

**CITY OF GRANITE FALLS**

**ORDINANCE NO. 883-2014**

**AN ORDINANCE OF THE CITY OF GRANITE FALLS, WASHINGTON, CONCERNING THE 2014 ANNUAL DOCKET AMENDMENTS TO THE CITY OF GRANITE FALLS COMPREHENSIVE PLAN FUTURE LAND USE MAP AND THE CITY OF GRANITE FALLS ZONING MAP AND AMENDMENTS TO TITLE 19 OF THE GRANITE FALLS MUNICIPAL CODE; MAKING FINDINGS OF FACT; AND THE FOLLOWING AMENDMENTS:**

- 1. AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP DESIGNATION FROM CENTRAL BUSINESS DISTRICT TO DOWNTOWN RESIDENTIAL AND THE CITY ZONING MAP DESIGNATION FROM CENTRAL BUSINESS DISTRICT (CBD) TO DOWNTOWN RESIDENTIAL (DT-2500) FOR PROPERTIES LOCATED AT 105, 107, AND 109 PIONEER STREET IN GRANITE FALLS, WASHINGTON, 98252;**
- 2. AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP DESIGNATION FROM CENTRAL BUSINESS DISTRICT AND MEDIUM DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL AND THE CITY ZONING MAP DESIGNATION FROM CENTRAL BUSINESS DISTRICT (CBD) AND RESIDENTIAL 7,200 (R-7200) TO RESIDENTIAL 7,200 (R-7200) FOR PARCEL NO. 300613300404200, A VACANT LOT LOCATED IMMEDIATELY SOUTHWEST OF THE PILCHUCK STREET AND GRANITE AVENUE INTERSECTION IN GRANITE FALLS, WASHINGTON 98252;**
- 3. AMENDING THE ZONING MAP TO REMOVE CITY ZONING DESIGNATIONS FROM UNINCORPORATED AREAS OF THE GRANITE FALLS URBAN GROWTH AREA, TO CORRECT ERRORS IN THE URBAN GROWTH AREA BOUNDARY; AND TO ADD QUARRY ROAD;**
- 4. AMENDING GFMC 19.02.040 D TO ADD “DWELLING” TO THE TITLE OF THE DEFINITION FOR DUPLEX, EXPAND THE DEFINITION OF DWELLING UNIT AND CHANGE THE NUMBER OF UNITS IN THE DEFINITION OF MULTI-FAMILY DWELLING FROM TWO TO FOUR;**
- 5. AMENDING GFMC 19.02.190 S TO ADD “DETACHED” TO THE DEFINITION OF SINGLE-FAMILY DWELLING;**
- 6. AMENDING GFMC 19.02.200 T TO ADD A DEFINITION FOR “TRIPLEX DWELLING”;**
- 7. AMENDING GFMC 19.03.080(D) – MINIMUM LOT SIZE TO DELETE REFERENCE TO DENSITY;**
- 8. AMENDING GFMC 19.03.080 TO ADD SUBSECTION (I) – MAXIMUM DENSITY THAT STATES “MAXIMUM DENSITY IN THE MULTIPLE RESIDENTIAL (MR) ZONE IS NONE. THE DENSITY IS LIMITED BY DEVELOPMENT STANDARDS LIKE PARKING AND LANDSCAPING”;**
- 9. AMENDING GFMC 19.04.070(O)(1) TO REPLACE THE REFERENCE TO THE ANNUAL UPDATE OF THE CAPITAL FACILITIES ELEMENT OF THE COMPREHENSIVE PLAN WITH “UPDATE OF THE SIX-YEAR CAPITAL IMPROVEMENT PROGRAM”;**
- 10. AMENDING GFMC 19.05.010 TO ELIMINATE SUBSECTION (A), A MISPLACED TITLE;**

11. AMENDING GFMC 19.05.020(B)(9)(d)(i) TO REPLACE THE TERM “SENSITIVE AREAS” WITH THE TERM “CRITICAL AREAS”;
12. AMENDING GFMC 19.05.020(E)(2)(g)(ii) TO DELETE THE REFERENCE TO THE PLANNING COMMISSION;
13. AMENDING GFMC 19.06.050(A)(8) TO INCLUDE OFF-STREET PARKING REQUIREMENTS FOR *RETAIL SALES OTHER THAN FOOD STORES & SERVICE STATIONS* AND *FOOD STORES INCLUDING SERVICE STATIONS WITH GROCERIES*;
14. AMENDING GFMC 19.07.040 - PENALTIES AND ENFORCEMENT BY REMOVING THE REGULATIONS UNDER GFMC 19.07.040 AND PLACING SAID REGULATIONS UNDER A NEW CHAPTER, GFMC 19.10, ENTITLED “PENALTIES AND ENFORCEMENT”, AND

**PROVIDING FOR SEVERABILITY; REQUIRING A COPY BE PROVIDED TO THE DEPARTMENT OF COMMERCE; PROVIDING FOR SUMMARY PUBLICATION BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, RCW 36.70A.130(2) requires the City of Granite Falls, a “fully planning” city within Snohomish County to update its Comprehensive Plan and development regulations, as necessary, to reflect local needs, new data and current laws; and

**WHEREAS**, the Granite Falls City Council has determined that certain amendments are necessary to keep the Comprehensive Plan and the development regulations contained in GFMC Title 19 updated and to accommodate the needs of its citizens; and

**WHEREAS**, the Granite Falls City Council has reviewed the amendments contained in this ordinance and finds that these amendments meet the required criteria in Ordinance No. 740-07 and GFMC 19.04.130.E; and

**WHEREAS**, public hearings were held by the City of Granite Falls Planning Commission on June 24, 2014 pursuant to GFMC 19.04.130(E)(5); and

**WHEREAS**, a public hearing was held by the City of Granite Falls City Council on November 5, 2014 pursuant to GFMC 19.04.130(E)(6); and

**WHEREAS**, the requirements of the State Environmental Policy Act (SEPA) RCW Chapter 43.21C have been met;

**NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF GRANITE FALLS, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1. Findings.** The City Council hereby adopts the following findings in support of this Ordinance, together with the recitals expressed herein.

1. RCW 36.70A.470(2) stipulates that all cities planning under the Growth Management Act (RCW36.70A.040) shall provide procedures for any interested citizen or agency to suggest comprehensive plan and development regulation amendments.
2. The suggested amendments pursuant to RCW 36.70A.470(2) are to be docketed and considered on at least an annual basis.

