



PLANNING COMMISSION MEETING AGENDA

October 28, 2025

6:30 PM

Civic Center

The Granite Falls Planning Commission will hold its meeting in person. Comments in this meeting are encouraged and may be emailed to the city clerk in advance of the meeting or given in person.

- 1. CALL TO ORDER (VIA IN-PERSON & ONLINE VIA ZOOM)**
- 2. FLAG SALUTE**
- 3. ROLL CALL**
- 4. NEW BUSINESS**
 - 4.A. Public Hearing - 6:30 p.m., or soon thereafter**
Proposed Amendments to Title 19 & 21 of the Granite Falls Municipal Code
- 5. CURRENT BUSINESS**
- 6. ADJOURNMENT**

The City of Granite Falls strives to provide access and services to all members of the public.

Planning Commission Staff Report

Subject: Proposed Amendments to GFMC Title 19, Unified Development Code

Date of Staff Report: October 21, 2025

Date of Meeting: October 28, 2025

Consultant Contact: Patrick Kelly, AICP and Wayne Carlson, FAICP, LEED AP
AHBL, Contract City Planners

Summary

The City of Granite Falls is in the process of amending Title 19, Unified Development Code to integrate local requirements associated with the City's obligations under the Growth Management Act and recently enacted legislation by the Washington State Legislature. The proposed amendments also ensure consistency with the City's recently adopted 2024 Comprehensive Plan. Below is a list of the applicable recently enacted legislation by the Washington State Legislature:

- HB 1337, regarding accessory dwelling units (GFMC 19.06.090) – Expands housing options by limiting barriers to the construction and use of accessory dwelling units, including allowing for at least two ADUs per single family lot and adding guidance on design and parking standards.
- SB 5258, regarding unit lot subdivisions (GFMC 19.05.310) – Increases the supply and affordability of condominium units and townhouses as an option for homeownership, including revising unit lot subdivision regulations to allow for the subdivision of a parent lot into separately owned unit lots.
- SB 5290, regarding local permit review (GFMC 19.04A.230) - Consolidates local permit review processes and amends sections of RCW 36.70B, including adding guidance for permit fee refunds and adjusting the time period for jurisdictional review while reiterating existing time periods for determinations of completeness.

- House Bill 1998, regarding legalizing inexpensive housing choices through co-living housing - Requires co-living housing as a permitted use on any lot located within an urban growth area that allows at least six multifamily residential units, including on a lot zoned for mixed use development.

Amendments (accessory dwelling units, local project review permit timelines and unit lot subdivision standards) to Title 19 were previously presented to Planning Commission on March 11, 2025; September 9, 2025; and October 14, 2025. The amendments included in this Staff Report are an overview of all proposed amendments, including those that were previously presented.

Suggested Amendments

Street Design Standards

- Added language to GPMC 19.04D.020(3) to ensure the approval of plats are subject to compliance with the adopted street design specifications, in accordance with Transportation Policy T-1.7 of the 2024 Comprehensive Plan.
- Added language to GPMC 19.04D.020 (4) to ensure traditional street grids are used in accordance with Transportation Policy T-1.6 of the 2024 Comprehensive Plan.

Definitions (GPMC 19.02)

- Added definitions to GPMC Chapter 19.02 for clarity and to reflect proposed additions to various code sections, including the following definitions:
 - “Accessory living quarters”
 - “Assisted senior living facility”
 - “Courtyard apartments”
 - “Dog day care”
 - “Educational institutions”
 - “Emergency shelter, indoor”
 - “Emergency shelter, outdoor”
 - “Hard Surface Coverage”
 - “Hospital”
 - “Interior alterations”
 - “Live/work units”
 - “Medical or dental office/clinic”
 - “Microbreweries and brew pubs”
 - “Monument sign”
 - “Non-responsiveness”
 - “Open record public hearing” or “public hearing”
 - “Permanent supportive housing”
 - “Place of Worship”
 - “Project permit” or “project permit application”
 - “Public meeting”
 - “Sight distance”
 - “Significant Tree”
 - “Social or civic organization facility”
 - “Transitional Housing”
 - “Triplex”
 - “Zoning map amendment”

Development Standards (GFMC 19.03)

- Added allowance for relief from the minimum density requirements of the MR zone with Designated Official decision (GFMC 19.03.080(I)).
- Added satellite (off-site) parking regulations in the MR zone (GFMC 19.03.080(J), in accordance with Land Use Policy LU-3.2 of the 2024 Comprehensive Plan.
- Replaced “lot coverage” with “hard surface coverage” in all zones, to include all impervious surfaces (previously only included buildings).
- Added Home Occupations as a conditional use in the Central Business District (GFMC 19.03.090) when located within an approved residential use, in accordance with Land Use Policy LU-3.2 of the 2024 Comprehensive Plan.

Project Permit Types and Timelines (GFMC 19.04A Article III)

- Added interior site plan review as a Type I permit and unit lot subdivisions as a Type II permit to GFMC Table 19.04A-I: Classification of Permits and Decisions.
- Added standards to GFMC 19.04A.230 Time frames for review in accordance with Senate Bill 5290, including:
 - Updated project permit timelines for Type I, II, and III permits.
 - Added standards for applicant actions that may impact the established project permit timelines.
 - Added project types that are excluded from project permit timelines.

Comprehensive Plan Amendments (GFMC 19.04C.035)

- Added an exception to annual amendments to allow for more frequent amendments for an emergency, per RCW 36.70A.130(2)(b).

Legal Lot Status (GFMC 19.04D.060)

- Added a section (GFMC 19.04D.060) on legal lot status determination.

Unit Lot Subdivisions (GFMC 19.05.310)

- Added standards to GFMC 19.05.310 Unit lot subdivisions in accordance with Senate Bill 5258, including:

- Revised the Section title from “Unit lot subdivisions” to “Fee simple unit lot subdivisions.” and updated the purpose statement to reflect this change.
- Added standards as required per Senate Bill 5258, such as notes that shall be placed on the recorded plat.

Landscaping Standards (GFMC 19.06.020)

- Revised the definition of significant trees to exclude Alders and Cottonwoods at any size from being classified as a significant tree (GFMC 19.06.020(D)(4)).

Sign Standards (GFMC 19.06.040)

- Proposed the following revisions to GFMC 19.06.040, Sign regulations:
 - Replaced the term “Freestanding signs” with “Monument signs” throughout the section.
 - Changed the maximum height of monument signs from 25 feet to 12 feet in the Public Ownership and General Business District zones.

Parking Standards (GFMC 19.06.050, Table 1)

- Revised parking quantity requirements (GFMC 19.06.050, Table 1) for boarding houses from 1 parking stall per sleeping room to 0.25 parking stalls per sleeping room in accordance with House Bill 1998 relating to legalizing inexpensive housing choices through co-living housing.

Accessory Dwelling Units (GFMC 19.06.090)

- Added standards to GFMC 19.06.090, Accessory dwelling units in accordance with House Bill 1337, including:
 - Allowing for up to two ADUs per single family lot (the existing Code allows for one ADU per single family lot).
 - Added that mobile homes, recreational vehicles, campers, or vehicles shall not be used as an ADU.
 - Revised design standards to ensure compliance with House Bill 1337, such as:
 - Allowing for ADUs to be created through the addition or conversion of an existing detached structure even if the structure is nonconforming to required setbacks or lot coverage, if fire and safety standards are met and the existing nonconformity is not worsened.
 - Revised ADU entrance standards to ensure that entrances are clearly secondary to the main entrance of the principal unit.
 - Added parking standards for ADUs.
 - Added impact fee requirements for ADUs.

Recreational Vehicles (GFMC 19.06.135 and 10.04.030)

- Added standards for storage of Recreational Vehicles on residential properties (GFMC 19.06.135) and within the public right of way (GFMC 10.04.30) in accordance with Land Use Policy LU-3.3 of the 2024 Comprehensive Plan.

Parking of Trucks, Trailers or Tractor-Trailer Combination (GFMC 10.04.040)

- Added time limits for parking of trucks, trailers or Tractor-Trailer combinations on residential streets in any residential zone.

Impact Fees (GFMC 21.06.170)

- Added additional language to GFMC 21.06.170 for exemptions or reductions to Park Impact Fees per RCW [82.02.060](#)(4).

19.01.010 Title.

This title shall be known as the Granite Falls unified development code (UDC). [Ord. 905 § 1 (Att. A), 2016; Ord. 740 § 1 (Exh. A), 2007.]

19.01.020 Purpose.

The general purposes of the development code are:

(A) Implement Comprehensive Plan. To implement the comprehensive plan in accordance with Chapter [36.70](#) RCW et seq. (Planning Enabling Act) and Chapter [36.70A](#) RCW et seq. (Growth Management Act) and implementing a six-year Transportation Improvement Program consistent with the Comprehensive Plan in accordance with RCW 35.77.010;

(B) Promote Health and Safety. To promote public health, safety, and general welfare through regulation of physical development of the city;

(C) Orderly Development. To plan for future development of the city in an orderly and predictable fashion;

(D) Adequate Public Facilities. To provide for adequate public facilities and services to support land development;

(E) Promote Well-Being. To promote social and economic well-being through integration of aesthetic, environmental, and economic values;

(F) Protect Property Rights. To protect property rights;

(G) Protect Resources. To encourage protection of environmentally critical or historically significant resources;

(H) Ensure Adequate Space. To ensure provision of adequate space for commercial, industrial, residential, and other activities necessary for public welfare;

(I) Administration of Regulations. To provide for efficient and effective administration and enforcement of the regulations;

(J) Provide Light and Access. To provide adequate light, air, privacy, and convenience of access to property;

(K) Elimination of Nonconforming Uses. To provide for the gradual elimination of those uses of land, buildings and structures which do not conform to the standards of the district in which they are located and are adversely affecting the development and taxable value of property in the district. [Ord. 905 § 1 (Att. A), 2016; Ord. 740 § 1 (Exh. A), 2007.]

19.01.030 Interpretation and application – General.

(A) Minimum Requirements. In interpreting and applying the provisions of this UDC, they shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and general welfare. It is not intended by this UDC to interfere with or revoke or invalidate any easement, covenant, or other agreement between parties.

(B) Greater Restrictions. When the provisions of this UDC impose greater restrictions than are imposed by other applicable city, Snohomish County, state, and federal regulations, the provisions of this UDC shall control.

(C) For the purpose of the unified development code, all words used in the code shall have their normal and customary meanings, unless specifically defined otherwise in this code.

(D) Ambiguities or Differences. In case of any ambiguity or difference of meaning or inconsistencies between the text and any illustrations or other graphics, the text throughout this UDC shall control.

(E) Construction of Words. Unless the context clearly indicates otherwise, words in the present tense can include the future tense, and words in the singular can include the plural, or vice versa. Except for words and terms defined in Chapter [19.02](#) GPMC and in Chapter [19.07](#) GPMC, all words and terms used in this UDC shall have their customary meanings.

(F) Shall, Should, May, Will. The words “shall,” “should” and “will” are always mandatory and not discretionary. The word “may” is discretionary.

(G) The word “used” includes designed, intended, or arranged to be used.

(H) The masculine gender includes the feminine and vice versa.

(I) Distance shall be measured horizontally unless otherwise specified. [Ord. 1030 § 1, 2022; Ord. 905 § 1 (Att. A), 2016; Ord. 740 § 1 (Exh. A), 2007.]

19.01.040 Severability.

If any section, subsection, clause, or phrase of this UDC is for any reason held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity or constitutionality of the remaining portions of this UDC. [Ord. 905 § 1 (Att. A), 2016; Ord. 740 § 1 (Exh. A), 2007.]

