

**CITY OF GRANITE FALLS  
GRANITE FALLS, WASHINGTON**

**ORDINANCE NO. 924-2017**

**AN ORDINANCE OF THE CITY OF GRANITE FALLS, WASHINGTON, ADOPTING 2017 ANNUAL DOCKET AMENDMENTS TO SECTIONS 19.06.020(D), (E) AND (G), AND SECTION 19.06.050(A)(3) OF THE GRANITE FALLS MUNICIPAL CODE REGARDING UPDATED STORMWATER MANAGEMENT REGULATIONS; MAKING FINDINGS OF FACT; 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**, the Federal Clean Water Act, 33 U.S.C. 1251 et seq. (the Act), requires certain local governments such as the City of Granite Falls to implement stormwater management programs and regulations within prescribed time frames, and pursuant to said Act the United States Environmental Protection Agency (EPA) has adopted rules for such stormwater programs and regulations; and

**WHEREAS**, the EPA has delegated authority to the Washington State Department of Ecology (Ecology) to administer such stormwater programs and regulations, and Ecology has issued the Western Washington Phase II Municipal Stormwater Permit, effective August 1, 2013 through July 31, 2018, which requires local governments such as the City of Granite Falls to implement numerous stormwater management requirements, including adopting Ecology's 2012 Stormwater Management Manual with 2014 Revisions for Western Washington and related regulations by December 31, 2016; and

**WHEREAS**, in 2010, the City Council adopted Ordinance No. 796-10, which adopted the Department of Ecology's 2005 Stormwater Management Manual for Western Washington and related regulations, as set forth in Ch. 19.06 GFMC; and

**WHEREAS**, in order to comply with the currently effective Western Washington Phase II Municipal Stormwater Permit, the City has adopted Ecology's 2012 Stormwater Management Manual for Western Washington as amended in December 2014, and now wishes to make amendments to City code consistent with the new manual as set forth below and in the attached Exhibit A; and

**WHEREAS**, on November 25, 2016, the City's SEPA Responsible Official complied with the State Environmental Policy Act (SEPA) by issuing a Determination of Nonsignificance (DNS) for the adoption of the proposed Stormwater Management regulations and by complying with SEPA's procedural requirements for issuing the DNS; and

**WHEREAS**, the City Council has determined that it is in the public interest and in furtherance of the public health and welfare to adopt revisions to City code as set forth below and in the attached Exhibit A;

**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 Daily Herald, on August 31, 2016 and posted at the Granite Falls City Hall, Library and US Post Office.
5. On November 21, 2016 in response to the Department of Ecology mandate to adopt and implement Ecology's 2012 Stormwater Management Manual by December 31, 2016, the City Staff/Consultant Team submitted an application, ZCA2017-006, proposing amendments to update the stormwater related GFMC regulations pursuant to the adoption of said manual.
6. On November 29, 2016, the Planning Commission recommended the ZCA2017-006 proposed amendments described in Exhibit A and Ordinance Nos. 920-2016, 923-2016, and 925-2017 be included in the Comprehensive Plan and Development Regulations Annual Docket for 2017.
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 January 11, 2017, the City Council adopted Resolution No. 2017-02, a resolution directing the Designated Official to proceed with analysis and processing of the 2017 Comprehensive Plan and Development Regulations Annual Docket as recommended by the Planning Commission.
9. As required under RCW 36.70A.106, ZCA2017-006 *Stormwater Regulations Update* proposed amendments were submitted to the Department of Commerce for expedited review by state agencies on November 30, 2016. The state agency review period ended without comment, i.e. the city has met the GMA notice (for review & comment requirement) to state agencies.
10. On November 25, 2016, a Declaration of Non-significance (DNS) was issued to initiate the required environmental review process by local and state agencies and the public regarding the ZCA2017-006 *Stormwater Regulations Update* proposed amendments. The comment and appeal periods for the DNS ended without comment or an appeal.
11. Granite Falls Municipal Code (GFMC) 19.04.130(D)(6) requires the City Council to hold a public hearing on the Planning Commission's recommendation regarding amendments to the development regulations or other official control prior to either approving, approving with conditions, or denying the proposed amendments.
12. On February 3, 2017, the City Council public hearing notice was posted at the local U.S. Post Office, City Hall, and Granite Falls Library.

