process for issuance of trespass warnings and their content; and
  - (c) Provide procedures for a recipient of a trespass warning to promptly appeal the warning to protect their right to engage in legitimate activities protected by the state and federal constitutions.
- (2) This chapter is enacted as an exercise of the city's authority to protect and preserve the public health, safety, and welfare under Article XI, Section 11 of the Washington State Constitution.
- (3) This chapter is intended to be enforced to emphasize voluntary compliance with laws and city rules and so that inadvertent minor violations of this section can be corrected without resorting to a trespass warning.


### 9.50.020 Applicability.

- (1) This chapter applies to behavior on all real property in the City of Stanwood owned or leased by the City of Stanwood, including real property that the city owns or operates in common with another jurisdiction, including but not limited to:

 Staff should add any other city-owned facilities that might be otherwise questioned into the list below.

- (a) Municipal buildings, including City Hall;
  - (b) Parks, trails, and other open spaces.
- (2) This chapter does not apply to public streets and sidewalks.

### 9.50.030 Definitions.

 See note about the person designated to hear appeals below.

“Police Chief” means the Chief of the City of Stanwood Police Department or other person designated by the Chief to perform the duties described in this chapter.

“Trespass warning” means a document informing the recipient that they are prohibited from entering a specified place for a specified period of time, consistent with the requirements of this chapter.

### 9.50.040 Prohibited conduct.

- (1) The following behavior is prohibited by this chapter in the places to which this chapter applies:
- (a) Dangerous Behavior. Any behavior that creates an imminent and unreasonable risk of injury or harm to either persons or property of another or the actor.
  - (b) Illegal Behavior. Any behavior that is prohibited by the laws of the United States, Washington State, Snohomish County, or the city including, but not limited to, any of the following types of behavior:
    - (i) Threatening another person by communicating either directly or indirectly to another person the intent to cause bodily injury in the future to the person threatened or to any other person;
    - (ii) Selling or using alcohol or drugs;
    - (iii) Threatening or harassing behavior (e.g., fighting or threatening to fight, brandishing a weapon, stalking, verbally threatening to harm others or their property);
    - (iv) Assaulting staff or other patrons;
    - (v) Urination or defecation other than in facilities intended for that function;
    - (vi) Sexual misconduct or harassment (e.g., indecent exposure, offensive touching, sexual acts);
    - (vii) Vandalism or placing graffiti;
    - (viii) Starting a fire in an undesignated area.
  - (c) Unreasonably Disruptive Behavior. Any behavior that, in consideration of the nature, scope, use and purpose of the city property in question, unreasonably interferes with others’ use and enjoyment of city property, including but not limited to:
    - (i) Use of unreasonably hostile or aggressive language or gestures; or
    - (ii) Unreasonably loud vocal expression or unreasonably boisterous physical behavior; or

- (iii) Using electronic or other communication devices in a manner that is unreasonably disruptive to others; or
  - (iv) Unreasonably interfering with the free passage of staff or patrons in or on public property; or
  - (v) Behavior that is unreasonably inconsistent with the normal use for which the publicly owned property was designed and intended to be used (e.g., engaging in loud conversation in a library setting);
  - (vi) Violation of the posted rules of the city property in question.
- (2) Exception. Any constitutionally protected action or speech is excluded from the prohibited conduct described in this section.

**9.50.050 Authority to issue trespass warnings – Service.**

- (1) Officers of the city Police Department are authorized to issue a trespass warning to any person who the officer has probable cause to believe has violated SMC 9.50.040.
- (2) The warning may be based upon observation by a police officer or a city employee or may be based upon a civilian report that would ordinarily be relied upon by police officers in the determination of probable cause.
- (3) The person need not be charged, tried, or convicted of any crime or infraction for the trespass warning to be issued or be effective.
- (4) Trespass warnings may be served upon the person subject to the warning using one of the following methods:
  - (a) First-class mail to the person at the person’s last known address;
  - (b) Personally; or
  - (c) If the person cannot be located by one of the first two methods after a diligent search, by publication in a newspaper of general circulation.
- (5) Service is effective:
  - (a) On the date the notice is personally received;
  - (b) In the case of service by mail, three days after the notice is mailed; or
  - (c) In the case of service by publication, 15 days after publication.
- (6) The trespass warning becomes effective, and the duration starts to run, upon the effective date of service.


