

CITY OF GRANITE FALLS
Granite Falls, Washington
ORDINANCE 974-2019

AN ORDINANCE OF THE CITY OF GRANITE FALLS, WASHINGTON, AMENDING PORTIONS OF THE GRANITE FALLS MUNICIPAL CODE TITLE 19 UNIFIED DEVELOPMENT CODE BY ADDING A NEW DEFINITION TO SECTION 19.02.130 “M” – “MINI STORAGE” / “MINI WAREHOUSE”; AMENDING THE DEFINITION IN SECTION 19.02.160 “P” – “PRIMARY OR PRINCIPAL USE”; AMENDING SECTION 19.03.100 “GENERAL COMMERCIAL (GC) ZONE”; AMENDING SECTION 19.03.110 “HEAVY INDUSTRIAL (HI) ZONE”; AMENDING SECTION 19.03.120 “LIGHT INDUSTRIAL (LI) ZONE”; AMENDING SECTION 19.04.050 “DETERMINATION OF PROCEDURE TYPE”; AMENDING SECTION 19.05.070 “OFFICIAL SITE PLAN”; AMENDING SECTION 19.06.020 “LANDSCAPING AND SCREENING”; ESTABLISHING SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Revised Code of Washington (RCW) 36.70A.470(2) stipulates that all cities planning under the Growth Management Act (RCW 36.70A.040) shall provide procedures for any interested citizen or agency to suggest comprehensive plan and development regulation amendments; and

WHEREAS, the suggested amendments pursuant to RCW 36.70A.470(2) are to be docketed and considered on at least an annual basis and the City of Granite Falls docket procedures are provided under Section 19.04.130(F); and

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

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

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

WHEREAS, on December 11, 2018, January 8, 2019, and February 12, 2019 the Granite Falls Planning Commission reviewed the amendments set forth in this Ordinance during the amendment process; and

WHEREAS, the City Council on June 19, 2019 adopted Resolution 2019-08 accepting the recommended list for the 2019 Docket by the Planning Commission and added the review of the General Commercial zone to eliminate the use of mini-storages and/or mini-warehouses; and

WHEREAS, the City of Granite Falls SEPA Responsible Official reviewed the amendments and issued a Determination of Non-significance (DNS) on July 2, 2019; and

WHEREAS, the Planning Commission held a public hearing on the proposed amendments at their August 13, 2019 meeting. No members of the general public were present, and no comments were received regarding the amendments; and

WHEREAS, the Planning Commission made a recommendation to City Council to accept the proposed 2019 Comprehensive Plan and Development Regulations as prepared by staff; and

WHEREAS, the City Council held a public hearing on the proposed amendments at their September 18, 2019 meeting. No members of the general public were present, and no comments were received regarding the amendments; and

WHEREAS, the City Council approved for adoption the 2019 Comprehensive Plan and Development Regulation proposed amendments as prepared by staff and directed staff to have an ordinance prepared to codify these amendments; and

WHEREAS, public notice as required by law was given for all public hearings, notifying the general public of their opportunity to provide public input concerning the proposed amendments set forth in this Ordinance; and

WHEREAS, the pursuant to RCW 36.70A.106, the City has notified the Washington State Department of Commerce of the City's intent to adopt the proposed amendments as set out in this ordinance; and

WHEREAS, the City Council has determined that it is in the best interest of the City to amend Title 19;

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

Section 1. GFMC 19.02.130 entitled "M" – "Mini storage" / "Mini warehouse" definition is hereby added to read as follows (all other definitions in GFMC Section 19.02.130 entitled "M" remain in effect and unchanged):

19.02.130 M.

"Mini storage" / "Mini warehouse" means a building or group of buildings consisting of individual storage units not exceeding 400 square feet per storage unit that are leased or owned for the storage of business and household goods or contractor's supplies. These facilities shall not be used for any wholesale or retail operations.

Section 2. GFMC 19.02.160 entitled "P" – "Primary or principal use" definition is hereby amended to read as follows (all other definitions in GFMC Section 19.03.160 entitled "P" remain in effect and unchanged):

19.02.160 P.

“Primary or principal use” means the predominant use (60 percent of usable floor area and/or land area) to which all other uses are secondary. Does not apply to the residential units located above a principal use in a commercial zone.

Section 3. GFMC Code 19.03.090 entitled “Central business district (CBD) zone” is hereby amended to read as follows (all other provisions of GFMC Section 19.03.090 entitled “Central business district (CBD) zone” remain in effect and unchanged):

19.03.090 Central business district (CBD) zone.

- (B) Secondary Uses. Secondary uses in the central business district (CBD) zone are:
- (1) Residential dwelling unit in principal building on the floor above a principle use;
 - (2) Consumer goods repair; and
 - (3) Accessory structure and use.