19.01.050 User’s guide.

(A) Chapters. This UDC contains 10 chapters:

- (1) General Provisions. Establishes the purpose, title and basic rules for using the city development code.
- (2) Basic Definitions. Provides definitions for words used throughout the UDC. Words or terms used only in the environmental regulations chapter, Chapter [19.07](#) GFMC, are defined in that chapter.
- (3) Zoning. Lists and describes the zoning classifications, allowed uses for each zone, and the density, intensity, setback, and open space requirements for each zone.
- (4) Code Administration. Combines and coordinates the application, review, and approval procedures for land development in the city.
- (5) General Permits. Provides application procedures, decision criteria, and development standards for conditional use permits, planned residential developments, annexations, variances, and temporary uses.
- (6) Development Standards. Provides development standards such as density, setbacks, height, ~~lot coverage~~[hard surface coverage](#), landscaping, buffering, fences, signs, loading, parking, access, and other standards to cover general and specific uses; also covers home occupations, day care facilities, accessory dwelling units, group homes, adult entertainment, manufactured home parks, RV parks, nonconforming uses, and public works construction standards.
- (7) Environmental Regulations. Establishes the policies and regulatory process for implementing the State Environmental Policy Act (SEPA) and to identify and protect environmentally critical areas; also incorporates by reference the Granite Falls shoreline master program, and provides regulations for flood damage prevention.
- (8) Siting Essential Public Facilities. Provides a comprehensive and efficient process for siting essential public facilities.
- (9) Land Use Fees and Deposits. Establishes fees and deposits for various services, actions, and permits regarding land use as per the unified development code and shall be established by resolution of the city council.
- (10) Vacations of Streets and Access Easements. Establishes the procedure and criteria that the city will use to decide upon vacation of streets, alleys, and other types of public easements relating to street, pedestrian or travel purposes.

(B) Numbering Scheme. The numbering scheme used in this title operates as shown below:

Title	Chapter	Section	Subsection
19.	05.	010	(A)(1)(a)(i), (ii), (iii)

(C) Format. Each chapter begins with a purpose statement for the chapter. Basic definitions are contained in Chapter [19.02](#) GFMC. Cross references to other chapters and sections of this UDC can be found throughout the document. [Ord. 937 § 9 (Exh. H), 2017; Ord. 905 § 1 (Att. A), 2016; Ord. 862 § 54, 2013; Ord. 740 § 1 (Exh. A), 2007.]

19.02 Definitions.

19.02.010.A

“Accessory living quarters” means living quarters in an accessory building for the use of the occupant or persons employed on the premises, or for temporary use by guests of the occupant. Such quarters do not include an area for the preparation or storage of food and are not used as a separate dwelling unit.

“Assisted senior living facility” means a residential facility for elderly persons (ages fifty-five or older) who require assistance with daily tasks such as cooking, eating, bathing, housekeeping, dispensing of medicines, shopping, appointments and other tasks.

19.02.030.C

“Courtyard Apartments” means attached dwelling units arranged on two or three sides of a yard or court.

19.02.040.D

“Dog day care” means any commercial facility where four or more dogs are left by their owners during the daytime for periods of supervised social interaction in play groups with other dogs. Supervised social interaction occurs during the majority of the time the pets are at the facility.

19.02.050.E

“Educational institutions” means facilities that provide instruction and training in a wide variety of subjects by specialized enterprises, such as schools, colleges, universities, and training centers.

“Emergency shelter, indoor” means any facility that is constructed for the primary purpose of providing shelter for people experiencing homelessness in general or for specific populations of people experiencing homelessness consistent with RCW 36.70A.030(10). People may be granted admittance on a nightly or extended-stay basis. Emergency shelters may include day centers that do not provide overnight accommodations. Supportive services may or may not be provided in addition to the provision of shelter.

“Emergency shelter, outdoor” means a facility that provides shelter in temporary structures for people experiencing homelessness in general or for specific populations of people experiencing homelessness. “Temporary structure” means not affixed to land permanently including tents, vehicles, or other structures not regulated under the building code. People may be granted admittance on a nightly or extended-stay basis.

19.02.080.H

“Hard Surface Coverage” means all impervious surfaces (asphalt, concrete pavement, compacted gravel areas, buildings, driveways, parking lots, sidewalks, etc.) and permeable surfaces like pervious pavements, or vegetated roofs.

“Hospital” means an institution that provides twenty-four-hour-per-day care for the diagnosis, treatment, care and curing of individuals suffering from illness, injury or any condition requiring medical, obstetric, surgical, or psychiatric care; and other related uses customarily incidental thereto.

19.02.090.I

“Interior alterations” means construction activities that do not modify the exiting site layout or the building footprint.

19.02.120.L

“Live/work units” means built spaces that function as both work spaces and residences, allowing for workers to live and work in the same location.

19.02.130.M

“Medical or dental office/clinic” means a commercial use in which health care services for humans are provided on an outpatient basis, including but not limited to offices for doctors, dentists, chiropractors, and other health care practitioners.

“Microbreweries and brew pubs” means an establishment which manufactures beer or cider beverages on site and may sell products manufactured on site for on-premises and off-premises consumption.

“Monument sign” means a ground-mounted, fixed sign having a low profile with no open space between the ground and the sign and having a base structure constructed of masonry, wood, or materials similar in appearance.

19.02.140.N

“Non-responsiveness” means that an applicant is not making demonstrable progress on providing additional requested information to the city, or that there is no ongoing communication from the applicant to the city on the applicant’s ability or willingness to provide the additional information.

19.02.150.O

“Open record public hearing” or “public hearing” means a hearing, conducted by a single hearing body or officer authorized by the city to conduct such hearings, that creates the city’s record through testimony and submission of evidence and information, under procedures prescribed by the city by ordinance or resolution. An open record public hearing may be held prior to the city’s decision on a project permit to be known as an “open record pre-decision hearing.” An open record public hearing may be held on an appeal, to be known as an “open record appeal hearing,” if no open record pre-decision hearing has been held on the project permit.

19.02.160.P

“Permanent supportive housing”, as defined in RCW 36.70A.030, means subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.

“Place of Worship” means a church, synagogue, temple, or other place of religious worship.

“Project permit” or “project permit application” means any land use or environmental permit or license required from the city for a project action, including but not limited to building permits or other construction permits, subdivisions, binding site plans, planned unit developments, conditional use permits, site plan review, permits or approvals required by the city's critical areas ordinance, but excluding permits for wireless communication facilities and the adoption or amendment of a comprehensive plan, subarea plan, zoning map amendment, or development regulations except as otherwise specifically included in this section, and administrative approvals that are categorically exempt from environmental review or for which environmental review has already been completed.

“Public meeting” means an informal meeting, hearing, workshop, or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to the city's decision. A public meeting may include, but is not limited to, a scoping meeting on a draft environmental impact statement. A public meeting does not include an open record hearing. The proceedings at a public meeting may be recorded and a report or recommendation may be included in the city's project permit application file.

“Public safety facility” means land or structures owned by or operated for the safety and benefit of the public use and necessity, including, but not limited to, fire and police protection services.

19.02.190.S

“Sight Distance” means the clear sight triangles at any intersection or access point connection to allow a driver stopped on an approach to depart from the minor road or access point and enter or cross the major road. The "triangle" is defined by the line-of-sight from a vehicle stopped on a minor road to a vehicle approaching on the major road and back to the intersection. This area, along the intersection approach legs and across their included corners, must be clear of obstructions that might block a driver's view of potentially conflicting vehicles. The vertex, or decision point, of the sight triangle on the minor road or access point shall be 15 feet from the edge of the major road traveled way. The edge of the traveled way shall be the outside edge of the travel lane. Bicycle lanes, walkways or paved shoulders are not included.

“Significant Tree” means a healthy evergreen or deciduous tree, ten inches in diameter or greater as a single trunk, measured four feet above existing grade. Alders and Cottonwoods are not considered significant trees at any size.

“Social or civic organization facility” means a facility used for social or civic purposes, operated by a nonprofit or government organization.

19.02.200.T

“Transitional Housing” as defined in RCW 84.36.043, means a project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living.

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

19.02.260.Z

“Zoning map amendment” means is a change to a land's designation on the city's zoning map that alters the boundaries of a zoning district.

19.03 Zoning

Table 19.03-I: Permitted Uses by Zoning District

	(R-2.3) Riverfront Residential	(R-9600) Residential 9,600	(R-7200) Residential 7,200	(MR) Multiple Residential	(DT-2500) Downtown Residential	(CBD) Central Business District	(GC) General Commercial	(IR) Industrial/ Retail	(LI) Light Industrial	(HI) Heavy Industrial	(P/I) Public/ Institutional	(OS) Open Space	(PP) Public Park
PUBLIC AND INSTITUTIONAL													
Antennas	P	P	P	P	P	P	P	P	P	P	C		
Churches/Religious institutions													
Community Center											P		
Educational institution					C	P	P		P	C	P		
Essential Public Facilities		C	C	C	C	P	P	P	P		C		
Municipal Parking area				P	P	P	P		P		P		
Place of Worship		C	C	C	C	C	C				P		
Preschool					C	P	P		P	C			
Public library											P		
Public parks	C	P	P	P	P	P	P				P		
Public safety facilities	P	C	C	P	P	P	C	P	P	P	P		
Public facilities and utilities	C	C	C	C	C	C	C				P		
Social or civic organization facility				C	C	P	P				P		
INDUSTRIAL													
Accessory living quarters								P (secondary use)	P (secondary use)	P (secondary use)			
Building material sales and storage					C	P	P	P	P	C			
Commercial laundries and cleaners					C	P	P	P	P				
Commercial nurseries/greenho uses						C	P	P	P				

	(R-2.3) Riverfront Residential	(R-9600) Residential 9,600	(R-7200) Residential 7,200	(MR) Multiple Residential	(DT-2500) Downtown Residential	(CBD) Central Business District	(GC) General Commercial	(IR) Industrial/ Retail	(LI) Light Industrial	(HI) Heavy Industrial	(P/I) Public/ Institutional	(OS) Open Space	(PP) Public Park
Communication Facility	P	P	P	P	P	P	P	P	P	P	C		
General warehousing including wholesale trade								P	P				
Light manufacturing and assembly						P	P	P	P	P			
Recycling facility, processing							C	P	P	P			
Recycling facility, scrap and dismantling facility							C	P	P	P			
Surface mining										P			
OPEN SPACE AND PARKS													
Challenge or zip line course	C	C		C	C	P	P						
Display or community garden	P	P	P	P	P	P	P				P	P	
Go-cart facility	C	C		C	C	P	P						
Off-street public parking	P	P	P	P	P	P	P						
Outdoor passive parks	P	P	P	P	P	P	P				P	P	P
Park maintenance storage facility	C	PC	PC	PC	PC	PC	CP	P	P	Not ListedP	P	P	P
Picnic area and related facilities	P	P	P	P	P	P	P					P	P
Play equipmentPlayground	P	P	P	P	P		P					P	P
Playfields	C	P	P	P	P		P					P	P
Private recreational facilities	P	C	C	C	C	P	P	P	P	P		P	P
Public restrooms	P	P	P	P	P	P	P	P	P	P			
Public utility	PC	PC	PC	PC	PC	PC	PC	P	P	P	P	C	

	(R-2.3) Riverfront Residential	(R-9600) Residential 9,600	(R-7200) Residential 7,200	(MR) Multiple Residential	(DT-2500) Downtown Residential	(CBD) Central Business District	(GC) General Commercial	(IR) Industrial/ Retail	(LI) Light Industrial	(HI) Heavy Industrial	(P/I) Public/ Institutional	(OS) Open Space	(PP) Public Park
Remote-control model facility				€	€	P	P	€					
Stormwater retention or detention pond	P	P	P	P	P	P	P	P	P	P			
Trails	P	P	P	P	P	P	P				P	P	P
RESIDENTIAL													
Accessory Dwelling Unit	P	P	P		C								
Adult Family Home	P	P	P	P	P								
Assisted Senior Living Facility				P	P								
Boarding House		P	P	P	P	P	P						
Convalescent home				P	P	€							
Courtyard Apartments				P	P								
Duplex		P	P										
Dwelling, multiple- family				P	C	P ⁴	C						
Dwelling, single family	P	P	P	P	P								
Emergency Temporary Shelter						P	P				P		
Home-based Family daycare	C	C	C	C	C	C	C						
Foster home		P	P	P	P								
Home occupation	P	P	P	P	P	C ²							
Live/work units				C	C	P	P						
Manufactured Home	P	P	P	P	P								
Mobile Home Park				P									
Nursing or Convalescent Home				P	P	C							
Permanent Supportive Housing		P	P	P	P	P ⁴	C						
RVs	P												