**9.50.060 Content of trespass warning.**

- (1) The trespass warning must be in writing and contain:
  - (a) The date of issuance;
  - (b) A description the behavior that is the basis for the trespass warning;
  - (c) The place(s) of exclusion consistent with subsection (2) of this section;
  - (d) The length of exclusion consistent with SMC 9.50.070;
  - (e) The signature of the issuing police officer;
  - (f) A description of the consequences for failure to comply consistent with SMC 9.50.100.
- (2) A trespass warning for a place or places may not prohibit access to another place or places that are unrelated to or not a part of the place where the conduct that is the subject of the trespass warning occurred.

### 9.50.070 Duration of exclusion.

- (1) An officer who issues a trespass warning under this Chapter must determine a duration of exclusion consistent with this section.
- (2) If the person subject to the trespass warning:
  - (a) Has not been excluded from City property by a trespass warning issued within one year prior to the violation, then the warning may exclude the person for a period not exceeding 7 days.
  - (b) Has been the subject of only one prior trespass warning issued within one year prior to the current violation, then the warning may exclude the person up to 90 days.
  - (c) Has been the subject of two or more prior trespass warnings issued within one year prior to the current violation, then the warning may exclude the person up to one year.

### 9.50.080 Review procedure.

 Note this review could alternatively be performed by the City Administrator, as it is in Port Townsend's code.

- (1) For good cause, the Police Chief may rescind, shorten, or modify a trespass warning consistent with this section.
  - (a) A written request for review of a trespass warning must be delivered to the Police Chief no later than seven business days after it is issued.
  - (b) The Police Chief must hold a review hearing on the decision within one week of receipt of a request for review of a trespass warning.
  - (c) The Police Chief must notify the person subject to the warning of the date, time, and place, telephone number or electronic means at or by which the review will be conducted.
  - (d) The review decision must be communicated no later than five business days following the review.
  - (e) The review decision must inform the person subject to the warning of the right to seek judicial review of the decision and that the time frame for seeking judicial review runs from the date of service of the written decision.
- (2) For purposes of this section, "good cause" to rescind, shorten, or modify a trespass warning must be found where any of the following are true:
  - (a) The person subject to the warning demonstrates by a preponderance of the evidence that his or her conduct was intended to be expressive conduct protected by the First Amendment;
  - (b) The person subject to the warning was not given warning that the conduct in question was subject to a trespass warning;
  - (c) The trespass warning was based solely upon the statement of a third party, was not observed personally by the issuing officer or a city employee, would not ordinarily be relied upon by police officers in the determination of probable cause, and the person subject to the warning claims that he or she did not commit the action for which he or she was warned; or
  - (d) Reasonable minds could differ on the question of whether the conduct in question was unreasonably disruptive to others on the same property at the same time.
- (3) At the review hearing, the violation must be proved by a preponderance of the evidence to uphold the trespass warning. The Police Chief may consider a sworn report or declaration from the officer who issued the trespass warning or upon whose observation the trespass warning was based, without further evidentiary foundation, as prima facie evidence that the person committed the violation as described. The

Police Chief may consider information that would not be admissible under the evidence rules in a court of law but that the Police Chief considers relevant and trustworthy. If the warning was issued because of the alleged violation of any criminal law, the person need not be charged, tried, or convicted for the warning to be upheld.

- (4) The decision of the Police Chief constitutes the city's final decision. A person seeking judicial review of the city's final decision must file an application for a writ of review in Superior Court within 15 days of receipt of the city's final decision.
- (5) The trespass warning remains in effect during the pendency of any administrative or judicial proceeding.
- (6) No determination of facts made by the Police Chief may have any collateral estoppel effect on a subsequent criminal prosecution or civil proceeding and may not preclude litigation of those same facts in a subsequent criminal prosecution or civil proceeding.