3. The City of Granite Falls docket procedures are provided under GFMC 19.04.130(F).
4. Pursuant to GFMC 19.04.130(F)(1), a notice advertising the Docket opening was published in the City's newspaper of record, the Everett Herald, on August 31, 2013 and posted at the Granite Falls City Hall, Library and US Post Office.
5. The City of Granite Falls submitted the following applications for the 2014 Annual Docket:
  - a. CPA/ZMA2014-001 proposing to change the Comprehensive Plan Future Land Use Map and Zoning Map designations from Central Business District/CBD to Downtown Residential/DT-2500 for the single-family developed lots located at 105, 107, and 109 Pioneer Street, also known as the Burrill Short Plat;
  - b. CPA2014-002 & ZMA2014-002 proposing to change the Comprehensive Plan Future Land Use Map and Zoning Map designations from Central Business District/CBD and Medium Density Residential/R-7200 to Medium Density Residential/R-7200 for a vacant lot located immediately southwest of the Pilchuck Street & N. Granite Avenue intersection;
  - c. ZMA2014-003 proposing to: (1) Remove city zoning designations from parcels and public right-of-ways within Urban Growth Area (UGA), but not within the corporate limits of the City of Granite Falls; and (2) Correct UGA boundary to remove 3 lots not officially located within the UGA; and
  - d. ZCA2014-001 proposing minor Housekeeping amendments to update and clarify terms, titles, and cross references in the City's development regulations.
6. On January 14, 2014, the Planning Commission recommended the proposed Comprehensive Plan Future Land Use Map, Zoning Map, and minor Zoning Code amendments be included in the 2014 Annual Docket.
7. GFMC 19.04.0130(F)(3) requires the City Council to adopt a resolution directing the Designated City Official to proceed with processing of the selected Docket amendments.
8. On February 19, 2014, the City Council adopted Resolution No. 2014-02, a resolution directing the Designated Official to proceed with analysis and processing of the 2014 Comprehensive Plan and Development Regulations Annual Docket as recommended by the Planning Commission.
9. As required under RCW 36.70A.106, the proposed 2014 Annual Docket amendments to the Comprehensive Plan Future Land Use Map, Zoning Map, and development regulations were submitted electronically to the Washington State Department of Commerce on March 20, 2014 to begin the mandated 60-day review & comment period by state agencies. No state agency comments were received during or at the conclusion of the 60-day review & comment period.
10. On January 31, 2014, a Determination of Non-significance (DNS) was issued for the proposed amendments. The DNS was mailed to all owners of property within 300 feet of the subject parcels and published in the Everett Daily Herald. No comments applicable to the proposed amendments were received during the mandatory 14 day comment period and no appeals were filed on or before the February 24, 2014 appeal deadline.
11. On June 10, 2014, the Planning Commission held a work session to review the 2014 Annual Docket applications.
12. GFMC 19.04.130(D)(5) requires the Planning Commission to hold a public hearing for all proposed amendments to the City's Comprehensive Plan and development regulations prior to submitting a recommendation to the City Council to either approve, approve with conditions, or deny the proposed amendments.

13. On June 24, 2014, the Planning Commission held duly advertised public hearings to receive information and public comments regarding the individual 2014 Annual Docket applications.
14. At the conclusion of the deliberations following the close of the public hearings, the Planning Commission adopted findings of fact and recommended the City Council approve the proposed amendments to the Comprehensive Plan Future Land Use Map, Zoning Map, and development regulations.
15. On September 10, 2014, the City Council conducted a work session to review the Planning Commission recommendation and staff analysis regarding the proposed amendments to the Comprehensive Plan Future Land Use Map, Zoning Map, and development regulations in preparation for a public hearing scheduled for November 5, 2014.
16. On October 24, 2014, a public hearing notice in compliance with GFMC 19.04.130(D)(5) and GFMC 19.04.080(C)(1)(a) and (2) was posted at the local U.S. Post Office, City Hall, and Granite Falls Library and on the city's web site notifying the public of the City Council public hearing regarding the proposed amendments to the Comprehensive Plan Future Land Use Map, Zoning Map, and development regulations.
17. On October 24, 2014, the City Council public hearing notice regarding the 2014 Annual Docket proposals was mailed to all owners of property located within 300 feet of the subject properties.
18. On October 24, 2014 a public hearing notice regarding the 2014 Annual Docket proposals was published in the Everett Daily Herald Newspaper.
19. On November 5, 2014, the City Council held a public hearing to consider the Planning Commission recommended amendments to the Comprehensive Plan Future Land Use Map, Zoning Map, and development regulations.
20. On November 5, 2014, the City Council concluded the public hearing, deliberated, adopted findings of fact, and directed staff to prepare an ordinance for consideration that would adopt the amendments to the Comprehensive Plan Future Land Use Map, Zoning Map, and development regulations as recommended by the Planning Commission.

**Section 2. Amendment to Comprehensive Plan Future Land Use Map.** The City of Granite Falls Comprehensive Plan Future Land Use Map is hereby amended as set forth in Attachment A, which is attached hereto and incorporated herein by this reference as if set forth in full.

**Section 3. Amendment to the Granite Falls Zoning Map.** The City of Granite Falls Zoning Map is hereby amended as set forth in Attachment B, which is attached hereto and incorporated herein by this reference as if set forth in full.

**Section 4.** Section 19.02.020 D of GFMC Chapter 19.2, Basic Definitions, is hereby amended to read as follows:

“Date of decision” means the date on which final action occurs and from which the appeal period is calculated.

“Day care center (commercial)” means an establishment licensed by the state, used to provide adult or childcare services during part of the 24-hour day in a facility that is not the primary residence of the operator(s) and has six or more adults or children.

“Dedication” means the deliberate appropriation of land or rights in land by its owner for any general and public use, reserving to himself or herself no other rights

than such as are compatible with the full exercise and enjoyment of the public use to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat, short plat or other legal means that show the dedication thereon; and the acceptance by the public shall be evidenced by the approval of such document for filing by the city.

“Density” means the number of permitted dwelling units allowed on each acre of land or fraction thereof.

“Designated official” means the city designated official, chief supervisory staff person or his/her designee.

“Detached” means a type of building or dwelling unit surrounded on all sides by open space and not connected to other buildings or structures except for permitted accessory structures.

Developer. See definition of “Applicant” in GFMC 19.02.010.

“Development code” means this title of the Granite Falls Municipal Code.

“Display” means the visual information shown on a sign, including the text, graphics, logo, pictures, lights and background.

“Display area” means the greatest area of display meant to contain the text, graphics, pictures, lights and other background details to be viewed as signage. Display area shall be measured as the smallest rectangle placed around all that composes the display area. On no sign shall the display area be less than 50 percent of the surface area of the sign.

(1) Display area includes only one face of a double-faced sign where the faces of the sign are parallel. If any face is offset from parallel or separated by more than two feet, such face shall be counted as a separate surface area.

(2) Display area of a spherical, cubical or polyhedral sign equals the sum of the surface area of all faces, divided by two.

“Drive-in restaurant” means a food and beverage establishment that contains an outside service window and/or provision for food service to occupants of automobiles parked on the premises.