Section 4. GFMC 19.03.100 entitled “General Commercial (GC) zone” is hereby amended to read as follows (all other provisions of GFMC Section 19.03.100 entitled “General Commercial (GC) zone” remain in effect and unchanged):

19.03.100 General commercial (GC) zone.

- (A) Principal Uses. Principal uses in the general commercial (GC) zone are:

- (1) Retail and wholesale sales;
- (2) Personal service, including self-service;
- (3) Office;
- ~~(4)~~ Mini-storage;
- ~~(5)~~(4) Restaurant;
- ~~(6)~~(5) Health care facility, excluding overnight accommodations;
- ~~(7)~~(6) Social and/or recreational facility;
- ~~(8)~~(7) Hotel or motel;
- ~~(9)~~(8) Accessory structure and use;
- ~~(10)~~(9) Parking facility;
- ~~(11)~~(10) Veterinary clinic;
- ~~(12)~~(11) Service station;
- ~~(13)~~(12) Vehicle sales;
- ~~(14)~~(13) Automotive repair and service;
- ~~(15)~~(14) Miscellaneous repair;
- ~~(16)~~(15) Indoor manufacturing, assembly;
- ~~(17)~~(16) Day care center, commercial;
- ~~(18)~~(17) Tavern;
- ~~(19)~~(18) Specialized instruction school;
- ~~(20)~~(19) Vocational school; and
- ~~(21)~~(20) Pet stores and grooming services.

- (C) Conditional Uses. Conditional uses in the general commercial (GC) zone are:

- (1) Outside storage and/or display;
- (2) Church;

- (3) Public facility;
- (4) Commercial kennels and catteries;
- ~~(5) Animal shelter;~~
- (6) Communication facility; and
- ~~(7)~~(5) School.

Section 5. GFMC 19.03.110 entitled “Heavy industrial (HI) zone” is hereby amended to read as follows (all other provisions of GFMC Section 19.03.110 entitled “Heavy industrial (HI) zone” remain in effect and unchanged):

19.03.110 Heavy industrial (HI) zone.

(A) Principal Uses. Principal uses in the heavy industrial (HI) zone are:

- (1) Manufacturing, processing, creating, repairing, renovating, cleaning, painting, assembly of goods, merchandise and equipment;
- (2) Wholesale sales;
- (3) Warehousing;
- (4) Outside storage;
- (5) Surface mining;
- (6) Recycling;
- (7) Impound yard; and
- (8) Communication facility;
- (9) Commercial kennels and catteries; and
- (10) Animal shelter.

Section 6. GFMC 19.03.120 entitled “Light industrial (LI) zone” is hereby amended to read as follows (all other provisions of GFMC Section 19.03.120 entitled “Light industrial (LI) zone” remain in effect and unchanged):

19.03.120 Light industrial (LI) zone.

(A) Principal Uses. Principal uses in the light industrial (LI) zone are:

- (1) Indoor manufacturing; assembly;
- (2) Wholesale sales; indoor wholesale sales;
- (3) Mini-storage; and
- (4) Communication facility;
- (5) Commercial kennels and catteries; and
- (6) Animal shelter.

Section 7. GFMC 19.04.050 entitled “Determination of procedure type” is hereby amended to read as follows (all other provisions of GFMC Section 19.04.050 entitled “Determination of procedure type” remain in effect and unchanged):

19.04.050 Determination of procedure type.

The designated official shall determine the proper procedure for all development applications. Questions concerning an appropriate procedure for a specific project shall be resolved by using the higher numbered procedure.

An application that involves two or more procedures may be processed collectively under the highest numbered procedure required for any part of the application.

Table 2 describes the types of decisions rendered in each permit procedure category.

Table 2 – Decisions

Administrative	Quasi-Judicial	Legislative
(Designated Official)	(Hearing Examiner and Council)	(Planning Commission and Council)
Type 1	Type 2	Type 3
Permitted uses; boundary line adjustments; minor amendments to administratively approved permits; plat alteration to subdivisions and PRDs; temporary permits; sign permits; short plats; land clearing and grading; plat vacations; shoreline permits; administrative interpretations; home occupations; day care facilities; accessory dwelling units; and binding site plans.	Conditional use permits; variances, preliminary plats; final plats; certain appeals; development agreements; day care centers; and official site plans for manufactured home parks, residential condominiums, and PRDs; official site plans; and major amendments to any of the above.	Comprehensive plan amendments; development regulations; shoreline master program; zoning text amendments; zoning map amendments; and annexations.