#### **9.50.090 Permitted entry notwithstanding warning.**

- (1) The Police Chief may, upon request, authorize a person who has received a trespass warning in accordance with this chapter to enter city property to exercise his or her First Amendment rights or to conduct government business if there is no other reasonable alternative location to exercise such rights or conduct such business. Authorization must be in writing and specify the duration of the authorization and any conditions thereof, which may include a requirement that the person be escorted by a police officer.
- (2) The Police Chief must issue a decision on a request for entry onto public property by the recipient of a trespass warning during a period of exclusion no later than 48 hours after receipt of the request.

#### **9.50.100 Violation – Penalty.**

- (1) Any person who is found on city or other publicly owned property in violation of a trespass warning issued in accordance with this chapter may be arrested for criminal trespass as defined in Chapter 9A.52 RCW, except as otherwise provided in this section.
- (2) This chapter does not supplant the city's ability to enforce any other section of the Stanwood Municipal Code regulating behavior on public property or the city's ability to pursue other civil or criminal remedies and penalties.
- (3) A city employee who becomes aware of a violation of a trespass warning issued in accordance with this chapter is expected to notify the Police Department.

Exhibit F  
Proposed SMC Title 13

# SMC Title 13 DRAFT

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- ! Because RCW 35A.12.130 requires an ordinance to contain no more than one subject, each of Titles 9 and 13 should be adopted as three separate ordinances.
- ! Because of the interactivity between Title 13 and other provisions for the code, the other sections identified for amendment in Title 13 should be adopted simultaneously.

i The following adopting language is proposed to handle codification instructions for adoption of these ordinances.

SMC Title 9 is amended to read as shown in the attachment.

SMC 5.04.050 and SMC 5.04.060 is repealed.

SMC Title 13 is amended to read as shown in the attachment.

## Title 13 Civil Enforcement

- i This title is a complete rewrite of existing SMC Title 13, currently titled "Code Enforcement." We propose renaming the title "Civil Enforcement" to clarify that it concerns only the civil aspects of enforcement and lays out the process for enforcement of the code through non-criminal processes.
- i Existing SMC 13.01.100, Criminal Penalties, has been deleted. The City has already made the policy choice to make the default penalty for a code violation a civil matter, not a criminal one.
- i Existing Title 13 consists of only a single chapter with 12 sections. This proposed revisions divides the title into logical chapters.

### Chapter 13.10 General Provisions

#### 13.10.010 Policy

- (1) The policy of the City of Stanwood is to:
  - (a) Fairly, actively, and uniformly enforce the municipal code to preserve the health, safety, and welfare of the public and the environment and not for the benefit of any particular class of persons;
  - (b) Conduct all investigations into alleged violations consistent with statutory and constitutional protections of the right of privacy;
  - (c) Use education as a first step toward achieving compliance with those codes and offer property owners the opportunity to correct violations before imposing fines;
  - (d) Consider the economic circumstances of violators and their ability to comply with code requirements;
  - (e) Use administrative orders and other measures when necessary to ensure violations are corrected.
- (2) To achieve this policy, this Chapter provides authority and procedures for:
  - (a) Efficient and effective notice and opportunities to correct violations;

- (b) Progressive monetary penalties proportionate to the violations;
- (c) Appeal of administrative orders regarding violations;
- (d) Collection of civil penalties; and
- (e) Abatement and remediation of violations.

### **13.10.020 Applicability**

This title applies to civil enforcement of all violations of the Stanwood Municipal Code.

### **13.10.030 Definitions**

The following definitions apply to the entirety of this title:

"Civil violation" means a failure to comply with any mandatory provision of the Stanwood Municipal Code, including failure to comply with a permit condition or an administrative order issued pursuant to this title.

"Director" means the director of the Department of Community Development or the director's designee.

"Violator" means a person who violates any mandatory provision of the Stanwood Municipal Code, including failure to comply with a permit or an administrative order issued pursuant to this title.