“Driving surface” means that portion of a street intended for vehicular travel or parking.

“Duplex dwelling” means a building with two (2) attached dwelling units with common separation walls joining the units, neither of which overlaps the other vertically

“Dwelling Unit” means a building or portion thereof providing complete housekeeping facilities for one family designated for occupancy by a person or family for living and sleeping purposes, containing kitchen facilities, bathroom facilities, and rooms for internal accessibility, for use solely by the dwelling’s occupants; including, but not limited to bachelor, efficiency and studio apartments, factory-built housing and mobile homes. Dwelling unit does not include recreation vehicles ~~or mobile homes~~. (See also definitions of Multi-family dwelling and Single-family dwelling, detached in this chapter.)

“Multi-family dwelling” means a building containing four ~~two~~ (2) or more dwelling units.

**Section 5.** Section 19.02.190 S of GFMC Chapter 19.2, Basic Definitions, is hereby amended to read as follows:

“Screen, screening” means a continuous fence, hedge or combination of both which obscures vision through 80 percent or more of the screen area, not including drives or walkways.

“Scrolling” means the vertical movement of a static message or display on an electronic sign.

“Searchlight” means any device emitting a strong beam of light not normally associated with the daily operation or outdoor lighting of the business or location, used to attract attention to the site.

“Secondary use” means a use, subordinate (less than 40 percent of the usable building floor and/or land area) to the primary use, which may exist only when a primary use is existing on the same lot.

“Semipublic body” means any organization operating as a nonprofit activity and serving a public purpose or service that includes, without limitation, such organizations as noncommercial clubs, lodges, theater groups, recreational and neighborhood associations, cultural activities and schools.

“Setback” means the minimum distance required by this title for buildings to be set back from the front, side or rear lot lines, rights-of-way or access easements.

“Setback area” means the lot area between the lot lines and the setback lines.

“Setback line” means a line which is parallel to a lot line or access easement located at the distance required by the setback.

“Shed” means an accessory structure, with or without a permanent foundation, without plumbing, used for storage and located in an area or side yard, generally less than 100 square feet in area.

“Sign” means any one or collection of letters, figures, designs, symbol, trademarks, or devices, including artificial representations of stock in trade, which acts as a communication, or is used to attract attention to any activity, service, place, subject, person, firm, corporation or business, but does not include actual unpriced stock in trade on display and available for sale.

“Sign, address” means any sign of a noncommercial nature stating the address of the structure upon which said sign is located.

“Sign, awning” means any sign erected upon or against an awning.

“Sign, banner” means a sign of nonpermanent nature constructed of nonrigid materials.

“Sign, building-mounted” means a single- or multiple-faced sign of a permanent nature, made of rigid material, attached to or painted upon the wall/facade of a building or the face of a marquee in such a manner that the wall/facade becomes the supporting structure and forms the background surface of the sign and does not project more than 18 inches from such wall/facade.

“Sign, cabinet” generally means an internally illuminated sign in which a removable sign face (typically with translucent graphics) is enclosed on all edges by a metal cabinet. A cabinet sign may be multi-sided.

“Sign, canopy” means any sign erected upon or against a canopy.

“Sign, changeable message” means any sign capable of changing the message by means of manual methods.

“Sign, construction” means an informational sign which identifies the architects, engineers, contractors and other individuals or firms involved with the construction of a building, which is erected during the construction period.

“Sign, directory” means a sign listing the tenants or occupants of a building or group of buildings and that may indicate their respective professions or business activities.

“Sign, electronic” means a sign containing a display that can be changed by electrical, electronic or computerized process, not including video signs.

“Sign face” means each side of a freestanding sign or the visible side of a wall sign. The sign face includes all of the sign except support structures.

“Sign, flashing” means a sign or a portion thereof which changes light intensity or switches on and off in a constant, random or irregular pattern or contains motion or the optical illusion of motion by use of electrical energy.

“Sign, freestanding” means a sign permanently mounted into the ground, supported by poles, pylons, braces or a solid base and not attached to any building. Freestanding signs include those signs otherwise known as “pedestal signs,” “pole signs,” “pylon signs,” and “monument signs.”

“Sign, illegal” means any sign which was never legally permitted and does not comply with the requirements of this code within the city limits, as they now or hereafter exist.

“Sign, informational” means small signs, not exceeding six square feet in surface area, of a noncommercial nature, and not announcing the name of the business or use, intended primarily for the convenience of the public. Included are signs designating restrooms, address numbers, hours of operation, entrances to buildings, directions, help wanted, public telephone, parking directions and the like.

“Sign, legal nonconforming” means any sign erected prior to the effective date of the ordinance codified in this chapter pursuant to a city sign permit, not meeting the parameters of this chapter.

“Sign, marquee” means any sign that forms part of or is integrated into a marquee and that does not extend above the height or beyond the limits of such marquee, also considered an extension of a building mounted sign.

“Sign, monument” means a ground-mounted, freestanding sign where the base is attached to the ground as a wide base of solid construction, and no part of the sign is wider than the base.

“Sign, mural” means a mural, as described in GFMC 19.02.130, containing signage as described in this section.

“Sign, off-premises” means a sign which displays a message relating to a use of property or sale of goods or services at a location other than that on which the sign is located.

“Sign, on-premises” means a sign which displays a message that is directly

related to the use of the property on which it is located. Including those freestanding signs approved under a master sign site plan.

“Sign, parapet” means any sign erected upon the parapet of a building, not to exceed the height of said parapet.

“Sign, political” means a sign advertising a candidate or candidates for public elective office, or a political party, or signs urging a particular vote on a public issue decided by ballot.

“Sign, portable” means a sign which has no permanent attachment to a building or the ground, including A-frame signs, sandwich board signs, pole attachments, and signs mounted on a mobile base, but not including real estate open house and political signs or portable reader board signs as prohibited.

“Sign(s), primary” means all permitted monument/freestanding and building-mounted signs.

“Sign, projecting” means a sign other than a wall sign which projects from and is supported by a wall of a building or structure.

“Sign, real estate” means a sign that pertains to the sale or lease of the premises, or a portion of the premises on which the sign is located.

“Sign, roof” means any sign erected above a roof, parapet, canopy, porte cochere of a building or structure, including a sign affixed to any structure erected upon a roof, including a structure housing building equipment.

“Sign, snipe” means an off-premises sign which is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, fences, utility poles or to other objects, not applicable to the present use of the premises or structure upon which the sign is located.

“Sign, subdivision” means a sign used to identify a land development of a residential nature.

“Sign, suspended” means a sign hanging down from a marquee, awning, canopy or porte cochere that would exist without the sign.

“Sign, temporary” means a nonpermanent sign intended for use for a limited period of time. Types of temporary signs are: construction, banner, inflatable, real estate and political signs.

