

## ORDINANCE 1268

**AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, AMENDING TITLE 17 SMC ZONING, CHAPTER 17.20 DEFINITIONS, CHAPTER 17.65 MB-II (MAINSTREET BUSINESS) ZONING DISTRICT, AND CHAPTER 17.105 OFF-STREET PARKING AND LOADING STANDARDS AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the Stanwood City Council approved a work program on August 13, 2009 for review of community center standards and allowed use provisions in the Main Street Business II zone and referred that work program to the Planning Commission for review; and

**WHEREAS**, the Planning Commission held a pre-application meeting to consider these issues on January 21, 2010; and

**WHEREAS**, the Community Development Department filed Application LZCA 10-04 on January 26, 2010; and

**WHEREAS**, the City of Stanwood SEPA Responsible Official issued a threshold determination of non-significance on January 27, 2010; and

**WHEREAS**, on February 22, 2010 and March 8<sup>th</sup>, a public hearing was held by the Planning Commission, and all persons wishing to provide public input concerning the docketed requests were heard; and

**WHEREAS**, public notice of the above-referenced public hearing was provided as required by law; and

**WHEREAS**, the Planning Commission made a recommendation to the City Council on March 8, 2010; and

**WHEREAS**, the City Council met on May 13 to consider the Planning Commission's recommendation on the proposed zoning text amendments; and

**WHEREAS**, pursuant to RCW 36.70A.106, the City has notified the Washington State Department of Commerce of the City's intent to adopt the proposed change in regulations;

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

**Section 1.** SMC-Title 17 SMC Zoning, Chapter 17.20, Definitions, **Section 17.20.600 Community Center** is hereby amended to read as follows:

**17.20.600 Community center.**

“Community center” means a building or buildings and related grounds used for social, civic, or recreational purposes and owned and operated by a ~~private~~-nonprofit institution or organization ~~servicing the community in which it is located~~ and open to the general public on an equal basis and providing activities such as classes, meetings, meals, counseling, daycare/senior care or similar functions . A community center may also include activities such as outdoor or indoor recreation and community gardens. where no activities are carried on for gain.

**Section 2.** Title 17 SMC Zoning, Chapter 17.65 MB-II (Main Street Business) Zoning District, **Section 17.65.020 Permitted Uses** is hereby amended to read as follows:

**17.65.020 Permitted uses.**

The following uses shall be permitted in this zone:

- (1) Residential. Buildings occupied or intended to be occupied exclusively for residential purposes and supporting activities.
  - (a) Group homes;
  - (b) Home occupations;
  - (c) Accessory buildings/structures (except accessory dwelling units);
  - (d) Boarding/rooming houses;
  - (e) Mixed use (second and third story residential over commercial and/or office development);
  - (f) Attached dwellings; and
  - (g) Multiple-family dwellings.
- (2) Hotels and Guest Houses. Any building used or intended to be used, rented, or hired out to be occupied for sleeping purposes by guests.
  - (a) Apartment hotels;
  - (b) Hotels;
  - (c) Bed and breakfast residences;
  - (d) Bed and breakfast inns;
  - (e) Guest houses;
  - (f) Accessory buildings/structures.
- (3) Retail Trade Establishments. Establishments primarily engaged in providing finished products to individuals.
  - (a) Apparel and accessories shops;
  - (b) Books and stationery stores;
  - (c) Confectionery shops;
  - (d) Handicraft, craft, and artisan shops and studios;
  - (e) Dairy products stores;
  - (f) Electrical and electronic products stores;
  - (g) Furniture stores;
  - (h) Grocery stores;
  - (i) Gift shops;

- (j) Household items stores;
- (k) Office furnishings and equipment stores;
- (l) Artist and drawing supplies stores;
- (m) Photographic equipment/camera shops;
- (n) Sporting goods stores;
- (o) Retail food establishments (all types);
- (p) Jewelry shops;
- (q) Pharmacies;
- (r) Pawnshops;
- (s) Theaters, art galleries, and museums;
- (t) Boutiques;
- (u) Bars, taverns, and cocktail lounges;
- (v) Bakeries;
- (w) Parking lots or structures;
- (x) Accessory buildings/structures;
- (y) Shopping centers;
- (z) Plant nurseries;
- (aa) Home building supplies;
- (bb) Automobile service stations/car washes;
- (cc) Food banks;
- (dd) Thrift stores.

(4) Personal Service Establishments. Establishments primarily engaged in providing services to individuals.

- (a) Barber shops;
- (b) Beauty salons;
- (c) Private clubs;
- (d) Health/athletic clubs;
- (e) Bicycle repair shops;
- (f) Shoe repair shops;
- (g) Tailors;
- (h) Opticians;
- (i) Laundromats/laundry and dry cleaning establishments;
- (j) Daycare centers and mini daycare facilities;
- (k) Veterinarians (not to include outdoor animal kennels/runs);
- (l) Funeral homes/mortuaries;
- (m) Banks;
- (n) Health care facilities/doctor's and dentist's offices; and
- (o) Accessory buildings/structures.