### **13.10.040 Duty to Enforce**

**i** Based on existing SMC 13.01.020 Duty to Enforce.

- (1) The Director has the duty to enforce this chapter.
- (2) In lieu of the enforcement procedures set forth in this chapter, the Director may implement the enforcement procedures set forth in any of the uniform codes adopted by reference in SMC Title 14.
- (3) Although generally the City will not pursue civil enforcement when a criminal penalty for a violation is prescribed, civil enforcement is not precluded under those circumstances.
- (4) This title is to be enforced for the benefit of health, safety and welfare of the general public, and not for the benefit of any particular person or class of persons.
- (5) Nothing in this chapter is intended to impose any duty upon the city or any of its officers or employees that would subject them to damages in a civil action.

### **13.10.050 Violations are Public Nuisances**

Any uncorrected violation is detrimental to the public health, safety, and welfare and is a public nuisance. A public nuisance is a continuing offense against the order and economy of the City of Stanwood and is subject to enforcement under RCW Chapter 7.48 and RCW Chapter 9.66.

### **13.10.060 Joint and Several Liability**

In addition to any other person who may be liable for a civil violation, the property owner is jointly and severally liable for the civil violation, payment of any civil penalties, and restoration of the site.

### 13.10.070 Required Report to City Council

**i** This is a new section intended to ensure policymakers receive feedback on how well this code title is operating.

In addition to any other person who may be liable for a civil violation, the property owner is jointly and severally liable for the civil violation, payment of any civil penalties, and restoration of the site.

### 13.10.080 Severability

**i** This section is based on existing SMC 13.01.120 Severability.

If any section, sentence, clause, or phrase of this title is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality may not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this title.

## Chapter 13.20 Procedures

### 13.20.010 Initiation of Civil Enforcement

- (1) Any person who believes a violation has occurred may notify the Director.
- (2) If the Director becomes aware of a violation, the Director may initiate the civil enforcement process without a third-party complaint.

### 13.20.020 Investigation—Right of entry

**i** This section is based on existing 13.01.030(1).

- (1) The Director must investigate an alleged violation and confirm it has occurred before proceeding with civil enforcement.
- (2) Whenever necessary to make an inspection of an alleged or suspected civil violation, the Director may, upon presentation of proper credentials and consent of the property owner or other person having charge or control of the building, structure or property, enter such building, structure, property or portion thereof at all reasonable times to inspect the same.
- (3) If the building, structure, property, or portion thereof is unoccupied, the Director must make a reasonable effort to locate the owner or other persons having charge or control of the building, structure, property, or portion thereof and request entry.
- (4) If entry is refused or a responsible party cannot be located, the Director may ask the City Attorney to assist in obtaining a warrant.

### 13.20.030 Issuance of Administrative Orders or Exercise of Other Remedies

- (1) After confirmation of a violation, the Director may choose from any combination of the remedies available in SMC Chapter 13.40 to resolve the violation.
- (2) Discretion.
  - (a) Generally, the Director should use a graduated enforcement process that uses notification and education as a first step and should offer violators the opportunity to correct violations before imposing fines.

- (b) The Director may determine that a violation is so egregious that graduated enforcement is inappropriate or would require more time than is appropriate compared to the gravity of the violation.
- (c) The Director may decide not to take action to correct a violation, especially for de minimis violations or violations that require interpretations or discretionary judgments of the applicability of the land use code.

## Chapter 13.30 Administrative Orders

**i** Existing SMC 13.01.030(2) describes a “notice of violation” that is also characterized as an order. Since it’s more than a “notice,” we should characterize it accurately. Here, we drop the term notice and only refer to administrative orders as the global term for each of these types of orders.

### 13.30.010 Administrative Orders including Emergency/Stop Work Orders

- (1) Generally. The Director may issue an administrative order to compel correction of a violation, abatement of a nuisance, or payment of civil penalties.
- (2) Emergency/Stop Work orders. Whenever any use or activity in violation of the Stanwood Municipal Code threatens the health and safety of the occupants of the premises or any member of the public, the Director may issue an administrative order to immediately cease any work or activity that is causing a violation or a public nuisance.
- (3) Supplemental orders. The Director may at any time add to, rescind in part, or otherwise modify an administrative order by issuing a supplemental order.
- (4) Final orders. An administrative order becomes final if it is not timely appealed, or if it is timely appealed and not stayed or reversed.