“Sign, trailer” means a sign which is attached to a trailer or has been constructed as a trailer for the purpose of being towed by a motor vehicle, whether operable or not.

Sign, Wall. (See definition of “building-mounted sign” in this section.)

“Sign, video” means video devices such as televisions, computer monitors, flat panel displays, plasma screens, and similar video electronics used as signage.

“Sign, window” means all signs located inside and affixed to or within three feet of a window of a building, whether temporary or permanent, lighted or unlighted, including electronic signs, which may be viewed from the exterior of the building. The term does not include merchandise located within three feet of a window.

“Single-family dwelling, detached” means a building containing only one

dwelling unit.

“Single occupancy building” means a commercial or industrial building or structure with one major enterprise. A building is classified as “single occupancy” only if:

- (1) It has only one occupant;
- (2) It has no wall in common with another building; and
- (3) It has no part of its roof in common with another building.

“Site plan” means a scale drawing which shows the areas and locations of all buildings, streets, roads, improvements, easements, utilities, open spaces and other principal development features for a specific parcel of property.

“Site plan, binding” means a site plan reviewed and approved pursuant to this title, containing the inscriptions or attachments setting forth the limitations and conditions of use for a specific parcel of property and meeting the requirements of the Snohomish County auditor for recording.

“Stock in trade” means any item or goods that: (1) is produced, purchased, processed, finished or fabricated as part of a home occupation; or (2) is incorporated into any such item; or (3) is used to make, manufacture, produce, process, finish or fabricate any such item; or (4) is intended for resale on site; provided, that it does not include samples.

“Street” means a public or private thoroughfare which provides the principal means of access to abutting properties.

“Street lot line” means the lot line or lines along the edge of a street.

“Structure” means a combination of materials constructed and erected permanently in or on the ground or attached to something having a permanent location on the ground, not including utility poles and related ground or pad mounted equipment, residential fences less than six feet high, retaining walls, rockeries and other similar improvements of a minor character less than three feet high.

“Subdivision” means a division of land into five or more lots, tracts or other divisions. Subdivision includes re-subdivisions of previously subdivided land.

“Subdivision code” means Chapter 19.05 GFMC.

“Subdivision, short” means a division of land into four or fewer lots or tracts.

**Section 6.** Section 19.02.020 T of GFMC Chapter 19.2, Basic Definitions, is hereby amended to read as follows:

“Temporary building or structure” means a building or structure not having or requiring permanent attachment to the ground or to other structures which have no required attachment to the ground.

Through Lot. See “Lot, through” in GFMC 19.02.120.

“Townhouse” means a multiple dwelling unit meeting the following criteria: (1) no dwelling unit overlapping another vertically; (2) common side walls joining units; and (3) not more than six dwelling units in one structure.

“Tract or parcel” means a portion of a subdivision having fixed boundaries, not

including lot.

“Traveling” means the horizontal, side-to-side movement of a static or dynamic message or display on an electronic sign.

“Triplex dwelling” means a building with three attached dwelling units with common separation walls joining the units, none of which overlaps the other vertically.

**Section 7.** Section 19.03.080 of GFMC Chapter 19.03, is hereby amended to read as follows:

**19.03.080 Multiple residential (MR) zone.**

The multiple residential (MR) zone designation shall provide multifamily residential development at a range of densities between 12 and 24 dwelling units per acre plus compatible uses such as schools, churches and day care centers where a full range of public facilities and services that 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.

(A) Principal Uses. Principal uses in the multiple residential (MR) zone are:

- (1) Single-family dwellings;
- (2) Multifamily dwellings;
- (3) Foster homes;
- (4) Boarding houses;
- (5) Nursing homes.

(B) Secondary Uses. Secondary uses in the multiple residential (MR) zone are:

- (1) Accessory buildings;
- (2) Home occupations;
- (3) Day care centers.

(C) Conditional Uses. Conditional uses in the multiple residential (MR) zone are:

- (1) Churches and schools;
- (2) Public facilities;
- (3) Health care facilities;
- (4) Radio transmitting and satellite receiving antennas;
- (5) Bed and breakfasts;
- (6) Social and recreational facilities.

(D) Minimum Lot Size. ~~The multiple residential (MR) zone has no maximum density. The density is limited by development standards like parking and landscaping.~~ The minimum lot size in a multiple residential (MR) zone shall be 6,000 square feet.

(E) Minimum Lot Width. Minimum lot width in a multiple residential (MR) zone is 50 feet. Corner lots shall have a lot width of not less than 30 feet.

(F) Minimum Building Setbacks. All dwelling units in this zone shall have the minimum yards required by Table 1, GFMC 19.03.130.

(G) Maximum Height. Maximum height in the multiple residential (MR) zone is 50 feet.

(H) Maximum Lot Coverage. Maximum lot coverage in the multiple residential

(MR) zone is 70 percent.

(I) Maximum Density. The multiple residential (MR) zone has no maximum density. The density is limited by development standards like parking and landscaping.

**Section 8.** Section 19.04.070(O)(1) of GFMC Chapter 19.04, is hereby amended to read as follows:

(O) Council Review.

(1) Computation and Schedules. The fee schedules set forth in this chapter shall be reviewed by the city council as it deems necessary and appropriate in conjunction with the annual update of the Six-year Capital Improvement Program ~~capital facilities element of the comprehensive plan.~~

**Section 9.** Section 19.05.010 of GFMC Chapter 19.05, is hereby amended to read as follows:

**19.05.010 Introduction and purpose.**

This chapter defines the specific requirements for general permits and subdivisions.

~~(A) Title. This title shall be known as the Granite Falls unified development code.~~

**Section 10.** Section 19.05.020(B)(9)(d)(i) of GFMC Chapter 19.05, is hereby amended to read as follows:

(9) Site Design Criteria.

(a) Basic Density. The allowable basic density shall be the same as permitted by the underlying zoning districts (GFMC 19.03.040 through 19.03.130).

(b) Density Bonus. The planning commission may recommend and the city council may approve a density increase of up to 20 percent of the allowable density if the required amenities and needs are proposed. Bonuses may be based on a formula of:

(i) Fifteen percent if the PRD proposal provides for the following: at least 25 percent of the net area is designated as common open space. Active recreation facilities such as paths, trails, playgrounds and equipment, ball fields and basketball courts for people of all ages shall be provided based on review and approval by the city.

(ii) Five percent for innovative site design and layout (facing views, buffered parking, accommodating land constraints, clustered lots, alleys, grid systems for roads, interconnected green spaces, and landscaping buffering along the frontage in separating the developed areas from adjacent properties).

(c) Common Open Space. At least 25 percent of the net land area of a planned residential development shall be dedicated as common open space other than required public improvements or private streets, stormwater conveyances, landscape strips, or critical areas or their buffers, by deeding to the City of

Granite Falls; shall be reserved by a covenant in favor of the government, or by a grant of a permanent easement. Stormwater vaults can be part of the open space as long as they are covered, flush with the ground, and meet the other requirements for open space included in this chapter.