	(R-2.3) Riverfront Residential	(R-9600) Residential 9,600	(R-7200) Residential 7,200	(MR) Multiple Residential	(DT-2500) Downtown Residential	(CBD) Central Business District	(GC) General Commercial	(IR) Industrial/ Retail	(LI) Light Industrial	(HI) Heavy Industrial	(P/I) Public/ Institutional	(OS) Open Space	(PP) Public Park
RV Recreational Vehicle (RV) park	P												
Townhouse				P	C								
Transitional Housing		P	P	P	P	<u>P</u> ⁴	<u>C</u>						
Triplex				P	P								
COMMERCIAL													
Adult Cabaret							P						
Animal clinics/hospitals						C	P	P					
Animal shelter							C		P	P	C		
Art galleries						P	P	P					
Automobile sales and rentals							P	P	P				
Automobile fueling and service							P	P	P				
Banks, business and drive up banking						P	P	P					
Bed and Breakfast		C	C		C								
Boat sales and repair						<u>C</u> P	P	P	P	P			
Cabinet and furniture shops					C	P	P	P	P				
Cafeteria or limited service restaurant						P	P	P					
Cemetery											P		
Commercial kennels and catteries		C	C				P	P	P				
Commercial nursery/greenhous es								P	P	P			
Convenience Store						P	P	P					
Day Care Centers	<u>P</u>	<u>C</u> P	<u>C</u> P	<u>P</u> ⁴ P	<u>P</u> ⁴ P	P	P	P ¹					
Dog Day Care		C	C			P	P	P					

	(R-2.3) Riverfront Residential	(R-9600) Residential 9,600	(R-7200) Residential 7,200	(MR) Multiple Residential	(DT-2500) Downtown Residential	(CBD) Central Business District	(GC) General Commercial	(IR) Industrial/ Retail	(LI) Light Industrial	(HI) Heavy Industrial	(P/I) Public/ Institutional	(OS) Open Space	(PP) Public Park
Drive in espresso/coffee business						P	P	P					
Drycleaners/Laundromats						P	P	P	C				
Florists, retail						P	P	P					
Fitness centers and workout gyms						P	P	P	C				
Gambling premises						C	P						
Health and personal care stores						P	P	P					
Heavy equipment rental							C	P	P				
Hospitals					C		C	P			P		
Hotels/Motels						P	P						
Light equipment sales and repair						P	P	P	P				
Lodge, resort, and recreational facilities	C	C ³	C										
Lumberyards, retail							P	P	P	P			
Marijuana retailer						P	P						
Medical or dental office/clinic					C	P	P	P	P		P		
Microbreweries and brew pubs						P	P	P	P				
Motorcycle sales and service, <u>Interior only</u>						PC	P	P	P				
Museum					P	P	P	C			P		
Nursery, Indoor retail sales							P	P	P				
Office, business, or professional					C	P	P	P					
Outdoor Storage and/or display						C	C	P	P	P			

	(R-2.3) Riverfront Residential	(R-9600) Residential 9,600	(R-7200) Residential 7,200	(MR) Multiple Residential	(DT-2500) Downtown Residential	(CBD) Central Business District	(GC) General Commercial	(IR) Industrial/ Retail	(LI) Light Industrial	(HI) Heavy Industrial	(P/I) Public/ Institutional	(OS) Open Space	(PP) Public Park
Personal Service establishment		C	C	C	C	P	P	P					
Pet shop, grooming and supplies						P	P	P					
Private kennel		C											
Private parking facility				P		P	P	P	P	P			
Recreation and Entertainment – indoor commercial					C	P	P	P	P				
Recreation and Entertainment – outdoor commercial					C	C	P	P					
Recreation vehicle sales and repair							P	P	P				
Recycling collection station							P	P	P				
Restaurant, full service						P	P	C					
Retail trade – small scale (under 2,500 square foot floor area)				C	C	P	P	P	P				
Retail trade – medium scale (2,500 – 20,000 square foot floor area)						P	P	P	P				
Retail trade – medium scale (over 20,000 square foot floor area)						C	P	P					
Shoe repair, clothing alterations, etc.						P	P	P					

	(R-2.3) Riverfront Residential	(R-9600) Residential 9,600	(R-7200) Residential 7,200	(MR) Multiple Residential	(DT-2500) Downtown Residential	(CBD) Central Business District	(GC) General Commercial	(IR) Industrial/ Retail	(LI) Light Industrial	(HI) Heavy Industrial	(P/I) Public/ Institutional	(OS) Open Space	(PP) Public Park
Stables and riding schools								P					
Taverns and bars						P	P	P					

¹ Permitted as a secondary use.

² Within an approved residential use

³ On parcels with any portion within 200 feet of a shoreline of statewide significance that comply with the provisions of the city's shoreline master program.

⁴ Permitted as a secondary use on the floor above a principal use.

19.03.040 Riverfront residential (R-2.3) zone.

The riverfront residential (R-2.3) zone includes lots that are highly constrained riverfront lots in or near the floodplain of the Pilchuck River. This area was originally subdivided as recreational lots but critical areas and floodplains constrain development to a high degree. The R-2.3 zone is intended to provide for a narrow range of land uses compatible with the environmental constraints.

~~(A) Principal Uses. Principal uses in the riverfront residential (R-2.3) zone are:~~

~~(1) Single-family dwelling;~~

~~(2) RV park.~~

~~(B) Secondary Uses. Secondary uses in the riverfront residential (R-2.3) zone are:~~

~~(1) Home occupation;~~

~~(2) Accessory building.~~

~~(C) Conditional Uses. Conditional uses in the riverfront residential (R-2.3) zone are:~~

~~(1) Public facility;~~

~~(2) Radio transmitting antenna and satellite signal receiving antenna;~~

~~(3) Recreational facilities.~~

~~(DA) See Table 19.03-I for a list of permitted uses in the R-2.3 zone.~~

~~(B) Minimum Building Setbacks. Minimum building setbacks in the riverfront residential (R-2.3) zone are:~~

~~(1) Front yards: 20 feet from property line except alleys, which setback will be 10 feet;~~

~~(2) Side yards: Five feet on each side; provided, that corner lots shall observe the front yard setback from any street or private road;~~

~~(3) Rear yards: 25 feet from property line for principal buildings and five feet from property line for accessory buildings;~~

~~(4) Alley setback: No portion of any structure shall be closer than 10 feet from an alley.~~

~~(EC) Minimum Lot Width. Minimum lot width in the riverfront residential (R-2.3) zone is 100 feet. Corner lots shall not be less than 120 feet.~~

~~(DF) Minimum Lot Size. Minimum lot size in the riverfront residential (R-2.3) zone is 2.3 acres or 100,000 square feet.~~

~~(EG) Maximum Height. Maximum height in the riverfront residential (R-2.3) zone is 33 feet.~~

~~(FH) Maximum Hard Surface Lot Coverage. Maximum hard surface coverage~~lot coverage~~ in the riverfront residential (R-2.3) zone is 30 percent.~~

~~(GI) Maximum Density. Maximum density in the riverfront residential (R-2.3) zone is one dwelling unit per 2.3 acres.~~

~~(HJ) Minimum Density. Minimum density in the riverfront residential (R-2.3) zone is three dwelling units per acre. [Ord. 905 § 1 (Att. A), 2016; Ord. 740 § 1 (Exh. A), 2007.]~~

19.03.050 Residential 9,600 (R-9,600) zone.

The residential 9,600 (R-9,600) zone includes a designation that is single-family in nature and should not allow units other than single-family, townhouses, and duplexes, or accessory dwelling units. This area is intended to be a transition zone between the rural areas outside the UGA and the more intense urban land uses. The character of this area is predominantly single-family developments on either larger lots or on clustered, PRD lots.

~~(A) Principal Uses. Principal uses in the residential 9,600 (R-9,600) zone are:~~

~~(1) Single-family dwelling;~~

~~(2) Foster home;~~

~~(3) Boarding house;~~

~~(4) Manufactured or mobile home park;~~

~~(5) Duplex on lots of 14,400 square feet or larger.~~

~~(B) Secondary Uses. Secondary uses in the residential 9,600 (R-9,600) zone are:~~

~~(1) Accessory building;~~

~~(2) Home occupation.~~

~~(C) Conditional Uses. Conditional uses in the residential 9,600 (R-9,600) zone are:~~

~~(1) Day care center;~~

~~(2) Church;~~

~~(3) Public facility;~~

~~(4) Radio transmitting antenna and satellite signal receiving antenna;~~

~~(5) Bed and breakfast;~~

~~(6) School;~~

~~(7) Private kennel; and~~

~~(8) Lodge, resort and recreational facilities on parcels with any portion within 200 feet of a shoreline of statewide significance that comply with the provisions of the city's shoreline master program.~~

~~(D)(A) See Table 19.03-I for a list of permitted uses in the R-6,000 zone.~~

(B) Minimum Building Setbacks. Minimum building setbacks in the residential 9,600 (R-9,600) zone are:

(1) Front yard: 20 feet from property line.

(2) Side yard: Five feet on each side; provided, that the corner lots shall observe the front yard setback from any street or private road.

(3) Rear yard: 10 feet from property line for principal buildings and five feet from property line for accessory buildings.

(4) Alley setback: No portion of any structure shall be closer than 10 feet from an alley.

(C) Minimum Lot Width. Minimum lot width in the residential 9,600 (R-9,600) zone is 60 feet. Corner lots shall not be less than 70 feet.

(D) Minimum Lot Size. Minimum lot size in the residential 9,600 (R-9,600) zone is 9,600 square feet.

(E) Maximum Height. Maximum height in the residential 9,600 (R-9,600) zone is 33 feet.

(F)(H) Maximum ~~Lot Coverage~~Hard Surface Coverage. Maximum ~~lot hard surface~~ coverage in the residential 9,600 (R-9,600) zone is 40 percent.

(G) Maximum Density. Maximum density in the residential 9,600 (R-9,600) zone is six four and one-half dwelling units per acre in a planned residential development.

(H) Minimum Density. Minimum density in the residential 9,600 (R-9,600) zone is three four dwelling units per acre. [Ord. 960 § 5 (Exh. D), 2018; Ord. 905 § 1 (Att. A), 2016; Ord. 827 § 2, 2012; Ord. 740 § 1 (Exh. A), 2007.]

19.03.060 Residential 7,200 (R-7,200) zone.

The residential 7,200 (R-7,200) zone designation shall provide for ~~primarily~~ single-family, duplex, and triplex residential development at a range of between four and six dwelling units per acre and compatible uses such as schools and churches where the full range of public facilities and services to support urban development exists. This zone is intended to support a wider variety of residential uses than the R-9,600 zone and be more flexible relative to the types of residential uses.

(A) Principal Uses. Principal uses in the residential 7,200 (R-7,200) zone are:

(1) Single-family dwelling;

(2) Foster home;

(3) Boarding house;

(4) Manufactured or mobile home park;

~~(5) Duplex on lot of 10,800 square feet or larger.~~

~~(B) Secondary Uses. Secondary uses in the residential 7,200 (R-7,200) zone are:~~

~~(1) Accessory building;~~

~~(2) Home occupation.~~

~~(C) Conditional Uses. Conditional uses in the residential 7,200 (R-7,200) zone are:~~

~~(1) Day care center;~~

~~(2) Church;~~

~~(3) Public facility;~~

~~(4) Radio transmitting antenna and/or satellite signal receiving antenna;~~

~~(5) Bed and breakfast; and~~

~~(6) School.~~

~~(A) See Table 19.03-I for a list of permitted uses in the R-7,200 zone.~~

~~(DB)~~ Minimum Lot Size. Minimum lot size in the residential 7,200 (R-7,200) zone is 7,200 square feet.