### 13.30.020 Contents of Orders

**i** Existing 13.01.040 Time to comply.

An administrative order must contain the following:

- (1) The name and address of the property owner, the person in possession of the property, and any other person responsible for the violation or condition.
- (2) The street address or description of the property sufficient for identification of the location where the violation occurred or condition is located.
- (3) A statement that the Director has identified a public nuisance or found a violation of specific code sections, permit condition, stop work order, or other administrative order.
- (4) For stop work orders:
  - (a) A directive to immediately cease the work or activity until the Director rescinds the order.
  - (b) A statement of the penalties for failure to comply.
- (5) For orders other than stop work orders:
  - (a) A statement of the corrective action required to be taken. If the Director has determined that corrective work is required, the order must require that all necessary permits be secured and the corrective work physically commence within a reasonable time, as determined by the Director, and a reasonable date by which the work must be completed.

- (b) An order to pay civil penalties per SMC 13.40.050.
- (c) A statement that if the corrective action is not commenced or completed within the time specified, the Director may proceed to abate the violation, cause the corrective work to be done, and charge the costs thereof as a lien against the property and as a joint and separate personal obligation of any person in violation.
- (d) A statement of the procedural steps the City may take to ensure compliance if the violation is not corrected consistent with the order.
- (e) A statement that the order is effective upon service or, for stop work orders, when the Director posts it on the subject property or serves it on the persons engaged in the work.
- (f) A statement of the right to appeal an order and the method and deadline for doing so, and that failure to file a timely and complete appeal may constitute a waiver of all rights to appeal the order.

### **13.40.030 Civil Penalties**

- (1) An administrative order may include an order to pay civil penalties assessed as a result of the violation and, if applicable, the conditions on which assessment of such civil penalty are contingent.
- (2) Amount of Civil Penalty.
  - (a) The amount of civil penalty is \$100 per day per violation unless otherwise provided.
  - (b) For a civil violation related to critical areas, as defined in the Stanwood Municipal Code, the Director may impose an additional civil penalty up to:
    - (i) An amount, not to exceed \$25,000, that is reasonable based upon the nature and extent of the violation and the costs to the City of enforcing this Chapter against the violator; or
    - (ii) An amount equal to twice the economic benefit that the violator derived from the violation as measured by the greater of:
      - (A) The resulting increase in the market value of the property or the value received by the violator; or
      - (B) The savings of construction costs realized by the violator derived from the act that constituted the violation.
  - (c) A person found in violation of a new and separate violation within one year of the resolution of a prior related violation may be subject to double the civil penalties normally imposed for such a violation.
  - (d) The Director may reduce the civil penalty based on one or more of the following mitigating factors:
    - (i) The violator showed good faith or substantial progress, or both, in correcting the violation; or
    - (ii) The violator was not the primary cause of the violation.
- (3) Collection of Civil Penalties.
  - (a) An order to pay civil penalties is valid for the penalties accrued as of the date of the order, and for future penalties that accrue until a specified event.
  - (b) The Director may issue a supplemental order for additional civil penalties. That order is appealable only for the additional civil penalties imposed by the supplemental order.
  - (c) Per RCW 19.16.500, the Director may refer orders to pay civil penalties to collection agencies thirty days after service, and may add a reasonable fee to cover the costs of collection.
- (4) Payment of a civil penalty pursuant to this Chapter does not relieve the violator of the duty to correct the violation.

### 13.30.040 Service of Orders—Posting

- (1) All persons identified in the order must be served either personally or by mail.
- (2) If the address of a person cannot reasonably be ascertained, then a copy of the order must be mailed by certified mail, return receipt requested, to such person at the address of the location of the violation and a copy must be posted in a conspicuous location on the premises. The failure of any such person to receive such notice does not affect the validity of any proceedings taken under this Chapter. Service by certified mail is effective on the date of mailing.
- (3) Posting. A copy of the order must also be posted at a conspicuous place on the relevant property that is the subject of a violation, unless posting the notice is not physically possible or poses a risk of harm to the city official.