(d) Such lands shall be set aside in perpetuity for the use of residents of the development, or shall be deeded to a homeowners' association by written instrument. If a conveyance to a homeowners' association is the instrument selected, the landowners shall so organize said conveyance that it may not be dissolved, nor dispose of the open space by sale or other means (except to an organization conceived and established to own and maintain it).

(i) All streams, wetlands, geologically ~~sensitive~~ critical areas, and any associated buffers shall be preserved as open space, and reserved in separate tracts (native growth protection areas), as provided by the city's ~~sensitive~~ critical area ordinances. Such land may be counted toward meeting up to 10 percent of the common open space requirement stipulated in this section.

(ii) Any area to be dedicated for common open space shall be kept, located and of such a shape to be acceptable to the designated official. In determining the acceptability of proposed common space, the designated official shall consider future city needs and may require a portion of the common space to be designated as the site of a potential future public use; provided, however, that not more than 25 percent of the gross area shall be taken for public facilities. In the event that it is deemed necessary to set aside any portion of the site for public buildings, an agreement shall be entered into between the applicant and the City of Granite Falls. This shall apply to the need for land for any public purpose except for public recreation. No final plat or occupancy permit shall be granted until the improvements required for the PRD have been installed to the satisfaction of the city.

(iii) All common open space area shall be graded and seeded or paved by the developer during the course of construction, unless the designated official approves or directs the maintaining of all or a portion of such open space in its natural state or with minor, specified improvements. Required or proposed improvements shall either be provided during construction or bonded prior to final plat approval.

(iv) All off-street parking areas shall be transferred to the ownership of a homeowners' association for maintenance and repairs. Wherever median grass strips or other landscaped areas are proposed that will be visible to the general public within the development, covenants and/or agreements shall provide for the maintenance of such areas by the homeowners' association.

(v) At least 75 percent of the required open space shall be contiguous. The length of the open space track shall be no more than twice its width. Under special conditions that are peculiar to the particular parcel of land or to the public purpose for which the land is to be used, dedication of a smaller area can be authorized by the designated official.

(vi) Common open space areas may be used as park, playground, or recreation areas, including swimming pools, equestrian, pedestrian, and/or bicycle trails, tennis courts, shuffleboard courts, basketball courts, and similar facilities; woodland conservation areas; or any similar use of benefit

to the residents of the development if in the ownership of a homeowners' association or the city, or if dedicated to and accepted by the appropriate department of the city, and deemed appropriate by the designated official.

(vii) Common open space shall contain active recreation facilities such as play structures, sport courts, game areas, trails and walking paths. In addition, the facilities shall include park benches, garbage containers, and five trees for every 20,000 square feet of common space or portion thereof. Existing trees are encouraged to be retained when addressing this requirement.

(viii) Each lot shall be located within a 1,200-foot walking distance of common open space and shall be provided access to the common open space via pedestrian walkways, paths, or sidewalks.

**Section 11.** Section 19.05.020(E)(2)(g)(ii) of GFMC Chapter 19.05, is hereby amended to read as follows:

(E) Temporary Uses/Temporary Housing Units.

(1) Purpose. The purpose of this subsection is to establish allowed temporary uses and structures, and provide standards and conditions for regulating such uses and structures.

(2) Standards.

(a) Temporary Construction Buildings. Temporary structure for the storage of tools and equipment, or containing supervisory offices in connection with major construction projects, may be established and maintained during the progress of such construction on such projects, and shall be abated within 30 days after completion of the project or 30 days after cessation of work or for a period not to exceed the duration of the building permit, whichever is greater.

(b) Temporary Construction Signs. Signs identifying persons engaged in construction on a site shall be permitted as long as construction is in progress, but not to exceed a six-month period; provided, that at any time the removal is required for a public purpose, said signs shall be removed at no expense to the city or other public agency.

(c) Temporary Real Estate Office. One temporary real estate sales office may be located on any new subdivision in any zone, provided the activities of such office shall pertain only to the selling of lots within the subdivision upon which the office is located; and provided further, that the temporary real estate office shall be removed at the end of a 12-month period, measured from the date of the recording of the map of the subdivision upon which such office is located or at the time specified by the city council.

(d) Construction Temporary Housing Unit. A "construction temporary housing unit" is a single-wide mobile home or manufactured home that may be placed on a lot or tract of land in any zone for occupancy during the period of time necessary to construct a permanent dwelling on the same lot or tract, provided:

(i) The unit is removed from the site within 30 days after final

inspection of the project, or within one year from the date the unit is first moved to the site, whichever may occur sooner.

(ii) The mobility gear is not removed from the unit and the unit is not permanently affixed to the site on which it is located.

(iii) The unit is not located in any required front or side yard.

(iv) A temporary permit is issued by the building department prior to occupancy of the unit on the construction site.

(e) Public Facility Temporary Housing Unit. A “public facility temporary housing unit” is a single-wide mobile home or manufactured home to be used at public schools, fire stations, and parks for the purpose of providing on-site security, surveillance, and improved service at public facilities, provided:

(i) The public facility requesting the housing unit shall submit to the city an affidavit showing need for the unit.

(ii) The mobility gear is not removed from the unit and the unit is not permanently affixed to the site where it is located.

(iii) The unit is not located in any required front or side yards or designated open space.

(iv) Prior to the issuance of a temporary permit, the site shall be reviewed by the Snohomish Health District to determine additional requirements for water supply and/or septic waste disposal or adequacy of existing utilities.

(v) In the event the site contains trees or other natural vegetation of a type and quantity to make it possible to partially or totally provide screening on one or more sides of the security unit, the city may require the unit be located so as to take advantage of the natural growing material available to screen said unit from adjacent properties.

(vi) The temporary building permit shall be valid until a permanent facility is incorporated into the public use, or the need for the temporary housing unit no longer exists; at such time, the temporary unit shall be removed.

(vii) The building permit shall be renewed annually, subject to the continued justification of conditions.

(f) Emergency Temporary Housing Unit. An “emergency temporary housing unit” is a single-wide mobile home or manufactured home which may be placed on a lot or tract of land in any zone for occupancy during the period of time necessary to house persons or families whose permanent home has been destroyed or damaged by a disaster until replacement housing has been located or constructed.

(g) Emergency Temporary Housing Permitted. Emergency temporary housing units are permitted in all zones as follows:

(i) Permit. An emergency temporary housing permit for a temporary housing unit may be issued by the city if the applicant can satisfy the criteria set forth in the definition of temporary housing.

(ii) Minimum Standards. The following are the minimum standards applicable to temporary housing units. Applications for a reduction of these standards may only be granted by the ~~planning commission~~ or hearing examiner through the variance procedures set forth in subsection (D) of this section.