(5) Business or Professional Service Establishments. Establishments primarily engaged in rendering services to businesses or private individuals on a contract or fee basis.

- (a) Advertising agencies;
- (b) Legal services;
- (c) Accounting services;
- (d) Finance, insurance, and real estate services;
- (e) Employment services;

- (f) Travel agencies;
- (g) Professional consultants;
- (h) Off-set printing and publishing/photocopying/photo processing services;
- (i) Accessory buildings/structures.

(6) Government Services, Public Utilities, and Quasi-Public Facilities. Government agencies that provide executive, legislative, judicial, regulatory, and administrative functions to the city. Auxiliary facilities that provide electricity, sanitary sewers, water, transportation, communications, and other related services for public consumption. Quasi-public facilities under this heading shall include houses of worship and other meeting facilities for the public, but shall not include educational facilities (except Sunday schools).

- (a) Post offices;
- (b) Courthouses;
- (c) Government offices;
- (d) Public safety (police/fire) stations;
- (e) Libraries;
- (f) Electrical substations;
- (g) Houses of worship;
- (h) Electrical transmission lines;
- (i) Public transit terminals;
- (j) Public meeting halls;
- (k) ~~Accessory buildings/structures.~~ Community Centers; and
- (l) Accessory building/structures.

(7) Recreational Facilities. Active or passive recreational areas or establishments engaged in providing amusement or entertainment services.

- (a) Urban parks;
- (b) Playgrounds;
- (c) Tot lots;
- (d) Night clubs;
- (e) Game/video arcades.; and
- (f) Community gardens

(Ord. 1164 § 4, 2004; Ord. 1110 § 3, 2002; Ord. 929 Ch. 7(H)(2), 1995).

**Section 3.** Title 17 SMC Zoning, Chapter 17.105 Off-Street Parking and Loading Standards, **Section 17.105.140 Minimum required off-street parking spaces** is hereby amended by amending the Table of Off-Street Parking Requirements to read as follows:

**Table of Off-Street Parking Requirements**

Use	Parking Requirement
Residential Development	
Single-Family Detached Dwelling	2 spaces per dwelling unit
Two-Family Dwelling Units	2 spaces per dwelling unit, except that one bedroom units shall require 1.5 spaces

Attached Housing	2 spaces per dwelling unit, except that one bedroom units shall require 1.5 spaces
Group Homes	1.5 spaces for each bed
Boarding/Rooming Houses	1 space per bedroom
Accessory Dwelling Unit	1 space per dwelling unit
Manufactured Homes	2 spaces per manufactured home unit
Bed and Breakfast Accommodations	1 space for each room for rent, plus 2 spaces for the principal residential use
Hotels and Guest Homes	1 space for each room available for rent, plus 1 space for each 2 employees, plus space to accommodate 50% of the rated capacity of all banquet/meeting rooms, plus 50% of the required parking for retail food establishments (if any were provided)
Mobile Home Parks	2 spaces for each unit, plus 1 guest space for every 5 units
Multifamily Residential:	
Studio and one bedroom	1.5 spaces for each unit, plus 1 guest space for every 5 units
Two bedrooms	2 spaces for each unit, plus 1 guest space for every 5 units
Three or more bedrooms	2.5 spaces for each unit, plus 1 guest space for every 5 units
Senior Apartments	1 space for each unit, plus 1 uncovered space for 5 units for guest parking
Senior Assisted Living	0.75 space for each unit
Retail Commercial Establishments	
Convenience Stores	1 space per 150 square feet of retail floor area
Grocery Stores/Supermarket/Drug Store/General Merchandise	1 space per 200 square feet of retail floor area
Retail Food Establishments (no drive-in or fast food)	1 space per 200 square feet of gross floor area
Retail Food Establishment (drive-in or fast food)	1 space per 400 square feet of gross floor area
Auto Service Station	1 space per 200 square feet of gross floor area, plus sufficient space to accommodate vehicles at pumps without interfering with other parking