### 13.30.050 Appeals

**i** This section replaces existing SMC 13.01.070, Review by Hearing Examiner.

- (1) An administrative order issued per this Chapter may be appealed consistent with this section.
- (2) Filing.
  - (a) Who May File. Any person subject to an administrative order issued pursuant to this Chapter may appeal it in writing to the Hearing Examiner.
  - (b) When to File. An appeal must be filed within 14 calendar days of service of the administrative order being appealed.
  - (c) How to File. An appeal must be filed by submitting a Notice of Appeal to the Director on forms provided by the City, with the appeal fee set by City Council resolution.
  - (d) Fees.
    - (i) The City Council will establish a fee schedule for appeals of administrative orders.
    - (ii) If an appellant prevails on their appeal, the City will reimburse the appeal fee paid by appellant.
- (3) Contents. The Notice of Appeal must contain the following:
  - (a) Identification of the order being appealed;
  - (b) The name and address of the appellant and the appellant's interest(s) in the matter;
  - (c) The specific reasons why the appellant believes the order is in error;
  - (d) The requested relief;
  - (e) Identification of any applicable Stanwood Municipal Code sections.
- (4) Automatic Stay. An administrative order other than a stop work order is stayed during an appeal to the Hearing Examiner except when the Director determines that the violation will cause immediate and irreparable harm and so states in the order.
- (5) Standard of Review.
  - (a) The appellant bears the burden of proving that the administrative order was clearly erroneous.
  - (b) The Hearing Examiner may not overturn or modify the Director's order unless he or she finds it was clearly erroneous.
- (6) Hearing.

- (a) The Hearing Examiner must hold a hearing, during regular business hours, to provide opportunities for the parties to be heard on the appeal.
  - (b) Before testifying, any witness, including city staff, must be required to declare that he or she will testify truthfully, by oath or affirmation.
- (7) Decision.
- (a) The Hearing Examiner may affirm, reverse, or modify the appealed order.
  - (b) The Hearing Examiner's written decision must include findings of fact, conclusions of law, and a decision on the appeal.
  - (c) The Hearing Examiner must hold the hearing and provide the written decision on the appeal within 90 days of filing of the Notice of Appeal.
- (8) Reconsideration.
- (a) A party to an appeal may seek reconsideration of the Hearing Examiner's decision by filing a written request for reconsideration, describing the specific errors alleged, within ten days of the date of decision.
  - (b) The Hearing Examiner must consider the request, without public comment or argument by the party filing the request. Reconsideration may be granted only when a material legal error has occurred or a material factual issue has been overlooked that would change the previous decision.
  - (c) A request for reconsideration is not required to exhaust the appellant's administrative remedies.
- (9) Exhaustion of Administrative Remedies.
- (a) The Hearing Examiner's decision is the final decision of the City on the order.
  - (b) The date of final decision is the date the Hearing Examiner issued its decision, unless any party timely requests reconsideration, in which case the date of final decision is the date the Hearing Examiner makes its decision on reconsideration.

### **13.30.060 Violations of administrative orders.**

- (1) If a person to whom an order is directed does not obey the order or does not pay the civil penalty assessed by the order, the Director may pursue any combination of the remedies in SMC Chapter 13.40.
- (2) Any person who removes a posted emergency or stop work order without authorization is guilty of a misdemeanor.
- (3) If a person to whom an order is directed fails to comply with an emergency or stop work order, that person is guilty of a gross misdemeanor. Each day or part thereof of noncompliance with a stop work order is a separate offense.

## **Chapter 13.40 Additional Remedies**

### **13.40.010 Discretion**

The Director may pursue one or more of the remedies described in this chapter to resolve a violation of the Stanwood Municipal Code.

### **13.40.020 Civil infraction**

- (1) In accordance with RCW Chapter 7.80, the Director may issue a class 1 civil infraction to a violator.

- (2) The Director may issue a civil infraction for each day the violation continues.
- (3) The Director may issue a civil infraction in addition to, or as an alternative to, any other judicial or administrative remedy.