A. A temporary housing unit shall be used and occupied solely in accordance with the provisions set forth in subsection (E) of this section.

B. The mobility and towing gear of the mobile home shall not be removed and the temporary housing unit shall not be permanently affixed to the land, except for temporary connections to utilities necessary to service the temporary unit. In the event the health district requires the installation of separate water supply and/or sewerage disposal systems, said requirements shall not at a later time constitute grounds for the continuance or permanent location of a temporary housing unit beyond the length of time authorized in the permit of renewal of said permit.

C. The temporary housing unit shall not be located in any required yard or open space required by this title, nor shall the unit be located closer than 20 feet nor more than 100 feet from the principal dwelling on the same lot.

D. In the event the site contains trees or other natural vegetation of a type and quantity to make it possible to partially or totally provide screening on one or more sides of the temporary housing unit, the city may require the temporary housing unit to be located so as to take advantage of the natural growing material available on the site to screen said unit from adjacent property.

E. Prior to the issuance of a temporary housing permit, the city shall review the application and may require the installation of such fire protection/detection equipment as may be deemed necessary as a condition to the issuance of the temporary housing permit.

(iii) Renewals. Temporary housing permits shall be valid for one year; provided, that annual renewals may be obtained upon confirmation by affidavit from the applicant that the requirements specified herein are satisfied. Application for renewals must be made 60 days before the expiration of the current permit. Renewals of said permits shall be automatically granted if the applicant is in compliance with the provisions herein and no notice of such renewal is required. The temporary housing unit shall be removed from the lot or tract of land not more than 30 days from the date the temporary permit expires or occupancy ceases.

(iv) Grandfather Clause. Permitted temporary housing units pursuant to prior regulations may continue to exist upon the same standards and criteria as said permit was issued and all renewals shall be based on the same criteria that the initial permit was granted. Upon the termination of occupancy any time during the life of the permit, the temporary housing unit permit shall terminate and the mobile home must be removed within 30 days.

**Section 12.** Section 19.06.050(A)(8) of GFMC Chapter 19.05, is hereby amended as set forth in Attachment C, which is attached hereto and incorporated herein by this reference as if set forth in full.

**Section 13.** Section 19.07.040 of GFMC Chapter 19.07, is hereby amended to read as follows:

**19.07.040 Penalties and enforcement. (Reserved)**

~~(A) Enforcement—Penalties.~~

~~(1) Site Inspections. The city clerk or designee is authorized to make site inspections and take such actions as necessary to enforce this title. A city representative shall present proper credentials and make a reasonable effort to contact any property owner before entering onto private property.~~

~~(2) Order Remedial Action. The city shall have the authority to order restoration, rehabilitation or replacement measures to compensate for the destruction or degradation of critical area lands at the owner's expense, and may force compliance by suit filed in a court having jurisdiction.~~

~~(3) Penalty Imposed. Any person who fails to comply with the provisions of this title shall be subject to a penalty as provided in GFMC 19.07.030(B)(5) per day for each day of noncompliance, measured from the date the violation begins until the person complies with the requirements of this title.~~

~~(B) Appeals.~~

~~(1) Filing. An appeal of the city clerk's decision to require a critical area study must be filed with the city clerk/treasurer within 10 working days after said decision. The planning commission shall initially hear the appeal and shall thereafter forward its findings and recommendations to the council for final decision.~~

~~(2) Procedure. Any decision to approve, condition or deny a development or alteration proposal based on the requirements of this title may be appealed in accordance with the procedures and standards applicable to the subject development or alteration proposed.~~

Section 14. Chapter 19.10 – *Penalties and Enforcement* is hereby added to the Granite Falls Municipal Code to read as follows:

**Chapter 19.10**

**PENALTIES AND ENFORCEMENT**

Sections:

19.10.010 Enforcement and penalties

19.10.020 Appeals

**19.10.010 Enforcement and penalties**

(A) Site Inspections. The Designated Official is authorized to make site inspections and take such actions as necessary to enforce this title. A city representative shall present proper credentials and make a reasonable effort to contact any property owner before entering onto private property.

(B) Order Remedial Action. The city shall have the authority to order restoration, rehabilitation or replacement measures to compensate for the destruction

or degradation of critical area lands or city property at the owner's expense, and may force compliance by suit filed in a court having jurisdiction.

(C) Penalty Imposed. Any person who fails to comply with the provisions of this title shall be subject to a penalty as provided in GFMC 19.07.030(B)(5) per day for each day of noncompliance, measured from the date the violation begins until the person complies with the requirements of this title.

**19.10.020 Appeals.**

(A) Critical Area Study Decision. An appeal of the city clerk's decision to require a critical area study must be filed with the city clerk within 10 working days after said decision. The Hearing Examiner shall initially hear the appeal and shall thereafter forward its findings and recommendations to the council for final decision.

(B) Development Decision. Any decision to approve, condition or deny a development or alteration proposal based on the requirements of this title may be appealed in accordance with the procedures and standards applicable to the subject development or alteration proposed.

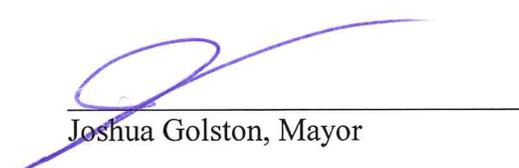
**Section 15. Severability.** Should any section, paragraph, sentence, clause, or phrase of this Ordinance be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance. Provided, however, that if any section, sentence, clause, or phrase of this Ordinance is held invalid by a court of competent jurisdiction, or by the Growth Management Hearings Board, then the section, paragraph, sentence, clause, or phrase in effect prior to the effective date of this Ordinance, shall be in full force and effect for that invalidated section, paragraph, sentence, clause, or phrase, as if this Ordinance had never been adopted.

**Section 16. Copy to Department of Commerce.** Pursuant to RCW 36.70.A.106(3), the City Clerk is directed to send a copy of this Ordinance to the State Department of Commerce for its file within ten (10) days after adoption of this Ordinance.

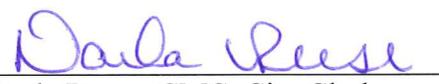
**Section 17. Publication and Summary.** This Ordinance or summary thereof consisting of the title shall be published in the official newspaper of the City.

**Section 18. Effective Date.** This Ordinance shall be in full force and effect five (5) days after publication of the summary consisting of the title.

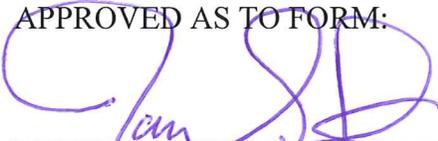
Said Ordinance was passed in open session by the City Council of the City of Granite Falls on the 3rd day of December, 2014, and signed in authentication of its passage this 6<sup>th</sup> day of December, 2013.