~~(CE)~~ Minimum Lot Width. Minimum lot width in the residential 7,200 (R-7,200) zone is 50 feet. Corner lots shall not be less than 60 feet.

~~(DF)~~ Minimum Building Setbacks. Minimum building setbacks in the residential 7,200 (R-7,200) zone are:

(1) Front yard: 20 feet from the property line.

(2) Side yard: Five feet on each side; provided, that corner lots shall observe the front yard setback from any street or private road.

(3) Rear yard: 10 feet from property line for principal buildings and five feet from property line for accessory buildings.

(4) Alley setback: No portion of any structure shall be closer than 10 feet from an alley.

~~(EG)~~ Maximum Height. Maximum height in the residential 7,200 (R-7,200) zone is 33 feet.

~~(FH)~~ Maximum Lot Hard Surface Coverage. Maximum lot hard surface coverage in the residential 7,200 (R-7,200) zone is 45 percent.

~~(GI)~~ Maximum Density. Maximum density in the residential 7,200 (R-7,200) zone is six dwelling units per acre.

~~(HJ)~~ Minimum Density. Minimum density in the residential 7,200 (R-7,200) zone is four dwelling units per acre. [Ord. 960 § 6 (Exh. E), 2018; Ord. 905 § 1 (Att. A), 2016; Ord. 740 § 1 (Exh. A), 2007.]

19.03.070 Downtown residential (DT-2,500) zone.

The downtown residential (DT-2,500) zone designation shall provide more flexible zoning for residential uses that are compatible with the quality and character of the existing area. This area has traditionally been a single-family, duplex and triplex zone of predominantly single-family character. This zone is intended to ~~discourage large-scale multifamily developments but be allow for flexibility to allow flexible enough to allow~~ the use of the existing small lots for densities of single-family, duplex, and triplex developments.

~~(A) Principal Uses. Principal uses in the downtown residential (DT-2,500) zone are:~~

~~(1) Single-family dwelling;~~

~~(2) Duplex;~~

~~(3) Triplex;~~

~~(4) Foster home;~~

~~(5) Boarding house; and~~

~~(6) Nursing home.~~

~~(B) Secondary Uses. Secondary uses in the downtown residential (DT-2,500) zone are:~~

- ~~(1) Accessory building;~~
- ~~(2) Home occupation; and~~
- ~~(3) Day care center.~~

~~(C) Conditional Uses. Conditional uses in the downtown residential (DT-2,500) zone are:~~

- ~~(1) Church;~~
- ~~(2) Public facility;~~
- ~~(3) Health care facility;~~
- ~~(4) Radio transmitting antenna and/or satellite receiving antenna;~~
- ~~(5) Multifamily structure;~~
- ~~(6) Bed and breakfast;~~
- ~~(7) Social and recreational facility; and~~
- ~~(8) School.~~

~~(A) See Table 19.03-I for a list of permitted uses in the DT-2,500 zone.~~

~~(B)~~ Minimum Lot Size. Minimum lot size in the downtown residential (DT-2,500) zone is 2,500 square feet per dwelling unit.

~~(C)~~ Minimum Lot Width. Minimum lot width in the downtown residential (DT-2,500) zone is 30 feet. Corner lots shall have a lot width of not less than 40 feet.

~~(D)~~ Minimum Building Setbacks. Minimum building setbacks in the downtown residential (DT-2,500) zone are:

- (1) Front yard: 10 feet from property line.
- (2) Side yard: Five feet on each side; provided, that corner lots shall observe the front yard setback from any street or private road.
- (3) Rear yard: 10 feet from property line for principal buildings and five feet from property line for accessory buildings.
- (4) In the case of multistory structures over two stories high, the base yard requirements of subsections (F)(1), (2), and (3) of this section shall be increased by an amount equal to five feet for the sum of the side yards and three feet each for the minimum width side yard, designated rear yard and designated front yard for each story of building height over two.
- (5) No portion of any multifamily structure shall be closer than 15 feet from any other structure, nor, in the case of multistoried structures over two stories high, closer than an additional five feet for each story over two.
- (6) Alley setback: No portion of any structure shall be closer than 10 feet from an alley.
- (7) Garage, carport, fenced parking area setbacks: At least 20 linear feet of paved driveway shall be provided in front of any garage, carport, or fenced parking area. The linear distance shall be measured along a centerline of the driveway from the access point to such garage, carport, or fenced parking area to the street property line, pedestrian walkway, sidewalk, or access road easement, whichever is closest to the garage, carport, or fenced parking area.

~~(E)~~ Maximum Height. Maximum height in the downtown residential (DT-2,500) zone is 33 feet.

~~(F)~~ Maximum ~~Lot Hard Surface~~ Coverage. Maximum ~~lot hard surface~~ coverage in the downtown residential (DT-2,500) zone is 70 percent.

~~(G)~~ Maximum Density. Maximum density in the downtown residential (DT-2,500) zone is 15 dwelling units per acre.

~~(H)~~ Minimum Density. Minimum density in the downtown residential (DT-2,500) zone is 10 dwelling units per acre. [Ord. 937 § 11 (Exh. J), 2017; Ord. 905 § 1 (Att. A), 2016; Ord. 862 § 16, 2013; Ord. 740 § 1 (Exh. A), 2007.]

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 or 28 dwelling units per acre subject to development conditions specified in subsection (I) of this section 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~~Generally, this designation is appropriate for land which is located convenient to principal arterials and to industrial and commercial activity centers.

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

- ~~(1) Single-family dwelling located on its own individual lot of 6,000 square feet or more;~~
- ~~(2) Multifamily dwelling;~~
- ~~(3) Foster home;~~
- ~~(4) Boarding house;~~
- ~~(5) Nursing home; and~~
- ~~(6) Manufactured or mobile home park.~~

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

- ~~(1) Accessory building;~~
- ~~(2) Home occupation; and~~
- ~~(3) Day care center.~~

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

- ~~(1) Church;~~
- ~~(2) Public facility;~~
- ~~(3) Health care facility;~~
- ~~(4) Radio transmitting antenna and/or satellite receiving antenna;~~
- ~~(5) Bed and breakfasts;~~
- ~~(6) Social and recreational facility; and~~
- ~~(7) School.~~

~~(A) See Table 19.03-I for a list of permitted uses in the MR zone.~~

~~(D)~~B Minimum Lot Size. The minimum lot size in the multiple residential (MR) zone is 6,000 square feet.

~~(C)~~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.

~~(D)~~F Minimum Building Setbacks. Minimum building setbacks in the multiple residential (MR) zone are:

- (1) Front yard: 10 feet from property line.
- (2) Side yard: Five feet on each side; provided, that corner lots shall observe the front yard setback from any street or private road.
- (3) Rear yard: 20 feet from property line for principal buildings and five feet from property line for accessory buildings.
- (4) In the case of multistory structures over two stories high, the base yard requirements of subsections (F)(1), (2), and (3) of this section shall be increased by an amount equal to five feet for the sum of the side yards and three feet each for the minimum width side yard, designated rear yard and designated front yard for each story of building height over two.
- (5) No portion of any multifamily structure shall be closer than 15 feet from any other structure, nor, in the case of multistoried structures over two stories high, closer than an additional five feet for each story over two.
- (6) Alley setback: No portion of any structure shall be closer than 10 feet from an alley.
- (7) Garage, carport, or fenced parking area setback: 20 feet from property line or sidewalk, whichever is closer. At a minimum, the 20 feet shall be paved the width of the access to the garage, carport, or fenced parking area. The linear distance shall be measured along a centerline of the driveway from the access point to such garage, carport, or fenced parking area to the street property line, pedestrian walkway, sidewalk, or access road easement, whichever is closest to the garage, carport, or fenced parking area.

(EG) Maximum Height. Maximum height in the multiple residential (MR) zone is 33 feet.

(FH) Maximum ~~Lot~~ Hard Surface Coverage. Maximum ~~lot~~ hard surface coverage in the multiple residential (MR) zone is 70 percent.

(GI) Maximum Density. Maximum density in the multiple residential (MR) zone is 24 dwelling units per acre or 28 dwelling units per acre when:

- (1) Frontage and immediate vehicle access can be provided onto a designated arterial;
- (2) Open space and recreational facilities are provided on site; and
- (3) No on-site environmentally critical areas exist.

(HJ) Minimum Density. Minimum density in the multiple residential (MR) zone is 12 dwelling units per acre. [Ord. 960 § 7 (Exh. F), 2018; Ord. 937 § 12 (Exh. K), 2017; Ord. 905 § 1 (Att. A), 2016; Ord. 883 § 7, 2014; Ord. 862 § 17, 2013; Ord. 740 § 1 (Exh. A), 2007.]

(I) The designated official may approve a reduction in the minimum density outlined in subsection (H) of this section, provided that the applicant demonstrates one or more of the following:

- (a) The site is constrained due to its unusual shape, topography, location, easements, critical areas, or other features that preclude the minimum density being achieved; or
- (b) The project is a mixed-use project which provides a mix of residential and nonresidential uses which are compatible with surrounding uses and meet the intent of the MR zone; or
- (c) The applicant intends to construct only one residence provided that the residence is sited in such a manner that future development is not precluded.

A written justification must be provided by the applicant for all requests for relief from minimum density requirements and is subject to director approval

(J) Satellite Parking. If the number of required off-street parking spaces required cannot reasonably be provided on the same lot where the principal use associated with these parking spaces is located, then spaces may be provided on adjacent or nearby lots in accordance with the provisions of this section.

- (a) All such satellite parking spaces must be located within 400 feet of a public entrance of a principal building housing the use associated with such parking, or within 400 feet of the lot on which the use associated with such parking is located if the use is not housed within any principal building, and shall be configured in a way that provides safe walking conditions to the building served by the parking. Satellite parking spaces intended for employee use may be located within any reasonable distance.
- (b) The developer wishing to take advantage of the provisions of this section must present satisfactory written evidence that the developer has the permission of the owner or other person in charge of the satellite parking spaces to use such spaces. The developer must also sign an acknowledgement that the continuing validity of his permit depends upon his continuing ability to provide the requisite number of parking spaces.
- (c) Persons who obtain satellite parking spaces in accordance with this section shall not be held accountable for ensuring that the satellite parking areas from which they obtain their spaces satisfy the design requirements of this chapter.

19.03.090 Central business district (CBD) zone.

The central business district (CBD) zone designation is comprised mostly of retail, dining, entertainment and similar businesses, which are conducted primarily indoors. Such uses include, but are not limited to, grocery stores, drug stores, furniture stores, clothing stores, bookstores, music stores, restaurants, movie theaters, and bowling alleys. It also includes many services such as law, accounting, and escrow offices as well as many other types of services. This zone is intended to provide for smaller scale specialty retail, entertainment and professional services in offices but not larger scale retail, facilities with outdoor storage or larger footprints. This zone provides for uses that are traditional to downtown business zones.

