

**CITY OF GRANITE FALLS**

**ORDINANCE NO. 915-2016**

**AN ORDINANCE OF THE CITY OF GRANITE FALLS, WASHINGTON, CONCERNING THE 2016 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 GENERAL COMMERCIAL TO MULTIPLE RESIDENTIAL AND THE CITY ZONING MAP DESIGNATION FROM GENERAL COMMERCIAL (GC) TO MULTIPLE RESIDENTIAL (MR) FOR PROPERTY LOCATED AT 103 NORTH INDIANA AVENUE IN GRANITE FALLS, WASHINGTON, 98252;**
- 2. AMENDING GFMC 19.06.040 TO BRING THE CITY'S SIGN REGULATIONS INTO COMPLIANCE WITH THE JUNE 18, 2015 SUPREME COURT DECISION THAT SIGN REGULATIONS CANNOT PLACE CONTENT BASED RESTRICTIONS ON SPEECH AND TO MAKE SOME REORGANIZATION AND MINOR TEXT CHANGES TO IMPROVE READABILITY AND CLARITY;**
- 3. AMENDING GFMC 19.06.120(G)(8) TO ADD SPECIFIC SETBACK REQUIREMENTS FOR MANUFACTURED HOMES AND ACCESSORY STRUCTURES IN A MANUFACTURED/MOBILE HOME PARK;**
- 4. AMENDING GFMC 19.06.120(G)(9) TO DELETE THE PHRASE "OR SURFACED WITH CRUSH ROCK" FROM THE STORAGE YARD AREA STANDARDS;**
- 5. AMENDING GFMC 19.06.120(G) TO ADD SUBSECTION (11) - LANDSCAPING AND SCREENING THAT STIPULATES LANDSCAPING AND SCREENING STANDARDS AND REQUIREMENTS FOR MANUFACTURED/MOBILE HOME PARKS;**
- 6. AMENDING GFMC 19.06.120 TO ADD SUBSECTION (12) BUFFERS THAT STIPULATES BUFFER STANDARDS AND REQUIREMENTS FOR MANUFACTURED/MOBILE HOME PARKS;**
- 7. AMENDING GFMC 19.06.120 TO ADD SUBSECTION (14) OPEN SPACE THAT STIPULATES OPEN SPACE STANDARDS AND REQUIREMENTS FOR MANUFACTURED/MOBILE HOME PARKS,**
- 8. AMENDING GFMC 19.06.020(B) - APPLICABILITY TO ADD MANUFACTURED/MOBILE HOME PARK, 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 14, 2016 pursuant to GFMC 19.04.130(E)(5); and

**WHEREAS**, public hearings were held by the City of Granite Falls City Council on July 13, 2016 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 Daily Herald, on August 28, 2015 and posted at the Granite Falls City Hall, Library and US Post Office.
5. The June 18, 2015 U.S. Supreme Court Reed decision stipulates that sign regulations cannot place content based restrictions on speech.
6. Following the review of information regarding the U.S. Supreme Court Reed decision and the city's existing sign regulations, the Planning Commission directed the City Staff/Consultant Team to prepare a Zoning Code Amendment (ZCA) application to propose amendments to the city's sign regulations to bring said regulations into compliance with the June 18, 2015 Supreme Court Reed decision.
7. During the City Council review and adoption process of the 2015 Development Regulations Update, it was determined that the city's manufactured home park regulations were inadequate to assure compatibility between a manufactured home park and adjacent "traditional" single-family residential development because regulations did not include requirements for landscaping, common open space, buffers, and setbacks.
8. Based on the review of several other local area manufactured home park regulations along with information provided by the Municipal Research & Services Center, the Planning Commission directed staff to prepare a zoning code amendment (ZCA) application to add to the Manufactured/Mobile Home Park regulations stipulating compliance with the applicable landscaping and screening regulations, building setback & separation standards, and provisions for on-site open space/recreational areas.