  
\_\_\_\_\_  
Joshua Golston, Mayor

ATTEST:

  
\_\_\_\_\_  
Darla Reese, CMC, City Clerk

APPROVED AS TO FORM:



Thom Graafstra, City Attorney

ORDINANCE No. 883-2014

DATE OF ADOPTION:

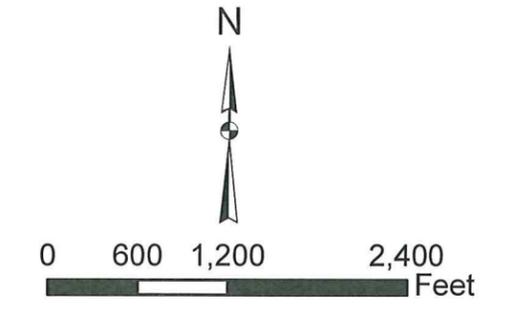
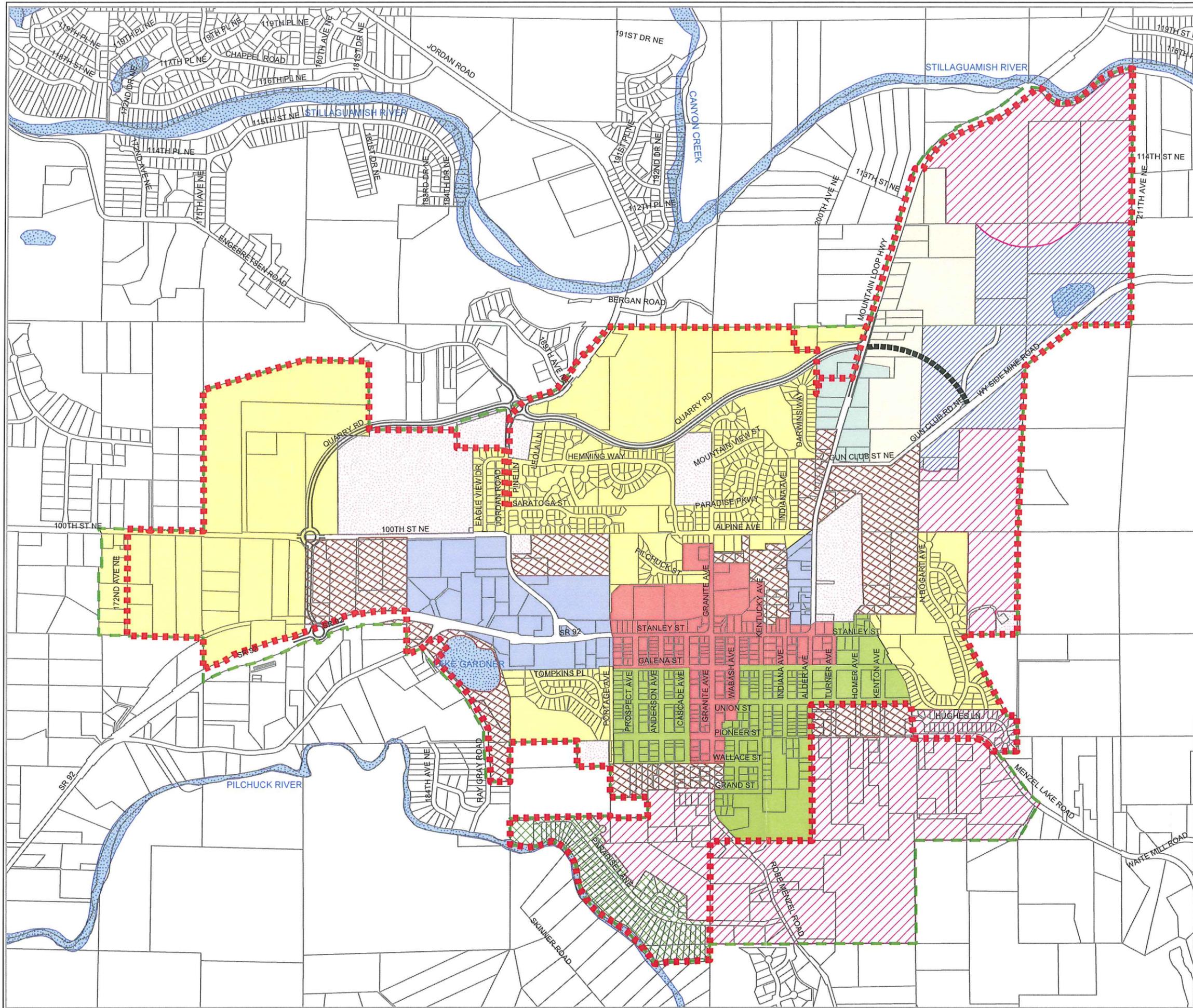
12/03/2014

DATE OF PUBLICATION:

12/06/2014

EFFECTIVE DATE:

12/11/2014

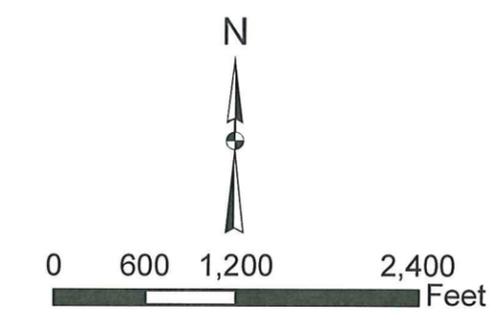
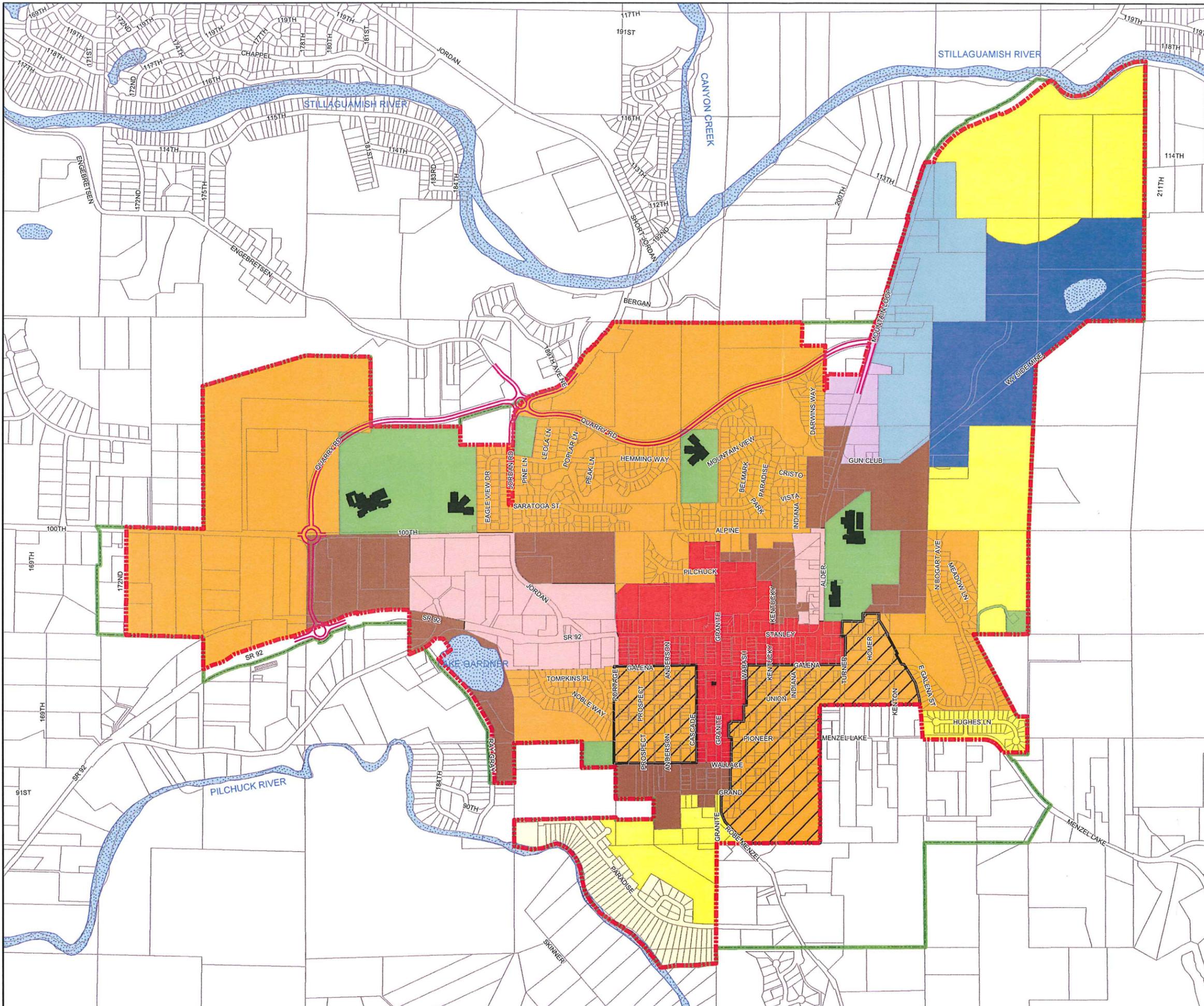


Attachment A, page 1 of 1

**LEGEND:**

- GRANITE FALLS CITY LIMITS
- EXISTING UGA LINE
- PROPOSED\_FUTURE\_ROADWAY
- QUARRY ROAD
- PARCELS
- 2.3 ACRE DWELLING UNIT
- CENTRAL BUSINESS DISTRICT
- DOWNTOWN RESIDENTIAL
- GENERAL COMMERCIAL
- HIGH DENSITY RESIDENTIAL
- INDUSTRIAL
- INDUSTRIAL/RETAIL
- LIGHT INDUSTRIAL
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- SCHOOLS, PARK, WWTPS, MISC
- WATER

FIGURE LU-2  
 GRANITE FALLS COMPREHENSIVE PLAN  
 DECEMBER 2014  
**FUTURE LAND USE MAP**



Attachment B, page 1 of 1

**LEGEND:**

- CITY LIMITS
- 2005 UGA LINE
- BUILDINGS
- PARCELS
- WATER
- ZONING:**
- RURAL 2.3 (R-2.3)
- RESIDENTIAL 9,600 (R-9,600)
- RESIDENTIAL 7,200 (R-7,200)
- MULTIPLE RESIDENTIAL
- DOWNTOWN RESIDENTIAL (DT 2500)
- CENTRAL BUSINESS DISTRICT (CBD)
- GENERAL COMMERCIAL (GC)
- LIGHT INDUSTRIAL (LI)
- INDUSTRIAL (I)
- INDUSTRIAL/RETAIL (IR)
- SCHOOLS, PARK, WWTPS, MISC.

**ZONING MAP**  
**DECEMBER 2014**  
**GRANITE FALLS**

**GFMC 19.06.050(A)(8)**

Use	Parking Spaces Required
1. All dwellings (R-2.3, R-9,600,R-7,200, DT-2,500, MR)	2 off street spaces per unit.
2. All Multi-Family uses in the Central Business District (CBD) in free-standing buildings (not including residents on the second floor of commercial businesses).	1 off street space per unit.
3. Daycare centers; home based.	1 for each employee, plus 1 additional, not including required residential spaces.
4. Non residential	1 for each employee, plus 1 for every 10 children or adults.
5. Banks, savings and loan associations, business or professional offices	1 for each 400 square feet of gross floor area.
6. Bowling alleys	4 for each alley.
7. Churches	1 for each 5 seats in the principal place of assembly for worship, including balconies and choir loft.
8. Dance halls, skating rinks, youth cabarets	1 for each 25 square feet of skating or dancing area, plus 1 per 40 square feet of all other building area.
9. Establishments for the sale and consumption on the premises of food and beverages, including fraternal and social clubs	1 for each 200 square feet of gross floor area.
10. Fraternity, sorority or group student house	1 for each 3 sleeping rooms or 1 for each 6 beds, whichever is greater.
11. Hospitals	1 for each 2 beds
12. Large group home, institution	1 for each 2 beds.
13. Libraries and museums	1 for each 250 square feet of floor area open to the public.
14. Lodging and rooming house	1 for each sleeping room.
15. Manufacturing uses, research and testing laboratories, creameries, bottling establishments, bakeries, canneries, printing and engraving shops	1 for each employee on a maximum shift, or 1 for each 1,000 square feet of floor area, whichever is greater.
16. Medical or dental clinics	5 for each physician or dentist or 1 per 200 square feet of floor area, whichever is greater.
17. Motels, hotels	1 for each unit.
18. Motor vehicle or machinery sales, wholesale stores, furniture stores	1 for each 400 square feet of gross floor area.
19. Offices providing onsite customer service	1 for each 200 square feet.
20. Offices not providing onsite customer service	1 for each 500 square feet.
21. Offices, Taverns, Cocktail Lounges (if less than 4,000 square feet)	1 for each 150 square feet of floor area.
22. Offices, Taverns, Cocktail Lounges (if more than 4,000 square feet)	20 spaces plus 1 space per 100 square feet.
23. Indoor Recreational Facilities	1 for every 3 people that the facility is designed to accommodate when fully utilized.
24. Retail sales other than food store	1 for each 300 square feet of retail floor area
25. Food store including service station with grocery	3 plus 1 for each 350 square feet of retail floor area