~~(A) Principal Uses. Principal uses in the central business district (CBD) zone are:~~

- ~~(1) Retail and wholesale sale;~~
- ~~(2) Personal service, including self-service;~~
- ~~(3) Office;~~
- ~~(4) Restaurant;~~
- ~~(5) Health care facility, excluding overnight accommodations;~~

- ~~(6) Social or recreational facility;~~
- ~~(7) Hotel or motel;~~
- ~~(8) Accessory structure and use;~~
- ~~(9) Parking facility;~~
- ~~(10) Indoor manufacturing, assembly;~~
- ~~(11) Day care center, commercial;~~
- ~~(12) Tavern;~~
- ~~(13) Specialized instruction school;~~
- ~~(14) Vocational school; and~~
- ~~(15) Pet store and grooming services.~~

~~(B) Secondary Uses. Secondary uses in the central business district (CBD) zone are:~~

- ~~(1) Residential dwelling unit on the floor above a principal use;~~
- ~~(2) Consumer goods repair; and~~
- ~~(3) Accessory structure and use.~~

~~(C) Conditional Uses. Conditional uses in the central business district (CBD) zone are:~~

- ~~(1) Outside storage and display;~~
- ~~(2) Veterinary clinic;~~
- ~~(3) Church;~~
- ~~(4) Public facility;~~
- ~~(5) Service station;~~
- ~~(6) Vehicle sale;~~
- ~~(7) Automotive repair and service;~~
- ~~(8) Miscellaneous repair;~~
- ~~(9) School.~~

~~(A) See Table 19.03-I for a list of permitted uses in the CBD zone.~~

~~(DB)~~ Minimum Lot Size. Minimum lot size in the central business district (CBD) zone is 2,000 square feet.

~~(CE)~~ Maximum Lot Hard Surface Coverage. Maximum ~~lot Hard Surface~~ coverage in the central business district (CBD) zone is none.

~~(DF)~~ Maximum Height. Maximum height in the central business district (CBD) zone is 50 feet.

~~(EG)~~ Minimum Building Setbacks for Nonmanufacturing Uses.

- (1) Front yard: None;
- (2) Side yard: None;
- (3) Rear yard: Five feet;
- (4) Alley setback: No portion of any structure shall be closer than 10 feet from an alley.

~~(EH)~~ Minimum Building Setbacks for Manufacturing and/or Assembly Uses.

- (1) Street/public right-of-way: 20 feet;

- (2) Side yard: None, except when abutting a residential or commercial zone or comprehensive plan designation there shall be a side yard setback of five feet;
- (3) Rear yard: Five feet;
- (4) Alley setback: No portion of any structure shall be closer than 10 feet from an alley.

(G) Required Landscaping for Manufacturing and Assembly Uses.

- (1) All street setback areas which border a residential or commercial zone or comprehensive plan residential or commercial designation shall be landscaped to a depth of at least 20 feet with natural or installed plant material which will provide total coverage of the required landscape area within three years.
- (2) All rear and side yard setback areas which border residential zones shall be landscaped with plantings a minimum of five feet in height which will reach a mature height of eight feet from the ground level. Such plantings shall be installed and spaced to provide a continuous screen at maturity.

(H) Prohibited Uses. Uses prohibited in the central business district are as follows:

- (1) Outside storage of equipment material, products, parts, supplies or vehicles for purposes other than retail sales and rentals. Outdoor storage of vehicles will be limited to an area 25 percent or less of gross square footage of the principal use.
- (2) Permanent construction yards for storage of equipment and construction products.
- (3) Manufacturing and/or assembly activity that generates noise levels exceeding 65 dB (normal conversation at three feet) as measured at the property line. [Ord. 983 § 1, 2020; Ord. 974 § 3, 2019; Ord. 960 § 8 (Exh. G), 2018; Ord. 937 § 13 (Exh. L), 2017; Ord. 905 § 1 (Att. A), 2016; Ord. 862 §§ 18 – 22, 2013; Ord. 740 § 1 (Exh. A), 2007.]

19.03.100 General commercial (GC) zone.

The general commercial (GC) zone designation is comprised of more intensive retail and service uses than described in the CBD zone. General commercial uses typically require outdoor display and/or storage of merchandise and tend to generate noise as part of the operation. Such uses include, but are not limited to, auto, boat and recreational vehicle sales lots, tire and muffler shops, and equipment rental. The types of retail outlets are typically larger footprint stores like department stores, grocery, and large specialty stores.

(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) Restaurant;
- (5) Health care facility, excluding overnight accommodations;
- (6) Social and/or recreational facility;
- (7) Hotel or motel;
- (8) Accessory structure and use;
- (9) Parking facility;
- (10) Veterinary clinic;
- (11) Service station;
- (12) Vehicle sales;
- (13) Automotive repair and service;
- (14) Miscellaneous repair;
- (15) Indoor manufacturing, assembly;
- (16) Day care center, commercial;
- (17) Tavern;

- ~~(18) Specialized instruction school;~~
- ~~(19) Vocational school; and~~
- ~~(20) Pet stores and grooming services.~~

~~(B) Secondary Uses. Secondary uses in the general commercial (GC) zone are:~~

- ~~(1) Consumer goods repair.~~

~~(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) School.~~

~~(A) See Table 19.03-I for a list of permitted uses in the GC zone.~~

~~(DB)~~ Minimum Lot Size. Minimum lot size in the general commercial (GC) zone is 7,200 square feet.

~~(CE)~~ Maximum ~~Lot-Hard Surface~~ Coverage. Maximum ~~lot-hard surface~~ coverage in the general commercial (GC) zone is none.

~~(DF)~~ Maximum Height. Maximum height in the general commercial (GC) zone is 50 feet.

~~(EG)~~ Minimum Building Setbacks for Nonmanufacturing Uses.

- (1) Front yard: None;
- (2) Side yard: None;
- (3) Rear yard: Five feet;
- (4) Alley setback: No portion of any structure shall be closer than 10 feet from an alley.

~~(FH)~~ Minimum Building Setbacks for Manufacturing and/or Assembly Uses.

- (1) Street/public right-of-way: 20 feet;
- (2) Side yard: None, except when abutting a residential or commercial zone or a comprehensive plan residential or commercial designation there shall be a side yard setback of five feet;
- (3) Rear yard: Five feet;
- (4) Alley setback: No portion of any structure shall be closer than 10 feet from an alley.

~~(GI)~~ Required Landscaping for Manufacturing and Assembly Uses.

- (1) All street setback areas which border a residential or commercial zone or comprehensive plan residential or commercial designation shall be landscaped to a depth of at least 20 feet with natural or installed plant material which will provide total coverage of the required landscape area within three years.
- (2) All rear and side yard setback areas which border residential zones shall be landscaped with plantings a minimum five feet in height which will reach a mature height of eight feet from the ground level. Such plantings shall be installed and spaced to provide a continuous screen at maturity.

~~(HJ)~~ Prohibited Uses. Manufacturing and/or assembly activity that generates noise levels exceeding 65 dB (normal conversation at three feet) measured at the property line are prohibited in the general commercial (GC) zone. [Ord. 983 § 2, 2020; Ord. 982 § 1, 2020; Ord. 974 § 4, 2019; Ord. 960 § 9 (Exh. H), 2018; Ord. 937 § 14 (Exh. M), 2017; Ord. 905 § 1 (Att. A), 2016; Ord. 862 §§ 23 – 28, 2013; Ord. 740 § 1 (Exh. A), 2007.]

19.03.110 Heavy industrial (HI) zone.

The heavy industrial (HI) zone designation will allow uses that involve a great deal of activity and storage outside the building; large doors are open, and there may be noise, light, heat, smoke, dust and odors detected beyond the property lines. Also, the hours of operation may fall outside of the normal 9:00 a.m. to 5:00 p.m. routine. An operation may begin very early in the morning and continue late into the evening. Such uses include, but are not limited to, fabrication, processing, storage, and assembly operations.

~~(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;~~
- ~~(8) Communication facility;~~
- ~~(9) Commercial kennels and catteries; and~~
- ~~(10) Animal shelter.~~

~~(B) Secondary Uses. Secondary uses in the heavy industrial (HI) zone are:~~

- ~~(1) Accessory use; and~~
- ~~(2) Night watchman's quarters occupied by an employee of the operator of the principal use.~~

~~(A) See Table 19.03-I for a list of permitted uses in the HI zone.~~

~~(CB)~~ Minimum Lot Size. Minimum lot size in the heavy industrial (HI) zone is none.

~~(CD)~~ Maximum Lot Hard Surface Coverage. Maximum lot hard surface coverage in the heavy industrial (HI) zone is none.

~~(DE)~~ Maximum Building Height. Maximum building height in the heavy industrial (HI) zone is 50 feet.

~~(EF)~~ Minimum Building Setbacks. Minimum building setbacks in the heavy industrial (HI) zone are:

- (1) Street/public right-of-way: 20 feet;
- (2) Side yard: None, except when abutting a residential or commercial zone or comprehensive plan designation which shall then be 20 feet or one foot for each foot of height of the structure nearest the side lot line, whichever is greater;
- (3) Rear yard: None, except when abutting a residential or commercial zone or comprehensive plan designation which shall then be 20 feet or one foot for each foot in height of the structure nearest the rear lot line, whichever is greater;
- (4) Alley setback: No portion of any structure shall be closer than 10 feet from an alley.

~~(EG)~~ Required Landscaping. All street setback areas, and side and rear setback areas which border a residential or commercial zone or comprehensive plan designation shall be landscaped to a depth of at least 20 feet with natural or installed plant material which will form a sight-obscuring screen. Landscaping in setback areas which border residential zones shall include a minimum five-foot-high earth berm, and plantings which will reach a mature height of eight feet from the ground level of the lot within two years. Such plantings may be installed on the top of the berm and shall be spaced to provide a continuous screen at maturity. [Ord. 974 § 5, 2019; Ord. 937 § 15 (Exh. N), 2017; Ord. 905 § 1 (Att. A), 2016; Ord. 740 § 1 (Exh. A), 2007.]

19.03.120 Light industrial (LI) zone.

The light industrial (LI) zone designation is intended for clean industrial uses in which most of the operation occurs indoors with little noise and emissions of industrial byproducts.

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

~~(B) Secondary Uses. Secondary uses in the light industrial (LI) zone are:~~

- ~~(1) Outside storage;~~
- ~~(2) Night watchman's quarters occupied by an employee of the operator of the principal use;~~
- ~~(3) Auto storage; and~~
- ~~(4) Accessory use and structure.~~

~~(A) See Table 19.03-I for a list of permitted uses in the LI zone.~~

~~(B) Minimum Lot Size. Minimum lot size in the light industrial (LI) zone is none.~~

~~(C) Maximum Lot Hard Surface Coverage. Maximum lot hard surface coverage in the light industrial (LI) zone is none.~~

~~(D) Maximum Building Height. Maximum building height in the light industrial (LI) zone is 50 feet.~~

~~(E) Minimum Building Setbacks. Minimum building setbacks in the light industrial (LI) zone are:~~

- ~~(1) Street/public right-of-way: 20 feet;~~
- ~~(2) Side yard: None, except when abutting a residential or commercial zone or comprehensive plan designation which shall then be 20 feet or one foot for each foot of height of the structure nearest the side lot line, whichever is greater;~~
- ~~(3) Rear yard: None, except when abutting a residential or commercial zone or comprehensive plan designation which shall then be 20 feet or one foot for each foot in height of the structure nearest the rear lot line, whichever is greater;~~
- ~~(4) Alley setback: No portion of any structure shall be closer than 10 feet from an alley.~~

~~(F) Required Landscaping. All street setback areas, and side and rear setback areas which border a residential or commercial zone or comprehensive plan designation shall be landscaped to a depth of at least 20 feet with natural or installed plant material which will form a sight-obscuring screen. Landscaping in setback areas which border residential zones shall include a minimum five-foot-high earth berm, and plantings which will reach a mature height of eight feet from the ground level of the lot within two years. Such plantings may be installed on the top of the berm and shall be spaced to provide a continuous screen at maturity. [Ord. 974 § 6, 2019; Ord. 937 § 16 (Exh. O), 2017; Ord. 905 § 1 (Att. A), 2016; Ord. 862 § 29, 2013; Ord. 740 § 1 (Exh. A), 2007.]~~

19.03.130 Industrial/retail (IR) zone.

The industrial/retail (IR) zone designation is intended to allow the sale of industrial products produced on the premises to retail customers. For example, wood products manufactured at the site could be sold in a showroom to retail buyers. This land use designation should be located near the frontage and have better visibility than the industrial zone.