9. A private property owner submitted an application to change the Comprehensive Plan Future Land Use Map designation and the zoning designation from General Commercial/GC to Multiple Residential/MR for a 0.51 acre parcel located at 103 N. Indiana Avenue in the City of Granite Falls, Washington.
10. On January 12, 2016, the Planning Commission recommended the proposed Comprehensive Plan Future Land Use Map, Zoning Map, and development regulations amendments be included in the 2016 Annual Docket.
11. GPMC 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.
12. On February 17, 2016, the City Council adopted Resolution No. 2016-02, a resolution directing the Designated Official to proceed with analysis and processing of the 2016 Comprehensive Plan and Development Regulations Annual Docket as recommended by the Planning Commission.
13. As required under RCW 36.70A.106, the proposed 2016 Annual Docket amendments to the Comprehensive Plan, Zoning Map and development regulations were submitted electronically to the Washington State Department of Commerce on March 9, 2016 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.
14. On February 22, 2016, 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 periods and no appeals were filed on or before the March 17, 2016 appeal deadline.
15. On May 10, 2016, the Planning Commission held a work session to review the proposed Comprehensive Plan, Zoning Map and development regulations amendments.
16. GPMC 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.
17. On June 14, 2016 prior to the Planning Commission's public hearings, the Planning Commission hosted a duly advertised open house for the general public to review and receive information regarding the 2016 Annual Docket proposed amendments to the Comprehensive Plan and development regulations.
18. On June 14, 2016, the Planning Commission held three duly advertised public hearings to receive public testimony and information regarding the Curtis Comprehensive Plan Future Land Use Map and Zoning Map amendments, CPA/ZMA2016-001; the Sign Code Update amendments, ZCA2016-001; and the Manufactured/Mobile Home Park Regulations amendments, ZCA2016-002.
19. Following the close of the public hearings, the Planning Commission deliberated on the testimony and information received during the public hearings, adopted findings of fact, and recommended the City Council approve CPA/ZMA2016-001, ZCA2016-001, and ZCA2016-002 as presented.
20. On July 8, 2016, public hearing notices for a public Hearing before the City Council were posted at the local US Post Office, City Hall, and Granite Falls Library and on the subject property and mailed to all owners of property located within 300 feet of the subject property.
21. On July 8, 2016 public hearing notices were published in the Everett Daily Herald Newspaper
22. On July 8, 2016, a poster advertising the City Council's 2016 Annual Docket Open House was posted in 23 businesses in downtown Granite Falls.

23. On July 20, 2016 prior to the public hearing, the City Council hosted an open house for the general public to review and receive information regarding the 2016 Annual Docket proposed amendments to the Comprehensive Plan and development regulations.
24. On July 20, 2016, the City Council held three duly advertised public hearings to receive public testimony and information regarding the Curtis Comprehensive Plan Future Land Use Map and Zoning Map amendments, CPA/ZMA2016-001 the Sign Code Update amendments, ZCA2016-001; and the Manufactured/Mobile Home Park Regulations amendments, ZCA2016-002.
25. Following the close of the public hearings, the City Council deliberated on the testimony and information received during the public hearing, adopted findings of fact, and approved CPA/ZMA2016-001, ZCA2016-001, and ZCA2016-002 as recommended by the Planning Commission.
26. The Comprehensive Plan Future Land Use Map/Zoning Map amendments, CPA/ZMA2016-001; the Sign Code Update amendments, ZCA2016-001; and the Manufactured/Mobile Home Park Regulations amendments, ZCA2016-002, are in conformance with the applicable goals and policies of the Granite Falls Comprehensive Plan and will have a positive impact on the city's GMA population and employment capacity allocations.