	spaces
Auto Repair/Maintenance/Tire Replacement	1 space per 200 square feet of gross floor area
Professional Service Establishments	1 space per 300 square feet of gross floor area
Adult Business	1 space for each 200 square feet of gross floor area, plus 1 space for each employee
Bowling Alley	3 spaces per lane
Driving Range	3 spaces, plus 1 space per tee
Golf Course	6 spaces per hole, plus as required for incidental uses (i.e., pro shop, bar, banquet room, etc.)
Miniature Golf Course	3 spaces per hole, plus as required for incidental uses (i.e., game room, food service, etc.)
Tennis/Racquetball and All Sports Courts	3 spaces per court, plus as required for incidental uses
RV Parks, Theme Amusement	1 space for each recreational vehicle space
Recreational Parks, Skating Rinks	Determined at project review
Video Arcade	1 space per 200 square feet of area
Art/Dance Studio	1 space per employee, plus 1 space per 2 students at maximum capacity
Barber Shop/Beauty Parlor	2.5 spaces for each chair or station
Bed and Breakfast, Inn or similar	1 space per bedroom, plus 2 for each residential unit
Carwash – Full Service	1 space per every 3 employees on the maximum shift, plus reservoir capacity equal to 2 times the capacity of the washing operation (the length of the conveyor divided by 20)
Carwash – Self Service	2 spaces per stall, plus 2 spaces queuing lane in front of each stall
Furniture/Appliance Stores	1 space for each 500 square feet of gross floor area, of sale floor display area, plus 1 space for each 2,500 square feet of gross floor area of warehouse storage
Health Clubs	1 space for each 200 square feet of gross floor area
Indoor Retail Concession Mall	1 space for each 200 square feet of gross floor area, plus 1 space for each vendor

Automotive Lube Tune-Up	1 space per bay, plus 1 space for each employee, plus 2 space queuing lanes for each bay
Marinas	1 space for every boat slip moorage, plus additional spaces as required by this section for other individual uses on the property (office, retail, etc.)
Multitenant Auto-Related	1 space for each 200 square feet of gross floor area, plus 1 facility space for each employee
Delicatessen/Donut Shop	1 space for each 100 square feet of gross floor area
Retail Nursery/Garden Shop	1 space for each 500 square feet of indoor display area, plus 1 space for each 2,500 square feet of outdoor display area
Vehicle Sales	1 space for each 400 square feet of gross floor area for showroom and office, plus 1 space for each 2,000 square feet of outdoor display area, plus 1 space for each 500 square feet of gross floor area for vehicle repair, plus 1 space for each 300 square feet of gross floor area for the parts department
All Other Commercial Uses Not Listed Above	1 space for each 400 square feet of gross floor area
<b>Educational Facilities</b>	
Preschools/Daycare	1 space per classroom, plus 1 space for each 10 students (based on the rated capacity of the facility)
Elementary Schools	1.75 spaces per classroom, plus 1 space for each 8 students (based on the rated capacity of the facility)
Middle Schools	1.75 spaces per classroom, plus 1 space for each 6 students (based on the rated capacity of the facility)
High Schools	2 spaces per classroom, plus 1 space for each 4 students (based on the rated capacity of the facility)
Business/Trade/Vocational	1 space per 200 square feet of gross floor area
<b>Industrial Uses</b>	
Auto Dismantling/Junk Yards/Recycling Centers	1 space for each 300 square feet of gross building area, plus 1 space for every 10,000 square feet of

	gross yard area
Industrial/Warehousing	For each structure
1 – 3,000 square feet	1 space for each 250 square feet of gross floor area
3,001 – 5,000 square feet	1 space for each 500 square feet of gross floor area
5,001 – 10,000 square feet	1 space for each 750 square feet of gross floor area
10,001 – 50,000 square feet	1 space for each 1,000 square feet of gross floor area
50,001 + square feet	1 space for each 1,250 square feet of gross floor area
Ministorage	1 space per 300 square feet of office space, plus 1 per employee, plus 1 per residential/manager's unit
<b>Public and Institutional Facilities</b>	
<u>Community Centers</u>	<p>For facilities less than 15,000 sq. ft, the following standard shall apply:</p> <p><u>1 space per 600 square feet gross floor area minimum.</u></p> <p><u>1 space per 400 maximum, plus one space per employee based on the of-the maximum shift of employees.</u></p> <p><u>For facilities greater than 15,000 sq. ft that include multipurpose activity areas, the following standard apply:</u></p> <p><u>1/300 for office space.</u></p> <p><u>1/100 for weight room/workout/dance space.</u></p> <p><u>1/150 for multipurpose activity space.</u></p> <p><u>1/100 restaurant cafeteria space.</u></p> <p><u>1/employee tbased on the maximum shift of employees.</u></p>
Hospitals/Health Care Facilities	1 space per bed, or 1 space per 250 square feet of gross floor area (whichever is greater)
Nursing Care Facilities/Senior Congregate/ Intermediate Care for the Infirm	1 space per 2 beds, plus 3 spaces for every 4 employees
Post Offices	1 space per 100 square feet of gross floor area
Government Offices/Courthouses	1 space per 250 square feet of gross floor area