~~(A) Principal Uses. Principal uses in the industrial/retail (IR) zone are:~~

- ~~(1) Indoor manufacturing and assembly, repair;~~
- ~~(2) Indoor wholesale sales;~~
- ~~(3) Retail sales of products produced on-site; and~~
- ~~(4) Communication facility.~~

~~(B) Secondary Uses. Secondary uses in the industrial/retail (IR) zone are:~~

- ~~(1) Outside storage;~~
- ~~(2) Night watchman's quarters occupied by an employee of the operator of the principal use; and~~
- ~~(3) Accessory use and structure.~~

~~(A) See Table 19.03-I for a list of permitted uses in the IR zone.~~

~~(B) Minimum Lot Size.~~ Minimum lot size in the industrial/retail (IR) zone is none.

~~(C) Maximum Lot Hard Surface Coverage.~~ Maximum ~~lot hard surface~~ coverage in the industrial/retail (IR) zone is none.

~~(D) Maximum Building Height.~~ Maximum building height in the industrial/retail (IR) zone is 50 feet.

~~(E) Minimum Building Setbacks.~~ Minimum building setbacks in the industrial/retail (IR) zone are:

(1) Street/public right-of-way: 20 feet;

(2) Side yard: None, except when abutting a residential or commercial zone or comprehensive plan designation which shall then be 20 feet or one foot for each foot of height of the structure nearest the side lot line, whichever is greater;

(3) Rear yard: None, except when abutting a residential or commercial zone or comprehensive plan designation which shall then be 20 feet or one foot for each foot in height of the structure nearest the rear lot line, whichever is greater;

(4) Alley setback: No portion of any structure shall be closer than 10 feet from an alley.

~~(F) Required Landscaping.~~ All street setback areas, and side and rear setback areas which border a residential or commercial zone or comprehensive plan designation shall be landscaped to a depth of at least 20 feet with natural or installed plant material which will form a sight-obscuring screen. Landscaping in setback areas which border residential zones shall include a minimum five-foot-high earth berm, and plantings which will reach a mature height of eight feet from the ground level of the lot within two years. Such plantings may be installed on the top of the berm and shall be spaced to provide a continuous screen at maturity. [Ord. 937 § 17 (Exh. P), 2017; Ord. 905 § 1 (Att. A), 2016; Ord. 740 § 1 (Exh. A), 2007.]

19.03.140 Open space (OS) zone.

The open space zone is intended to preserve and enhance public and private open, natural, and recreational areas identified in the comprehensive plan. These areas serve many functions including:

- Providing opportunities for outdoor recreation;
- Providing contrasts to the built environment;
- Preserving scenic qualities;
- Protecting sensitive or fragile environmental areas;
- Enhancing and protecting the values and functions of trees and the urban forest;
- Preserving the capacity and water quality of the stormwater drainage system; and
- Providing pedestrian and bicycle transportation connections.

The open space (OS) zone is applied to all land designated as “open space” on the comprehensive plan future land use map and that has been retained as open space areas. They are often located in sensitive environmental areas. Open space areas may be suitable for passive and/or active recreation development such as neighborhood parks. In addition, property owners may request an open space designation for open or natural areas that meet the purpose of the zone, and for review, conservation, or similar easements that can be shown as open space.

~~(A) Principal Uses. Principal uses in the open space (OS) zone are:~~

~~(1) Critical areas and buffers pursuant to GFMC 19.07.020 including:~~

~~(a) Wetland;~~

~~(b) Geological hazard area;~~

~~(c) Wildlife habitat area;~~

~~(d) Aquifer recharge area; and~~

~~(e) Flood hazard area.~~

~~(2) Outdoor passive and active private recreational areas and facilities located outside of critical areas and buffers including:~~

~~(a) Playfield;~~

~~(b) Play equipment;~~

~~(c) Display or community garden; and~~

~~(d) Picnic area and related facilities.~~

~~(3) Trails located outside of critical areas and buffers for:~~

~~(a) Hikers;~~

~~(b) Equestrians; or~~

~~(c) Bicyclists.~~

~~(4) Pedestrian trail or boardwalk located within the outer 25 percent of a wetland buffer pursuant to GPMC 19.07.020(j)(2).~~

~~(5) Stormwater retention or detention pond.~~

~~(6) Scenic or view easement or area.~~

~~(B) Secondary Uses. Secondary uses in the open space (OS) zone located outside of critical areas and buffers are:~~

~~(1) Park maintenance storage facility;~~

~~(2) Public restroom; and~~

~~(3) Off-street public parking.~~

~~(C) Conditional Uses. Conditional uses in the open space (OS) zone located outside of critical areas and buffers are:~~

~~(1) Public utility.~~

~~(A) See Table 19.03-I for a list of permitted uses in the OS zone.~~

~~(B) Minimum Lot Size. Minimum lot size in the open space (OS) zone is none.~~

~~(C) Maximum Lot-Hard Surface Coverage. Maximum lot-hard surface coverage in the open space (OS) zone is 10 percent.~~

~~(D) Maximum Building Height. Maximum building height in the open space (OS) zone is 18 feet.~~

~~(E) Minimum Building Setbacks. Minimum building setbacks in the open space (OS) zone are 20 feet from all property lines.~~

~~(F) Required Landscaping. All street, side and rear setback areas which border a residential or commercial zone or comprehensive plan residential or commercial designation shall be landscaped with natural or installed plant material to a depth of 20 feet. Said landscaping shall be located between any fence on site and the site's property line, except where the fence is required to be on or near the property line in order to protect a wetland, geological hazard area, aquifer recharge area or flood hazard area. [Ord. 937 § 18 (Exh. Q), 2017; Ord. 905 § 1 (Att. A), 2016.]~~

19.03.150 Public park (PP) zone.

The public park (PP) zone is intended to preserve and enhance all existing and planned for publicly owned parks. The public park (PP) zone is applied to all land designated as "park" on the comprehensive plan future land use map. The purpose of the public park (PP) zone is to provide opportunities for public parks and other recreation facilities, such as playgrounds, trails, publicly accessible open space, or as meet the definition of parks in GPMC 19.02.160. Only facilities providing such public recreation shall be allowed to locate in the public park (PP) zone.

~~(A) Principal Uses. Principal uses in the public park (PP) zone are:~~

~~(1) Indoor facilities such as:~~

~~(a) Gymnasium;~~

~~(b) Swimming pool; or~~

~~(c) Activity center and similar indoor recreational facility.~~

~~(2) Outdoor facilities such as:~~

~~(a) Playfield;~~

~~(b) Fishing area;~~

~~(c) Picnic and related outdoor activity areas; and~~

~~(d) Display or community garden.~~

~~(3) Areas and trails for:~~

~~(a) Hikers;~~

~~(b) Equestrians; and~~

~~(c) Bicyclists.~~

~~(B) Secondary Uses. Secondary uses in the public park (PP) zone are:~~

~~(1) Off-street public parking;~~

~~(2) Park maintenance storage facility;~~

~~(3) Public restroom;~~

~~(4) Dock;~~

~~(5) Picnic shelter, benches, barbecue facility, and similar structures and facilities;~~

~~(6) Backstop, goal posts, fencing, spectator viewing facility, and similar structures associated with a playfield.~~

~~(C) Conditional Uses. Conditional uses in the public park (PP) zone are:~~

~~(1) Off-road recreational vehicle use facility;~~

~~(2) Recreational vehicle park/overnight camping area;~~

~~(3) Challenge or zip line course;~~

~~(4) Remote control model facility;~~

~~(5) Go-cart facility; and~~

~~(6) Eco-car facility.~~

~~(A) See Table 19.03-I for a list of permitted uses in the PP zone.~~

~~(BD) Minimum Lot Size. Minimum lot size in the public park (PP) zone is none.~~

~~(CE) Maximum Lot Hard Surface Coverage. Maximum lot hard surface coverage in the public park (PP) zone is 70 percent.~~

~~(DF) Maximum Building Height. Maximum building height in the public park (PP) zone is 50 feet.~~

~~(EG) Minimum Building Setbacks. Minimum building setbacks in the public park (PP) zone are:~~

~~(1) Street/public right-of-way: 20 feet;~~

~~(2) Side yard: Five feet;~~

~~(3) Rear yard: Five feet; and~~

~~(4) Alley setback: No portion of any structure shall be closer than 10 feet from an alley.~~

~~(EH) Required Landscaping. All street, side and rear setback areas which border a residential or commercial zone or comprehensive plan residential or commercial designation shall be landscaped with natural or installed plant material. Said landscaping shall be located between any fence on site and the site's property line, except where the fence is required to be on or near the property line in order to protect a wetland, geological hazard area, aquifer recharge area or flood hazard area. [Ord. 937 § 19 (Exh. R), 2017; Ord. 905 § 1 (Att. A), 2016.]~~

19.03.160 Public/institutional (P/I) zone.

The public/institutional (P/I) zone is intended to provide and protect properties devoted to public and semi-public uses and uses providing social and physical services to the Granite Falls community. This purpose is accomplished by: (1) providing a zone in which uses serving public needs may be located; (2) limiting residential and privately owned operations; and (3) protecting adjacent properties from potential impacts of public uses. The public/institutional (P/I) zone is applied to all land designated as "public/institutional" on the comprehensive plan future land use map including, but not limited to, schools, government facilities, social services, hospitals, libraries, and utility facilities.

~~(A) Principal Uses. Principal uses in the public/institutional (P/I) zone are:~~

- (1) Community residential facility;
- (2) Emergency temporary shelter;
- (3) Trail;
- (4) Public library;
- (5) Public museum or art gallery;
- (6) Public arboretum;
- (7) Church, temple, mosque, or synagogue or similar uses;
- (8) Civic center;
- (9) Community center;
- (10) Social services;
- (11) Hospital;
- (12) Nursing or personal care facilities facility;
- (13) Public vocational school;
- (14) Public or private schools for grades K-12;
- (15) Public agency or utility office;
- (16) Public agency or utility yard;
- (17) Court;
- (18) Police facility;
- (19) Fire district facility; and
- (20) Utility facility.

(B) Secondary Uses. Secondary uses in the public/institutional (P/I) zone are:

- (1) Personal services;
- (2) School dormitory;
- (3) Office/outpatient clinic;
- (4) Medical/dental lab;
- (5) School district support facility;
- (6) Helistop;
- (7) Cafeteria;
- (8) Pharmacy;
- (9) Florist and/or gift shop within a hospital;
- (10) Day care; and
- (11) Off-street public parking.

(C) Conditional Uses. Conditional uses in the public/institutional (P/I) zone are:

- (1) Jail;
- (2) Public agency animal control facility;
- (3) Public agency training facility;

- (4) Landfill;
- (5) Transfer station;
- (6) Wastewater treatment facility;
- (7) Municipal water production;
- (8) Transit park and ride facility;
- (9) School bus base;
- (10) Stadium/arena;
- (11) Cemetery; and
- (12) Communication facility.

(A) See Table 19.03-I for a list of permitted uses in the P/I zone.

(B) Minimum Lot Size. Minimum lot size in the public/institutional (P/I) zone is none.

(C) Maximum Lot Hard Surface Coverage. Maximum lot hard surface coverage in the public/institutional (P/I) zone is 90 percent.

(D) Maximum Building Height. Maximum building height in the public/institutional (P/I) zone is 33 feet.

(E) Minimum Building Setbacks. Minimum building setback in the public/institutional (P/I) zone is 20 feet from all property lines except when abutting a commercial, industrial or public/institutional zone, then the setbacks shall be the same as the corresponding setbacks requirement for the abutting commercial, industrial or public/institutional zone. This means:

- (1) Street/public right-of-way: 20 feet;
- (2) Side yards abutting a residential, open space, or public park zone: 20 feet;
- (3) Side yards abutting a central business district zone: none;
- (4) Side yards abutting a general commercial, industrial, or public/institutional zone: five feet;
- (5) Rear yard abutting a residential, open space, or public park zone: 20 feet;
- (6) Rear yard abutting a central business district zone: none;
- (7) Rear yard abutting a general commercial, industrial, or public/institutional zone: five feet;
- (8) Alley setback: No portion of any building shall be closer than 10 feet from an alley.