**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 19.06.040 of GFMC Chapter 19.06, Development Standards, 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 7.** Section GFMC 19.06.120 of GFMC Chapter 19.06, is hereby amended to read as follows:

**19.06.120 Manufactured or mobile home parks.**

(A) Purpose. The purpose of this section is to provide the regulations for the development of manufactured home parks. Manufactured home parks shall be permitted as an official site plan under the provisions of GFMC 19.05.090 and the following:

(B) Classifications of Manufactured Housing. Manufactured homes are classified as follows for the purposes of these standards:

(1) A manufactured housing unit is a single-family residence, transportable in one or more sections, which is designated to be used with or without permanent foundation when connected to the required utilities. After June 15, 1976, manufactured homes must be constructed in accordance with the U.S. Department of Housing and Urban Development (HUD) requirements for manufactured housing, and bear the appropriate insignia indicating such compliance.

(2) Type A. New manufactured homes certified as meeting U.S. Department of Housing and Urban Development (HUD) Manufactured Home Construction and Safety Standards, or used manufactured homes certified as meeting the HUD standards specified above and found on inspection to be in excellent condition and safe and fit for residential occupancy.

(3) Type B. Used manufactured or mobile homes, whether or not certified as meeting prior HUD codes, found on inspection by the building official to be in excellent or good condition, as defined by the HUD Manufactured Home Construction and Safety Standards.

(C) Manufactured or Mobile Home Parks.

(1) A manufactured home park is a parcel of land at least two acres in size in the R-9,600, R-7,200 or MR zone districts, under single ownership, on which six or more manufactured homes are occupied as residences.

(2) A manufactured home subdivision is designed and/or intended for the sale of lots for residential occupancy by manufactured homes.

(D) Standards for Manufactured Housing. Manufactured housing classified in subsection (B) of this section is an allowable dwelling unit type in those zone districts in which single-family residential land uses are permitted. Such housing is subject to the building code and all standards in this code that apply to residential land uses, including the subdivision regulations contained in this code. Additionally, all manufactured housing shall be installed on permanent foundations before an occupancy permit is issued.

(E) Standards for Type A Manufactured Homes. Type A manufactured homes are allowed in a manufactured home park as defined in subsection (C) of this section or on their own individual lots as a single-family home.

(F) Standards for Type B Manufactured Homes. A Type B manufactured or mobile home to be moved to a new location must meet the following standards:

(1) Approval from the community development department to relocate shall be obtained.

(2) Upon inspection by the building official, the Type B manufactured or mobile home shall be found to be in excellent or good condition prior to the move. Criteria for determining condition shall be the same as those applied to housing inspections. After moving or relocation of the Type B manufactured or mobile home, a second inspection shall be required to verify that the manufactured or mobile home remains in no less than good condition. An occupancy permit shall not be issued until such conditions are met.

(G) Site Design Criteria. The following criteria shall govern the design of a manufactured home park or mobile home park:

(1) Manufactured or mobile home parks are allowed in the R-9,600, R-7,200 and MR zones.

(2) Minimum site area for a manufactured or mobile home park is two acres.

(3) No manufactured or mobile home park shall be located in a floodplain area or shoreline zone regardless of whether the site can be filled to one foot above the 100-year flood elevation as established by FEMA.

(4) Density. A manufactured home park or mobile home park shall contain not less than two spaces or lots and shall not exceed the densities established by the underlying zoning.

(5) Access. A manufactured home park shall not be established on any site without a minimum 50-foot-wide access to a public street.

(6) Space Occupancy. Only one manufactured home shall occupy any given lot or space in the park.

(7) Use. No building, structure, or land within the boundaries of a manufactured home park shall be used for any purpose other than the following:

(a) Manufactured homes used as a single-family residence only.

(b) Permitted accessory uses.

(8) Setbacks. Setbacks and spacing of manufactured homes and accessory structures shall conform to the ~~underlying zoning and building code~~ following.

(a) Twenty feet from the boundary of the park.

(b) Twenty feet from a public street.

(c) Ten feet from an interior private street, walking or parking area; and

(d) Ten feet from any other manufactured home.

(9) Storage. Storage areas comprising not more than 10 percent of the total manufactured home park site for recreational vehicles, boats, and trailers shall be provided. Such areas shall be

~~paved or surfaced with crushed rock~~ and enclosed by a sight-obscuring fence, wall or landscape visual buffer.