13. On February 3, 2017, the City Council public hearing notice was published in the Everett Daily Herald Newspaper.
14. On February 15, 2017, the City Council held a public hearing to receive public testimony and information regarding the ZCA2017-006 *Stormwater Regulations Update* amendments.
15. Following the close of the public hearing, the City Council deliberated the testimony and information received during the public hearing, adopted findings of fact, and approved ZCA2017-006 *Stormwater Regulations Update* amendments.
16. Approval of ZCA2017-006 amends the city's stormwater regulations to bring said regulations into compliance with the requirement to implement the Department of Ecology 2012 Stormwater Management Manual for Western Washington as amended in December, 2014 to encourage and allow the use of low impact development techniques in the city.
17. The ZCA2017-006 amendments also provide minor text changes to improve readability and clarity of the city's stormwater regulations.
18. The ZCA2017-006 *Stormwater Regulations Update* amendments are in conformance with the applicable goals and policies of the Granite Falls Comprehensive Plan and thereby, will have a positive impact on the city's growth and development.

Section 2. Sections 19.06.020(D), (E) and (G) and Section 19.06.050(A)(3) of the Granite Falls Municipal Code are hereby amended as presented in Exhibit A.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 4. 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.

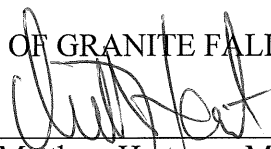
Section 5. Publication and Summary. This Ordinance or summary thereof consisting of the title shall be published in the official newspaper of the City.

Section 6. Effective Date. This ordinance shall take effect five days after the date of its publication by summary.

ADOPTED by the City Council and APPROVED by the Mayor this 15<sup>th</sup> day of February 2017.

CITY OF GRANITE FALLS

By

  
Matthew Hartman, Mayor

ATTEST:

By Darla Reese  
Darla Reese, City Clerk

APPROVED AS TO FORM:

By Thom Graafstra  
Thom Graafstra, City Attorney

Date of First and Last Reading: Feb. 15, 2017  
Date of Publication: Feb. 18, 2017  
Effective Date: Feb. 23, 2017

## **ORDINANCE NO. 924-2017**

### **EXHIBIT A**

Granite Falls Municipal Code Section 19.06.020 D, E and G are amended to read as follows:

#### **19.06.020 Landscaping and screening**

##### **(D) Preservation of Significant Trees and Vegetation**

- (1) The city of Granite Falls shall assume jurisdiction and implementation of the Class IV Forest Practices Act as defined by the Washington State Department of Natural Resources (DNR).
- (2) All significant trees in required perimeter buffers or required setbacks pursuant to the applicable zoning district shall be retained. Retention of significant trees on the remaining portions of the site is encouraged, especially for conifers.
- (3) Significant trees are those which are over 15 inches in diameter measured at a point two feet above the existing ground.
- (4) If the grade level adjoining a tree to be retained is altered such that the tree might be endangered, then a dry rock wall or rock well shall be constructed around the tree. The diameter of this wall or well must be approximately the diameter of the “drip line” of the tree.
- (5) Impervious or compactible surfaces within the area defined by the drip line of any tree to be retained may be permitted if a qualified arborist certifies that such activities will not endanger the tree or trees.
- (6) Retention of other existing vegetation that is equal to or better than available nursery stock is strongly encouraged.
- (7) Areas of native vegetation designated as landscape or buffer areas shall be protected by a five-foot-wide no construction zone during construction. Clearing grading or contour alteration is not permitted within this no construction zone unless a qualified arborist certifies that proposed construction activity within the zone will not harm existing vegetation

##### **(E) Requirements for Residential Plats and Multifamily Developments**

- (1) Perimeter Areas. Notwithstanding other regulations found in this chapter, perimeter areas not covered with buildings, driveways and parking and loading areas shall be landscaped. The required width of perimeter areas to be landscaped shall be at least one-half the depth of the required yard or setback area. Areas to be landscaped shall be covered with live plant materials which will ultimately cover 75 percent of the ground area within three years. One deciduous tree a minimum of two-inch caliper or one six-foot evergreen or three shrubs which should attain a height of three and one-half feet within three years shall be provided for every 500 square feet of the area to be landscaped. Vegetation utilized in low impact development facilities shall count toward landscaping perimeter requirements as approved by the City.