Public Safety Facilities	1 space per 200 square feet of gross floor area
Churches, Conference/Meeting Facilities, Mortuaries, Theaters, Sanctuary, Auditoriums	1 space per 4 fixed seats, or 1 space for each 50 square feet of nonfixed seating area in the principal conference space or auditorium, whichever is greater
Libraries, Museums, Art Galleries	1 space per each 300 square feet of gross floor area
Residential Clubs, Rooming Houses and Similar Facilities with Guest Rooms	1 space for each 2 guests
Retirement Homes	1 space for each 1.5 living units
Recreational Facilities	
Parks and Recreational Areas	1 space per 5,000 square feet of land area
Sports Stadiums (Including Gymnasium)	1 space for every 4 seats, plus 10 bus parking spaces
Other Facilities/Development	
Veterinarians/Kennels/Animal Hospitals	1 space per 300 square feet of gross floor area
Doctor's/Dentist's Offices	5 spaces per practitioner
Dry Cleaners/Laundromats	1 space per 400 square feet of gross floor area
Manufacturing/Assembling	1 space for every 2 employees on maximum shift, or 1 space per 500 square feet of gross floor area (whichever is greater)
Greenhouse/Nursery Operations	1 space per 1,000 square feet of lot area used for storage, display, or sales, plus 1 space per 400 square feet of gross floor area

(Ord. 1110 § 3, 2002; Ord. 978, 1997; Ord. 972, 1996; Ord. 929 Ch. 10(C)(14), 1995).

**Section 4.**

Having reviewed all of the record made before the Planning Commission and the record before the City Council, the Findings of Fact and Conclusions attached hereto as Exhibit A are hereby adopted and incorporated by this reference.

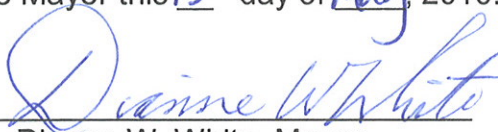
**Section 5.**

If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

**Section 6.**

This Ordinance shall take effect five days after its publication by summary.

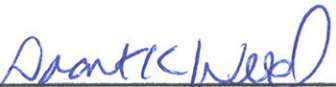
PASSED by the City Council and signed by the Mayor this 13<sup>th</sup> day of May, 2010.

By:   
Dianne W. White, Mayor

Attest:

Approved as to form:

By:   
Melissa A. Collins, City Clerk

By:   
Grant K. Weed, City Attorney

## FINDINGS OF FACT AND CONCLUSIONS

### Findings of Fact:

1. August 13, 2009 the Stanwood City Council approved a work program for the definition of "community center" and review of the zoning districts allowing "community center" as a permitted use, and referred that work program to the Planning Commission for review.
2. The work program was processed by the City as file # LZCA 10-01.
3. The Planning Commission held a duly noticed public hearing on February 22, and March 8, 2010 to consider amendments to
4. The amendments to the add "community center" and "community garden" sections of code are consistent with the Comprehensive Plan in that they add to a mix of residential, office, retail, entertainment and service uses in the downtown center and implement policy *LUP 4.1*.
5. The amendments that add a parking standards are consistent with the Comprehensive Plan Policy LUP 4.6 in that they establish urban rather than suburban standards. In addition they encourage redevelopment of property by creating more flexible standards based on building size.
6. The amendments that establish minimum and maximum parking requirements are consistent with the Comprehensive Plan Policy LUP 4.6 in that they work together with the offsite parking allowances and shared parking provisions of the existing code to promote a more urban rather than suburban style of development.
7. Consistent with RCW 43.21C, the Responsible Official issued a Determination of Non-significance January 27, 2010.
8. At its regularly scheduled City Council meeting, May 13, 2010, after review of the application, staff report, and Planning Commission recommendation and after consideration of the public testimony submitted at or as part of the public hearing, the City Council held first and second reading of Ordinance No. 1268.
9. Pursuant to RCW 36.70A.106, the City has notified the Washington State Department of Commerce of the City's intent to adopt the proposed change in zoning text amendments.

### Conclusions/Decision:

1. Based upon the entire record in this matter, which shall be incorporated by reference, the Stanwood City Council adopts the following conclusions and decisions.
2. Amend the definition of community center to allow provision of fee based classes and to add indoor and outdoor recreation and community garden.
3. Add the community center use to the MBII zone.
4. Add "community garden" to allowed uses under the recreation category.
5. Adopt a minimum and maximum parking standard for using two standards: one for center less than 15,000 sq. ft and one for larger facilities.
  - a. Facilities less than 15, 000 sq. ft
    - i. Minimum 1/600 sq. ft.
    - ii. Maximum 1/400 sq. ft
    - iii. Plus one space/employee of the maximum shift
  - b. Facilities greater than 15.000 sq. ft
    - 1/300 for office space
    - 1/100 for weight room/workout/dance space
    - 1/150 for multipurpose activity space
    - 1/100 restaurant cafeteria space
    - Plus 1/employee at maximum shift.