(10) Design Criteria for Manufactured Homes Only. Manufactured housing units intended for use as single-family dwellings must:

(a) Provide a roof of composition, wood shake, shingle or similar material constructed with a slope of not less than three feet in 12 feet of distance.

(b) Provide building exterior siding similar in appearance to siding materials commonly used on conventional site-built single-family housing.

(c) Provide for at least two fully enclosed parallel sections, each of which is not less than 12 feet wide by 36 feet long.

(11) Landscaping and screening. A manufactured home park or mobile home park shall be developed and maintained in accordance with the following:

(a) All impervious surfaces shall be landscaped with living plant material or trees.

(b) The landscaping and screening shall comply with the requirements and standards for residential development as set forth in GFMC 19.06.020 – Landscaping and screening.

(12) Buffers.

(a) A twenty foot strip around the boundary of the park must be landscaped with trees and shrubbery to provide a visual screen.

(b) All open spaces and other unimproved areas must be suitably landscaped. All landscaping must be maintained and furnished with an automatic irrigation system.

(13) Open Space.

(a) At least fifteen percent of the gross site area must be in open space or recreational areas available for use by all residents.

(b) Parking, driving and setback areas and open areas less than five thousand square feet do not count as required open space.

(H) Phased Development. Proposed manufactured home parks of 10 or more acres in size developed after the effective date of the ordinance codified in this section may be developed in phases. Notwithstanding a change of zone or reclassification of the site which would ordinarily preclude further development, a manufactured home park which has completed the initial phase of development may be continued and developed into all additional phases indicated on the approved site plan; provided, that this exception shall only be applicable to phases which can be substantially completed within five years of the adoption of the change of zone.

(I) Park Administration.

(1) It shall be the responsibility of the park owner and manager to assure that the provisions of this code are observed and maintained within the manufactured home park. Violations of this code shall subject both the owner and the manager of the facility to any penalties provided for violation of this code.

(2) All refuse shall be stored in insect-proof, animal-proof, watertight containers which shall be provided in sufficient number and capacity to accommodate all refuse. Any storage area for refuse containers shall be enclosed by sight-obscuring fence or screening and shall be situated on a concrete pad. Refuse shall be collected and disposed of on a regular basis as determined by the city.

(3) All yards, roads, and open spaces within the park shall be maintained in a healthy, safe and visually pleasing manner. The city shall inspect each park annually, prior to licensing, and submit to the park owner and manager a written report stating whether or not the park is in compliance and listing any repairs or maintenance which may be required prior to issuance of a license renewal. An extension of time to complete repairs may be granted if no risk to public health or safety is created by such extension.

(4) Individual mailboxes shall be provided for each space in the park.

**Section 8.** Section 19.06.020 of GPMC Chapter 19.06, Landscaping and screening, is hereby amended as set forth in Attachment D, which is attached hereto and incorporated herein by this reference as if set forth in full.

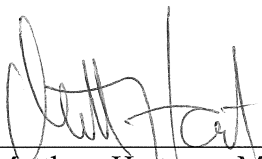
**Section 15. Severability.** Should any section, paragraph, sentence, clause, or phrase of this Ordinance be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, 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.

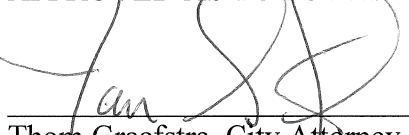
Said Ordinance was passed in open session by the City Council of the City of Granite Falls on the 17th day of August 2016, and signed in authentication of its passage this 17 day of August, 2016.

  
Matthew Hartman, Mayor

ATTEST:

  
Darla Reese, MMC, City Clerk

APPROVED AS TO FORM:

  
Thom Graafstra, City Attorney

ORDINANCE No. 915-2016  
DATE OF ADOPTION:  
DATE OF PUBLICATION:  
EFFECTIVE DATE:

August 17, 2016  
August 20, 2016  
August 25, 2016