### **13.40.030 Voluntary compliance agreement**

**i** This is a new provision with which we have had success in other jurisdictions.

- (1) The City and the violator may enter into a voluntary compliance agreement at any time.
- (2) The Director is authorized on behalf of the City to enter into a voluntary compliance agreement, as provided for in this Section, at any time before the City becomes involved in any lawsuit related to the enforcement action.
- (3) Contents. A voluntary compliance agreement must contain the following:
  - (a) The name and address of the property owner, the person in possession of the property, and any other person responsible for the violation or condition.
  - (b) The street address or description of the property sufficient for identification of the location where the violation occurred or is located.
  - (c) A description of the civil violation and a reference to the specific code provisions that were allegedly violated.
  - (d) A detailed description of the agreed corrective action and the date by which it must be completed.
  - (e) The amount of the civil penalty that will be imposed, if any, pursuant to SMC 13.40.050 if the terms of the voluntary compliance agreement are not met and that the City has a consensual lien against the property for the amount of the civil penalty plus any recording fees and costs.
  - (f) A statement that the City retains the right to enforce the agreement as a matter of contract and retains all other rights and remedies available at law.
  - (g) A statement that if the Director determines that the terms of the voluntary compliance agreement are not met, the Director may proceed with enforcement consistent with this Title.
  - (h) A statement that by entering into the voluntary compliance agreement the violator admits that the conditions described in the voluntary compliance agreement exist and constitute a civil violation.
  - (i) A statement that the violator knowingly, voluntarily, and intelligently waives the right to appeal any current or future administrative order arising from the same conditions or violations, including current or future civil penalties associated with the same conditions or violations.
- (4) The Director may grant an extension of the time limit for compliance or a modification of the required corrective action if the violator has shown due diligence or substantial progress in correcting the violation and the circumstances support such an extension.

### **13.40.040 Certificate of non-compliance**

**i** This is a new provision with which we have had success in other jurisdictions.

- (1) After an administrative order becomes final, the Director may record with the County Auditor a certificate of non-compliance against any real property subject to the order.
- (2) The certificate of non-compliance must describe:
  - (a) the date of the order;

- (b) the property subject to the order;
  - (c) the violation;
  - (d) the amount of unpaid civil penalties;
  - (e) the method of releasing the certificate of non-compliance.
- (3) Upon request of the property owner or violator, the Director must record a release of the certificate of non-compliance if:
- (a) The administrative order is satisfied;
  - (b) All civil penalties are paid; and
  - (c) All costs associated with recording the certificate of non-compliance and the release of the certificate of non-compliance are paid.

### **13.40.050 Abatement**

- (1) After an administrative order becomes final, if the required corrective work is not commenced or completed within the time specified in the order, the City may abate a violation itself.
- (2) If a violation poses an imminent threat to health or safety or to the environment, the City may abate the violation itself without prior notice to the property owner.
- (3) When the city abates the violation itself it may charge the costs of abating the violation as a public nuisance lien against the property.
- (4) When the City abates unfit dwellings, buildings, structures, or property following the procedures in this Title and RCW 35.80.030, the Director may ask the County Treasurer to charge the costs of abatement as an assessment upon the tax rolls against the real property.
  - (a) The Director is the municipal officer designated and authorized to exercise the powers necessary to carry out the purposes authorized by RCW 35.80.030.
  - (b) The Hearing Examiner is the appeals commission designated to hear and decide appeals within sixty days of date of filing, as required by RCW 35.80.030(1)(g).

### **13.40.060 Settlement**

The Director may, with the advice and consent of the City Attorney, enter into negotiations with parties in an enforcement action or named in a lawsuit under this Title or their legal representatives, for the purposes of negotiating a settlement to such action or lawsuit. The settlement may include a compromise regarding the collection of civil penalties but must consider the interests of the public and be in the best interests of the City.

### **13.40.070 Alternative Remedies**

**i** This section replaces existing SMC 13.01.110.

In addition to any other penalty or method of enforcement, the City Attorney may bring actions for legal, equitable, injunctive, or other relief to enforce the Stanwood Municipal Code.