(F) Required Landscaping. All setback areas except the minimum area necessary for paved vehicle or pedestrian access shall be landscaped with living plant material. [Ord. 937 § 20 (Exh. S), 2017; Ord. 905 § 1 (Att. A), 2016.]

19.04A.210 Types of review.

It is the intent of this article to provide the administrative review procedures for applications and land use actions classified as Types I through IV. [Ord. 994 § 2, 2020.]

(A) The purpose of this section is to provide an overview of the four levels of land use review. Land use and development decisions are classified into four processes based on who makes the decision, the amount of discretion exercised by the decision maker, the level of impact associated with the decision, the amount and type of input sought, and the type of appeal opportunity.

(B) Classification of Permits and Decisions.

- (1) Type I Review – Administrative Decisions without Notice. A Type I process is an administrative review and decision by the appropriate department or division. Applications reviewed under the Type I process are minor administrative decisions and are exempt from certain administrative procedures, such as complete application review, noticing, and decision time frames. Appeals of Type I decisions are made to the hearing examiner, except shoreline permit appeals are made to the Shoreline Hearings Board. The permits and actions reviewed and decided as Type I are listed in the table in subsection (D) of this section.
- (2) Type II Review – Administrative Decisions with Notice. A Type II process is an administrative review and decision with recommendation from staff, city departments or others and requiring public notice at the application and/or decision

stages of the review. Appeals of Type II decisions are made to the hearing examiner, except shoreline permit appeals are made to the Shoreline Hearings Board. The permits and actions reviewed and decided as Type II are listed in the table in subsection (D) of this section.

(3) Type III Review – Quasi-Judicial Decisions – Hearing Examiner. This Type III process is a quasi-judicial review and decision by the hearing examiner. The hearing examiner makes a decision based on a staff report. A public meeting may be held prior to the hearing examiner hearing with the planning commission. The hearing examiner considers public testimony received at an open record public hearing. Public notification is provided at the application, public hearing, and decision stages of application review. Appeals of hearing examiner decisions are made to Snohomish County superior court, except shoreline permit appeals are made to the Shoreline Hearings Board. The permits and actions reviewed and decided as Type III are listed in the table in subsection (D) of this section.

(4) Type IV Review – Legislative Decisions – City Council with Planning Commission Recommendation. A Type IV review is for legislative and/or non-project decisions by the city council under its authority to establish policies and regulations regarding future private and public development and management of public lands. The planning commission makes a recommendation to the city council. The planning commission will conduct a public hearing to obtain public testimony on the proposed legislation. The city council may elect to conduct an additional public hearing. The actions reviewed and decided as Type IV are listed in the table in subsection (D) of this section.

(C) Permits and Actions Not Listed. If a permit or land use action is not listed in Table 19.04A-I, the designated official shall make the determination as to the appropriate review procedure.

(D) Permit-Issuing Authority and Appeal Authority. The permit-issuing authority and appeal authority for permit applications and legislative actions are established in Table 19.04A-I. A detailed explanation for each review procedure is in Chapter 19.04B GFMC under each article for each review type. Any inconsistency in classification of permits and decisions between Table 19.04A-I and this title, Table 19.04A-I shall govern.

Table 19.04A-I: Classification of Permits and Decisions

Type of Application	Public Comment/ Notice Period	Pre-Application Meeting	Public Meeting/ Recommendation	Open Record Public Hearing	Decision	Open Record Appeal	Closed Record Appeal	Non-City or Judicial Appeal
Type I								
Grading permit and sign permit	No	No	No	No	DO	HE	No	Yes
Home occupation permit and day care facilities	No	No	No	No	DO	HE	No	Yes
Accessory dwelling unit	No	No	No	No	DO	HE	No	Yes
Parcel combination	No	No	No	No	DO	HE	No	Yes
Boundary line adjustment	No	No	No	No	DO	HE	No	Yes
Administrative deviation, modifications and interpretation	No	No	No	No	DO	HE	No	Yes
Interior Site Plan Review	No	No	No	No	DO	HE	No	Yes
Floodplain development permit	No	No	No	No	DO	HE	No	Yes
Small cell WCF; collocated WCF;	No	No	No	No	DO	HE	No	Yes

Type of Application	Public Comment/ Notice Period	Pre-Application Meeting	Public Meeting/ Recommendation	Open Record Public Hearing	Decision	Open Record Appeal	Closed Record Appeal	Non-City or Judicial Appeal
minor modifications								
Temporary permits	No	No	No	No	DO	HE	No	Yes
Change of use	No	No	No	No	DO	HE	No	Yes
Final short plat	No	No	No	No	DO	HE	No	Yes
Minor amendments to administratively approved permits	No	No	No	No	DO	HE	No	Yes
Type II:								
Flood hazard variance*	14-day NOA or NOH	No	No	No	DO*	HE	No	Yes
Sensitive area reasonable use allowance*	15-day NOA or NOH	No	No	No	DO*	HE	No	Yes
Short plat	15-day NOA	DO	No	No	DO and PWD	HE	No	Yes
<u>Unit Lot Subdivision</u>	<u>15-day NOA</u>	<u>DO</u>	<u>No</u>	<u>No</u>	<u>DO and PWD</u>	<u>HE</u>	<u>No</u>	<u>Yes</u>
Binding site plan	10-day NOA	DO	No	No	DO	HE	No	Yes
Site plans	15-day NOA	DO	Yes	No	DO	HE	No	Yes
Shoreline substantial development permit	30-day NOA 15-day NOH	No	No	No	DO	HE	No	Yes
Plat alterations to subdivision and PRDs	10-day NOA	DO	No	No	DO	HE	No	Yes
Plat vacations	10-day NOA							
SEPA determination	14 days (post determination)	No	No	No	DO	HE	No	Yes
Concurrency evaluation	None	No	No	No	DO	HE	No	No
Administrative conditional use and variances	15-day NOA	DO	No	No	DO	HE	No	Yes
Final plat	10-day NOA	No	No	No	CC	No	No	Yes

Type of Application	Public Comment/ Notice Period	Pre-Application Meeting	Public Meeting/ Recommendation	Open Record Public Hearing	Decision	Open Record Appeal	Closed Record Appeal	Non-City or Judicial Appeal
Minor amendments to Type III permits	10-day NOA	No	No	No	DO	HE	No	Yes
Type III:								
Conditional use permit and variances	15-day NOA 10-day NOH	No	No	HE	HE	No	No	Yes
Preliminary plat	15-day NOA 10-day NOH	DO	PC	HE	HE	No	No	Yes
Shoreline CUP	30-day NOA plus 15-day NOH	No	No	HE	HE	No	No	Yes
Shoreline variance	30-day NOA plus 15-day NOH	No	No	HE	HE	No	No	Yes
WCF: Monopole	15-day NOH	DO	PC	HE	HE	No	No	Yes
WCF: Small cell architectural design deviation request	15-day NOH	DO	PC	HE	HE	No	No	Yes
Official site plan for manufactured home parks, PRD, and residential condominiums	15-day NOA 10-day NOH	DO	PC	HE	HE	No	No	Yes
Day care centers	15-day NOA 10-day NOH	DO	No	HE	HE	No	No	Yes
Major amendments to Type III permits	15-day NOA 10-day NOH	DO	No	HE	HE	No	No	Yes
Type IV:								
Comprehensive plan amendment	NOA 10-day NOH	None	Yes	PC++	PC recommendation **10-day NOH	No	No	Yes
Development regulations amendments	NOA 10-day NOH	None	No	PC++	PC recommendation **CC decision **	No	No	Yes
Annexation	15-day NOA 10-day NOH	DO, CE	No	CC/SCBR B	CC/SCBR B	No	No	Yes

Type of Application	Public Comment/ Notice Period	Pre-Application Meeting	Public Meeting/ Recommendation	Open Record Public Hearing	Decision	Open Record Appeal	Closed Record Appeal	Non-City or Judicial Appeal
Vacations of streets and alleys	10-day NOH	CE	No	CC	CC	No	No	Yes
Development agreement***	10-day NOH	No	No	CC	CC	No	No	Yes
Zoning map amendment	10-day NOH	DO	No	PC	CC	No	No	Yes

CC City Council

NOH Notice of Hearing (per GPMC 19.04A.260)

CE City Engineer

PC Planning Commission

DO Designated Official

PWD Public Works Director

HE Hearing Examiner

SCBRB Snohomish County Boundary Review Board

NOA Notice of Application (per GPMC 19.04B.225)

WCC Wireless Communications Facilities

- * The designated official shall have the option of referring the application to the hearing examiner for a public hearing and decision. In this case, an appeal of the hearing examiner’s decision shall be heard in a closed record appeal as a judicial appeal.
- ** Either the planning commission or the city council may opt to hold one or more workshops or joint workshops on an application.
- *** Planning commission review is not required for this type of action. City council will be the sole reviewing body.
- ++ The city council may opt to hold the required public hearing(s).

(E) Associated Land Use Determinations. Associated land use determinations are decisions that need to be made as part of another land use action or permit review, as set forth in Table 19.04A-II. Each type of determination has a separate review process determined by the designated official or public works director.

Table 19.04A-II: Associated Land Use Determinations

Associated Land Use Determinations
☐ Public works standards street deviations
☐ Miscellaneous administrative determinations (e.g., application requirements, waiver allowed by code in parking or landscaping, etc.)
☐ Underground utility deviations

[Ord. 1020 § 1 (Att. A), 2022; Ord. 994 § 2, 2020.]

19.04A.230 Time frames for review.

- (A) Purpose. RCW 36.70B.070 and 36.70B.080 require time frames be established to ensure applications are reviewed in a timely and predictable manner. This section establishes the time frames and procedures for a determination of completeness and final decision for Type II, III, or IV reviews. ~~No time frames are established by these statutes for Type I or IV reviews.~~
- (B) Computing Time. Unless otherwise specified, all time frames are indicated as calendar days, not working days. For the purposes of computing time, the day the determination or decision is rendered shall not be included. The last day of the time period shall be included; provided, that if it is a Saturday, Sunday, or a day designated by RCW 1.16.050 or by the city’s ordinances as a legal holiday, then it also is excluded and the time period concludes at the end of the next business day.
- (C) Complete Application Review Time Frame. The following procedures shall be applied to new applications requiring Type II and III reviews. Applications requiring Type I or IV review are excluded from this requirement.

(1) Within 28 days after receiving an application, the designated official and/or city clerk shall mail, email, fax, or otherwise provide to the applicant a written determination that the application is complete, or that the application is incomplete, and what is necessary to make the application complete. The applicant has 90 days to submit the necessary information to the city.

(2) If the designated official does not provide a written determination within the 28 days, the application shall be deemed complete at the end of the twenty-eighth day.

(3) If additional information is needed to make the application complete, the designated official shall notify the applicant whether the application is complete or what additional information is necessary within 14 days after an applicant has submitted the information identified by the designated official as being needed.

(4) An application is complete for purposes of this section when it meets the submittal requirements established by the designated official and is sufficient for continued processing, even though additional information may be required, or project modifications may be undertaken subsequently. The determination of completeness shall not preclude the designated official from requesting additional information or studies either at the time of the notice of completeness or subsequently, if new information is required to complete review of the application or substantial changes in the permit application are proposed.

(5) To the extent known by the city, other agencies with jurisdiction over the project permit application shall be identified in the city's determination of completeness required by subsection (C)(1) of this section.

(D) Application Review and Decision Time Frame.