(2) All street frontages shall include street trees planted at 30 feet on center. Vegetation utilized in low impact development facilities may count toward street frontage requirements subject to approval by the City.

(G) Parking Lot Landscaping and Screening. The standards of this section shall apply to all public and private parking lots and parking areas providing spaces for more than 10 cars.

(1) Perimeter Landscaping. In order to soften the visual effects or separate one parking area from another or from other uses, the following standards apply:

(a) Adjacent to a street or road, the minimum width shall be 10 feet wide. On all other perimeters the depth shall be a minimum of five feet. Where parking areas are bordered by more than one street, the landscape strip shall apply to both.

(b) Visual screening through one or any combination of the following methods is required:

(i) Planting of living ground cover as well as shrubs or trees which will form a solid vegetative screen at least three feet in height; or

(ii) A fence or wall at least three feet high combined with low planting or wall-clinging plant materials. Materials should be complementary to building design; or

(iii) Earth mounding or berms having a minimum height of three feet and planted with shrubs and trees.

(c) In order to protect vision clearances, areas around driveways and other access points are not required to comply with the full screening height standards. The specific horizontal distance exempt from this standard shall be 20 feet.

(2) Interior Small Parking Lot Landscaping. All parking lots that contain between 10 parking spaces and 20 parking spaces or are between 3,600 square feet and 6,000 square feet shall contain trees in interior parking landscape areas at intervals no greater than 30 feet in planting beds.

(3) Interior Medium Size Parking Lot Landscaping. All parking lots that contain 20 or more parking spaces or are between 6,000 square feet and 30,000 square feet in area shall have interior parking lot landscaping as follows:

(a) A minimum of five square feet of landscaped area per 100 square feet of vehicle use area, or fraction thereof; and

(b) Interior parking lot landscape areas no more than 50 feet apart.

(4) Interior Large Parking Lot Landscaping. Parking lots larger than 30,000 square feet in area shall have interior parking lot landscaping as follows:

(a) A minimum of seven square feet of landscaped area per 100 square feet of vehicle use area or fraction thereof.

(b) Interior parking lot landscape areas shall be no more than 50 feet apart.

(5) Vehicle Use Area. Vehicle use area shall include driveways.

(6) Minimum Area. The minimum size of individual planting areas shall be 64 square feet in order to provide a proper plant environment.

(7) Trees Required. Interior parking landscaped areas shall contain trees in compliance with the following:

- (a) Trees shall only be deciduous trees approved by the designated official.
- (b) Trees shall be a minimum of two-inch caliper at the time of planting.
- (c) Trees are required at a ratio of at least one per 64 square feet of landscaped area or fraction thereof.
- (d) Trees shall have a clear trunk to a height of at least five feet above the ground.
- (e) Trees shall be planted no closer than four feet from pavement edges where vehicles overhang planted areas.

(8) Shrubs and Ground Cover. Required landscaped areas remaining after tree planting shall be planted in shrubs and/or ground cover. The distribution of plants shall be adequate to ultimately achieve 75 percent ground coverage within three years after planting. Vegetation utilized in low impact development facilities shall count toward these landscaping requirements as approved by the City.

(9) Vehicle Overhang. Parked vehicles may overhang landscaped areas up to two feet by wheel stops or curbing.

(10) Deviation. The designated official can allow deviations from this subsection to protect on-site critical areas and associated buffers.

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Granite Falls Municipal Code Section 19.06.050(A)(3)(ii) is hereby to read as follows:

### **19.06.050 Loading area and off-street parking requirements**

(A) Purpose. The purpose of this section is to regulate parking and loading in order to lessen traffic congestion and contribute to public safety by providing sufficient on-site areas for the maneuvering and parking of motor vehicles.

(3) Location. Off-street parking facilities shall be located as hereinafter specified; where a distance is specified, such distance shall be the walking distance measured from the nearest point of the parking facilities to the nearest point of the building that such facility is required to serve.

(a) For a single-family dwelling or multifamily dwelling, the parking facilities shall be located on the same lot or building site as the building they are required to serve.

(b) For churches, hospitals, large group homes, institutions, rooming and lodging houses, nursing and convalescent homes, community clubs, and clubrooms, parking facilities shall be located not farther than 150 feet from the facility and are recommended near the entrance to the site.

(c) For uses other than those specified, parking facilities shall be located not farther than 300 feet from the facility and are recommended near the entrance to the site.