

**CITY OF STANWOOD
WASHINGTON**

ORDINANCE NO. 1455

AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, AMENDING STANWOOD MUNICIPAL CODE (SMC) SECTION 17.20.030 “B” DEFINITIONS - “BED AND BREAKFAST HOUSE OR INN” AND “BED AND BREAKFAST RESIDENCE”; 17.30.040 ENTITLED “ZONING USE TABLE” RELATING TO PERSONAL SERVICES; AND SUBSECTION 17.30.050(6) ZONING USE CONDITIONS; ESTABLISHING SEVERABILITY AND 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 amendments contained in this Ordinance are consistent with the procedural guidelines for amendments to the development regulations of the City; and

WHEREAS, on November 13, 2017 and January 22, 2018 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 November 21, 2017; and

WHEREAS, on January 22, 2018, 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 Planning Commission made a recommendation concerning proposed amendments; and

WHEREAS, the Community Development Committee reviewed the edits recommended by the Planning Commission at their February 8, 2018 and at their March 8, 2018 meetings; and

WHEREAS, the City Council reviewed the recommendation of the Planning Commission and the Committee at their March 22, 2018 regular meeting; 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 asked for expedited review of those amendments contained in this Ordinance; and

WHEREAS, the City Council has determined that it is in the best interests of the City to amend the zoning use table;

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

Section 1. SMC Section 17.20.030 entitled "B" Definitions - "Bed and breakfast house or inn" and "Bed and breakfast residence" definitions are hereby amended to read as follows (all other definitions in SMC Section 17.20.030 entitled "B" Definitions remain in effect and unchanged):

17.20.030 "B" definitions

"Bed and breakfast house or inn" means a building other than a hotel or nursing home where meals and short-term lodging of more than ~~two~~ four rooms are provided for compensation to guests and other transient persons.

"Bed and breakfast residence" means a building other than a hotel or nursing home where meals and short-term lodging of ~~two~~ four rooms or less are provided for compensation to guests and other transient persons.

Section 2. SMC Section 17.30.040 entitled “Zoning use table” subsections for “Hotels and Guesthouses” and “Personal Services” are hereby amended to read as follows (all other provisions of SMC Section 17.30.040 entitled “Zoning use table” remain in effect and unchanged):

17.30.040 Zoning Use Table

KEY:

Blank = Not Permitted

AC = Accessory Use

ADC = Administrative Conditional Use

C = Conditional Use

P = Permitted Use

AEO = Adult Entertainment Overlay

HO = Historic Overlay

TO = Transit Overlay

MPO = Master Plan Overlay

MXO = Mixed Use Overlay

Land Use	SR 12.4	SR 9.6	SR 7.0	SR 5.0	MR	TN	MB-I ^{2a}	MB-II	NB	GC	LI	GI
Personal Services												
Assisted/independent living					C18	C		P11, P18		P18		
Barber shop, beauty shop					P39MXO	P	P	P	P	P, P39 MXO		P37TO
Daycare center			P12	P12	P12	P12	P12	P12	P12	P12, P39 MXO		P37TO
Daycare, family	AC12	AC12	AC12	AC12	P12		P37TO	P	P12	P12, P39 MXO		P37TO
Daycare, mini				P12	P12	P12	P12	P12	P12	P12, P39 MXO		
Dry cleaner					P39MXO	P35	P	P	P	P, P39 MXO	P	P
Equipment rental								P		P, P39 MXO	P	P
Funeral home							P	P		P, P39 MXO	P	
Health/athletic club					P39MXO		P	P		P, P39 MXO	P	
Janitorial service					P39MXO			P			P	P
Laundromat					P39MXO	P35	P	P	P	P, P39 MXO	P	P37TO
Optician					P39MXO	P	P	P	P	P, P39 MXO		P37TO
Massage clinic/center							P	P		P, P39 MXO		
Medical marijuana collective gardens							ADC	ADC		ADC	ADC	

Photo processing service								P	P	P	P, P39 MXO	P	
Photocopy/private mail center								P	P	P	P, P39 MXO		
Printing and publishing								P	P	P	P, P39 MXO	P	
Private clubs								P	P	P	P, P39 MXO		
Tattoo parlors								<u>P</u>	P	P	<u>P</u>		P
Travel agencies								P	P	P			
Video sales and rental								P37TO	P	P	P, P39 MXO	P37TO	P37TO
Other uses determined to be consistent with the definition of "personal service" as determined in this code								P51HO					

Section 3. SMC Subsection 17.30.050(6) is hereby amended to read as follows (All other provisions of SMC Section 17.30.050 entitled "Zoning use conditions" remain in effect and unchanged):

17.30.050 Zoning use conditions.

(6) A business license and compliance with conditions in SMC 17.100.060 for permitting a bed and breakfast use are required. Bed and breakfast residence use is limited to ~~two~~ four rooms per residence. Bed and breakfast inn use is limited to six rooms in the SR 5.0 zone, with the exception of 10 rooms in the MR zone and 16 rooms in the GC zone.

Section 4. 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 5. 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 12th day of April, 2018.

CITY OF STANWOOD



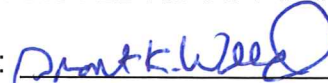
Leonard Kelley, Mayor

ATTEST:

By: 

David A. Hammond, City Clerk

APPROVED AS TO FORM:

By: 

Grant Weed, City Attorney

Date of Publication: 4-17-2018
Effective Date: 4-22-2018