

CITY OF STANWOOD
Stanwood, Washington

ORDINANCE 1380

AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, REPEALING STANWOOD MUNICIPAL CODE (SMC) SECTION 16.15.020 REGARDING PREAPPLICATION MEETING WITH THE PLANNING COMMISSION; AMENDING SMC 16.15.100 REGARDING PLANNING COMMISSION REVIEW; AMENDING SMC 17.20.070 "F" DEFINITION BY ADDING A NEW DEFINITION FOR FEED AND FERTILIZER OPERATION AND AMENDING THE DEFINITION FOR FENCE; AMENDING SMC 17.30.040 ZONING TABLE BY ADDING AUTO SERVICES AS A PERMITTED USE IN THE GENERAL INDUSTRIAL ZONE AND ADDING FEED AND FERTILIZER OPERATIONS AS A PERMITTED USE IN THE INDUSTRIAL ZONE; ADDING DAYCARE CENTER AS A PERMITTED USE IN THE SR 7.0 ZONE ALONG WITH AMENDING FOOTNOTE 12 TO CLARIFY THE SIZE OF LOT TO ACCOMMODATE A DAYCARE CENTER; ADDING AUTO PARTS TO THE GENERAL INDUSTRIAL AS A PERMITTED USE; AMENDING SMC 17.60.040(1) and(2) COMMERCIAL AND INDUSTRIAL DEVELOPMENT STANDARDS FEED AND FERTILIZER OPERATION HEIGHT BY ADDING A NEW FOOTNOTE 8; AND ESTABLISHING SEVERABILITY AN EFFECTIVE DATE.

WHEREAS, under the State Growth Management Act (GMA), the City is authorized to adopt concurrent zoning code amendments to implement its Comprehensive Plan; and

WHEREAS, amendments to the zoning code are required to ensure consistency with the Comprehensive Plan; and

WHEREAS, the development regulation amendment procedures contained in this ordinance are consistent with the procedural guidelines for amendments to the development regulations of the City; and

WHEREAS, on June 23, 2014 the Stanwood Planning Commission reviewed the amendments set forth in this Ordinance during the amendment process; and

WHEREAS, the City of Stanwood SEPA Responsible Official reviewed the amendments and issued a Determination of Non-significance (DNS) on July 1, 2014; and

WHEREAS, on July 28, 2014, following notice as required by law, a public hearing was held by the Planning Commission and all persons wishing to provide public input concerning the proposed amendments set forth in this Ordinance were heard; and

WHEREAS, public notice of the SEPA DNS and the above-referenced public hearing were provided as required by law; and

WHEREAS, the City Council received the recommendation from the Planning Commission at their September 11, 2014 regular meeting and provided direction on each of the proposed amendments contained in this Ordinance; 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 amendments to the zoning code; and

WHEREAS, the City Council has determined that it is in the best interests of the City to amend Title 16 and Title 17, all related to zoning and development as contained in this Ordinance;

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

Section 1. SMC § 16.15.020 Pre-application meeting with the Planning Commission is hereby repealed.

~~“16.15.020 Pre-application meeting with the planning commission~~

~~Additionally, a meeting shall be scheduled between the applicant and the planning commission to review the preliminary plat. This meeting shall be held following the conference described in SMC 16.15.010 and shall include those city staff personnel who shall have substantial roles in the administering of the development of the subdivision. (Ord. 1110 § 2, 2002).”~~

Section 2. SMC § 16.15.100 Planning Commission review is hereby amended to read as follows:

“16.15.100 Planning Commission review.

The Planning Commission shall hold an informal public meeting with the applicant to review the preliminary plat to hear a report from the planning director and take public comment on any preliminary plat application. The planning commission shall review the plat for conformance with the criteria listed in SMC 16.15.090. City staff shall make a presentation on the preliminary plat. The applicant shall also be given the opportunity to provide a presentation to the Commission. The public shall be given an opportunity to comment. Following the Planning Commission review, they shall ~~The planning commission shall make a recommendation to the hearing examiner to deny, approve, or condition the approval of any application~~ provide comments to City staff on the proposed plat conformance with SMC 16.15.090 and outline comments heard from the general public. City staff will provide the applicant with a summary report of this meeting. Notification of the meeting shall be done in conformance with SMC 17.85.010. Said informal meeting shall NOT be considered an open record hearing pursuant to RCW 36.70 B.020(3) and is not intended to supplant the open record hearing to be conducted by the City Land Use Hearing Examiner. (Ord. 1110 2, 2002).”

Section 3. SMC § 17.20.070 “F” definitions, "Feed and Fertilizer Operation" is hereby added as follows:

“Feed and fertilizer operation” means a business which produces feed and/or fertilizer typically for the purpose of agricultural use.”

Section 4. SMC § 17.20.070 “F” definitions, "Fence" is hereby amended as follows:

““Fence” means any artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land. ~~and that is six feet high or less.~~”

Section 5. SMC § 17.30.040 Zoning use table is hereby amended by adding the following:

Under Auto Services “Auto sales and services, new” shall be a Permitted³⁸ use under General Industrial (GI).

Section 6. SMC § 17.30.040 Zoning use table is hereby amended by adding the following:

Under Auto Services “Auto sales and services, used” shall be a Permitted³⁸ use under General Industrial (GI).

Section 7. SMC § 17.30.040 Zoning use table is hereby amended by adding the following:

Under Industrial “Feed and fertilizer operation” shall be a Permitted use under General Industrial (GI).

Section 8. SMC § 17.30.040 Zoning use table is hereby amended by adding the following:

Under Personal Service “Daycare center” shall be a Permitted¹² use under SR 7.0.

Section 9. SMC § 17.30.040 Zoning use table is hereby amended by adding the following:

Under Retail Trade Establishments “Auto parts” shall be a Permitted²² use under General Industrial (GI).

Section 10. SMC § 17.30.050 Zoning use conditions is hereby amended by adding the following:

“(12) All daycare uses shall comply with the daycare facilities requirements provided in SMC 17.95.382. Family daycare shall require a home occupation permit. Daycare centers are limited to a minimum land area of 10,000 square feet in the SR 5.0 zone and 30,000 square feet in the SR 7.0 zone.”

Section 11. SMC § 17.60.040(1) Development Standards Table – Commercial and Industrial Zones is hereby amended by adding the following:

Add a new footnote 8 Base Standard under GI

	NB	GC	LI	GI
Maximum Height				
Base Standard	30'	35'	35'	35' ^{6,8}
Detached Accessory Structure	20'			30'

Section 12. SMC § 17.60.040(2) Development Conditions – Commercial and Industrial Zones is hereby amended by adding the following:

“8. Height may be increased to 80-feet for feed and fertilizer operations abutting railroad corridors for silos and grain elevator structures only.”

Section 13. Severability. The various parts, sections and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 14. Effective Date. This Ordinance shall take effect from and after five (5) days after its passage and publication as required by law.

PASSED AND APPROVED by the Stanwood City Council this 9th day of October 2014.

CITY OF STANWOOD



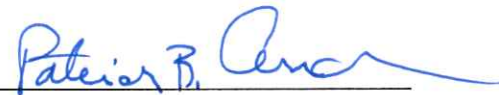
Leonard Kelley, Mayor

ATTEST:

By: 

Greg Thrumer, City Clerk

APPROVED AS TO FORM:

By: 

Grant Weed, City Attorney

Date of Publication: October 14, 2014

Effective Date: October 19, 2014