Section 8. GFMC 19.05.070 entitled “Official site plans” is hereby amended to read as follows (all other provisions of GFMC Section 19.05.070 entitled “Official site plans” remain in effect and unchanged):

19.05.070 Official site plans.

(A) Purpose.

- (1) Specify the criteria used by the city of Granite Falls to review and approve official site plans.
- (2) To provide a method for logical and sequential review of larger, ~~more complicated~~ projects not subject to subdivision regulations.

(B) Applicability. The official site plan process shall be used for the review of:

- (1) Planned residential developments (PRDs);
- (2) Residential condominiums;
- (3) Manufactured or mobile home parks.

[Note: Provisions for a binding site plan (BSP) used for land division can be found in GFMC 20.08.090.]

(C) Application Submittal. Each application for official site plan approval shall contain five copies of all complete application forms, plans and reports. A complete application must include:

- (1) Fees. The applicant shall pay the required fees as set forth in the city’s fee resolutions when submitting an official site plan.
- (2) Application form ~~and declaration of ownership~~.
- (3) Title report (dated within the last 30 days).
- (4) Vicinity map of the area where the site is located.
- (5) Environmental checklist.
- (6) Landscape plan.

(7) A preliminary site plan on 22 inch by 34 inch paper drawn to a scale of 50 or 100 feet to one inch, stamped and signed by a registered engineer, architect or land surveyor illustrating the proposed development of the property and including, but not limited to, the following:

(G) Recording Requirements.

(1) When the proposed official site plan receives final approval, the applicant shall record the official site plan and development agreement, if required, with the Snohomish County auditor.

(2) The applicant shall furnish the city with three copies and a digital copy of the recorded official site plan within five working days of recording, and the Snohomish County assessor shall be furnished one paper copy.

(H) Development Requirements.

(1) Said lots shall not be sold or transferred unless the official site plan and a record of survey map, which is prepared in compliance with Chapter 58.09RCW and which includes a legal description of each lot being created, is approved by the city and filed for record in the Snohomish County auditor's office.

(2) The official site plan and all of its requirements shall be legally enforceable on the purchaser or other person acquiring ownership of the lot, parcel, or tract.

(3) All development must be in conformance with the recorded official site plan. Any development, use or density which fails to substantially conform to the site plan as approved constitutes a violation of this chapter.

(I) Amendment, Modification and Vacation.

(1) Amendment, modification and vacation of an official site plan shall be accomplished by following the same procedure and satisfying the same laws, rules and conditions as required for a new official site plan application, as set forth in this chapter.

(2) The vacated portion shall constitute one lot unless the property is subsequently divided by an approved subdivision or short division. [Ord. 905 § 1 (Att. A), 2016; Ord. 740 § 1 (Exh. A), 2007. Formerly 19.05.090.]

Section 9. GFMC 19.06.020 entitled "Landscaping and screening" is hereby amended to read as follows (all other provisions of GFMC Section 19.06.020 entitled "Landscaping and screening" remain in effect and unchanged):

19.06.020 Landscaping and screening.

(E) Requirements for Residential 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. 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 Designated Official.

(2) Street Frontages.

(a) All street frontages shall include street trees planted at no further apart than 30 feet on-center

(b) If due to the required location of driveways or utilities or topography prohibits the planting of street trees 30 feet on center then the Designated Official may approve street trees closer than 30 feet on center or the grouping of trees on site that achieves the same total tree county as would have been achieved with trees 30 feet on center.

(c). Vegetation utilized in low impact development facilities may count toward street frontage requirements subject to approval by the city Designated Official.

(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~~ or more cars.

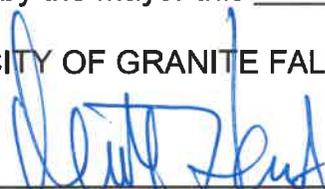
Section 10. Copy to Commerce Department. Pursuant to RCW 36.70A.106(3), the City Clerk is directed to send a copy of this ordinance to the State Department of Commerce for its files within ten (10) days after adoption of this ordinance.

Section 11. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be 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.

Section 12. Effective Date. This Ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

ADOPTED by the City Council and **APPROVED** by the Mayor this 16th day of October, 2019.

CITY OF GRANITE FALLS



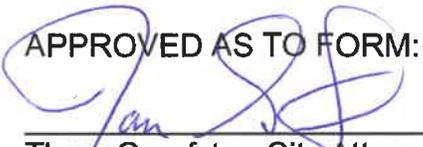
Matthew Hartman, Mayor

ATTEST:



Darla Reese, MMC, City Clerk

APPROVED AS TO FORM:



Thom Graafstra, City Attorney

Passed by City Council: October 16, 2019

Date of Publication: October 19, 2019

Effective Date: October 24, 2019