(1) A final decision for each type of complete project permit application or project type shall be issued within the following time periods following the determination of completeness:

a. 65 days, if no public notice is required as a result of an exemption to SEPA;

b. 100 days, if public notice is required as a result of SEPA; or

c. 170 days, if public notice and public hearing(s) are required as a result of SEPA.

In the event of a consolidated review of more than one permit, the time period for a final decision shall be the longest of the permit periods identified above.

(2) Decisions on Type I applications shall not exceed 65 days, unless the designated official makes written findings that a specified amount of additional time is needed for processing of a specific complete project application. Applications for developments that are complex or that have extensive or difficult issues may take additional time. The applicant and the city may agree in writing to extend the time period.

(3) (1) Decisions on Type II and III applications shall not exceed 120-100 days, unless the designated official makes written findings that a specified amount of additional time is needed for processing of a specific complete project application. Applications for developments that are complex or that have extensive or difficult issues may take additional time. The applicant and the city may agree in writing to extend the time period.

(4) Decisions on Type III applications shall not exceed 170 days, unless the designated official makes written findings that a specified amount of additional time is needed for processing of a specific complete project application. Applications for developments that are complex or that have extensive or difficult issues may take additional time. The applicant and the city may agree in writing to extend the period.

(5) Interior site plan reviews, including the following, do not require a project permit but still may require building, plumbing, mechanical, or electrical permits.

a. Additional sleeping quarters or bedrooms;

b. Nonconformity with Federal Emergency Management Agency improvement thresholds; or

c. An increase the total square footage or valuation of the structure thereby requiring upgraded fire access or fire suppression systems.

(26) Preliminary Plats. Pursuant to RCW [58.17.140](#), preliminary plats of any proposed subdivision and dedication shall be approved, disapproved, or returned to the applicant for modification or correction within 90 days from the date of filing thereof unless the applicant consents to an extension of such time period or the 90-day limitation is extended to include up to 21 days as specified under RCW [58.17.095](#)(3). The 90-day period shall not include the time spent preparing and circulating an environmental impact statement by the local governmental agency.

(37) Final Plats and Short Plats. Pursuant to RCW [58.17.140](#), final plats and short plats shall be approved, disapproved, or returned to the applicant within 30 days from the date of filing thereof, unless the applicant consents to an extension of such time period.

(48) Appeals. The time period for consideration and decision on appeals shall not exceed 90 days for an open record appeal hearing and 60 days for a closed record appeal. The parties may agree in writing to extend these time periods. Any extension of time mutually agreed upon by the applicant and the city shall be in writing.

(95) Exemptions. The time limits established in this section do not apply if a project permit application:

- (a) Requires an amendment to the comprehensive plan or a development regulation;
- (b) Requires approval of the siting of an essential public facility as provided in RCW [36.70A.200](#);
- (c) Is reviewed as a Type ~~III~~ -IV permit;
- (d) Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete.

(E) Calculating Decision Time Frame. In determining the number of days that have elapsed after the city has notified the applicant that the application is complete for purposes of calculating the time for issuance of the notice of final decision, the following periods shall be excluded:

- (1) Any period during which the applicant has been requested by the city to correct plans, perform required studies, or provide additional required information. If the city determines that the information submitted by the applicant is insufficient, it shall notify the applicant of the deficiencies. The period shall be calculated from the date the city notifies the applicant of the need for additional information until the earlier of the date the local government determines whether the additional information satisfies the request for information or 14 days after the date the information has been provided to the city;
- (2) Any period during which an environmental impact statement is being prepared following a determination of significance (DS) pursuant to Chapter [43.21C](#) RCW, or if the city and the applicant in writing shall agree to a time period for completion of an environmental impact statement;
- (3) Any period for administrative appeals of project permits, if an open record appeal hearing or a closed record appeal, or both, are allowed; or
- (4) Any extension of time mutually agreed upon by the applicant and the city.

(F) Applicant Actions Affecting Timeline. The time periods for the city to process a permit shall start over if an applicant proposes a change in use that adds or removes commercial or residential elements from the original application that would make the application fail to meet the determination of procedural completeness for the new use, as required by the city.

- (1) If, at any time, an applicant informs the city, in writing, that the applicant would like to temporarily suspend the review of the project for more than 60 days, or if an applicant is not responsive for more than 60 consecutive days after the city has notified the applicant, in writing, that additional information is required to further process the application, an additional 30 days may be added to the time periods for city action to issue a final decision for a project permit application. Any written notice from the city to the applicant that additional information is required to further process the application must include a notice that non-responsiveness for 60 consecutive days may result in 30 days being added to the time for review.
- (2) The applicant and the city may extend the time for a deadline for issuance of a final decision for a specific project permit application upon mutual agreement.
- (3) The time limits set forth in this section shall not apply to any application that requires amendment to the comprehensive plan.
- (4) This section shall apply to project permit applications filed on or after January 1, 2025.

~~(FG)~~ Possible Extension of Time for Final Decision. If the city is unable to issue a final decision within the time limits provided herein, the applicant shall be provided written notice of this fact. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of final decision. [Ord. 994 § 2, 2020.]

(H) Exclusions. The following matters are excluded from the requirements of this chapter:

- (1) Approvals relating to the use of public areas or facilities.
- (2) Landmark designations.
- (3) Project permits, whether administrative or subject to review by a reviewing agency, that the city council by ordinance or resolution has determined present special circumstances that warrant a review process or time periods for approval which are different from that provided by this chapter.
- (4) Development agreements.

(5) Wireless communication facility permits.

(4)-(6) Administrative approvals that are categorically exempt from environmental review or for which environmental review has already been completed.

~~(4)-~~

19.04A.240 Vacation of approved permits and variances.

(A) Requests to vacate a permit or variance shall be made in writing to the city clerk.

(B) The designated official may vacate the permit or variance if the following conditions are present:

- (1) The use authorized by the permit or variance does not exist and is not actively being pursued; or
- (2) The use has been terminated and no violation of the terms and the conditions of the variance or permit exists.

(C) Vacation of any permit or variance shall be documented by the filing of a notice of land use permit or variance vacation with the county auditor on a form provided by the designated official and/or city clerk. [Ord. 994 § 2, 2020.]

19.04A.245 Expiration of inactive applications.

(A) An application shall expire 180 days after the last date that additional information is requested, if the applicant has failed to provide the information, except that:

(1) The designated official may grant one 90-day extension if the following criteria are met:

- (a) A written request for extension is submitted at least 30 days prior to the expiration date;
- (b) The applicant demonstrates that circumstances beyond the control of the applicant prevent timely submittal of the requested information; and
- (c) The applicant provides a reasonable schedule for submittal of the requested information.

(2) The department may set an expiration date of less than 180 days when the permit application is the result of a code enforcement action. Permit application expiration does not affect permits under code enforcement action.

(3) No application shall expire when under review by the department following submittal of a complete application or timely resubmittal of an application when all required information has been provided.

(4) The department may extend an expiration date for an application with no written request from an applicant when additional time for city processing or scheduling of appointments is required, when the department needs information or responses from other agencies, or under other similar circumstances.

(B) A permit application approved for issuance, but not paid for and issued, shall expire 90 days after the date it is approved for issuance. [Ord. 994 § 2, 2020.]

19.04A.250 Expiration of approvals and approved permits.

(A) Land use approvals/permits other than subdivisions or shoreline permits shall expire automatically within one year after the issuance of such permits, if:

- (1) The use authorized by such permits has not commenced, in circumstances where no substantial construction, excavation or demolition is necessary before commencement of such use; or
- (2) Less than 10 percent of the total cost of all construction, excavation or demolition of the approved development has been completed.

(B) Land use permits other than subdivisions shall also expire automatically if construction, grading or excavation is commenced but such work is discontinued for a period of one year.

(C) For land use permits other than preliminary short subdivisions, subdivisions and sign permits:

- (1) The designated official may grant one six-month extension to a permit upon showing proper justification, if:
 - (a) The extension is requested at least 30 calendar days before the permit expires;
 - (b) The permittee has proceeded with due diligence and in good faith; and
 - (c) The zoning designation of the property has not changed.

(2) Proper justification consists of one or more of the following conditions:

- (a) Economic hardship;
- (b) Change of ownership;
- (c) Unanticipated construction and/or site design problems;
- (d) Other circumstances beyond the control of the applicant and determined acceptable by the appropriate department director.

(D) Preliminary short subdivision approvals shall expire after seven years if the date of preliminary plat approval is on or before December 31, 2014; five years if the preliminary plat approval is issued on or after January 1, 2015; and ten years if the project is not subject to the Shoreline Management Act, and the preliminary plat is approved on or before December 31, 2007. Preliminary short subdivision approvals shall expire automatically if, within the applicable number of years, within five years after the issuance of such approvals:

(1) The final plat or short plat has not been submitted to the city for approval; or

(2) An extension has not been granted. The designated official may approve a single one-year original extension to the approval, if:

- (a) The request was delivered in writing to the designated official or city clerk at least 30 calendar days prior to the approval's expiration and meets one of the proper justifications listed in subsection (C)(2) of this section;
- (b) The permittee has proceeded with due diligence and in good faith to complete the plat; and
- (c) Conditions have not changed so substantially as to warrant a new application.

(E) Subdivision approvals shall expire in accordance with subsection (D) of this section.

(F) Construction Plan Approvals.

(1) Construction plans for projects reviewed under the development code shall be approved for a period of 60 months from the date the city signs the plans or until expiration of the preliminary plat, preliminary short plat, binding site plan, conditional use permit, or site development plan approval, whichever is shorter. If the construction plan is not connected to another permit, it shall expire in one year with one six-month extension allowed.

(2) The city may grant an extension of up to 12 months if substantial progress has been made by the applicant to complete construction of the approved project. Extensions shall be considered on a case-by-case basis by the public works director or designee and will require a letter to be submitted to the city requesting the extension at least 30 calendar days prior to the approval's expiration. Said letter shall demonstrate that the project has made substantial construction progress, the reason for the extension request, and an estimated timeline for completion of construction.

(3) When the approval period or any extension thereof expires, the city's approval of the construction plans shall be deemed automatically withdrawn. In order to receive further consideration by the city after such expiration and automatic withdrawal, construction plans must be resubmitted and must comply with the current code requirements.

(G) Once the time period and any extensions have expired, approval/permit shall terminate, and the application is void and deemed withdrawn. [Ord. 994 § 2, 2020.]

19.04A.255 Revocation of approved permits.

(A) The hearing entity may revoke an approved permit through the same approval and/or hearing procedures for the original approval.

(B) An approved permit may be revoked only upon finding that:

- (1) The use for which the approval was granted has been abandoned for a period of at least one year;
- (2) Approval of the permit was obtained by misrepresentation of material fact; or
- (3) The permit is being exercised contrary to the terms of approval. [Ord. 994 § 2, 2020.]

19.04A.260 Public meetings and public hearings.

(A) This section sets forth procedures for public meetings and hearings in addition to processes set forth in each of the review types in Chapter [19.04B](#) GFMC.

(B) Public Meetings. The purpose of a public meeting is to provide the public with the opportunity to learn about a project and/or the city, a board or panel, or decision maker to ask questions for a better understanding of a project. Meetings are not as formal as a hearing, do not require public testimony, and are not required to be taped. Public meetings may be required for Type II, III, or IV reviews.

(C) Public Hearings. The purpose of having hearings is to provide decision makers with an opportunity to obtain additional information and to provide the public with an opportunity to introduce that information and to make their views known. Public hearings are required for Type III and IV reviews. When this title or state law requires a hearing, the following shall apply:

- (1) A verbatim record shall be kept;
- (2) Those present shall be given the opportunity to testify;
- (3) The hearing authority shall be allowed to ask questions of those testifying;
- (4) The hearing shall be conducted to ensure fairness to all parties;
- (5) The hearing authority may subpoena witnesses; and
- (6) A hearing may be kept open to take additional information up to the point a final decision is made. No further notice of a continued hearing need be published unless a period of six months or more elapses between meeting dates.

(D) Notices of public meetings or hearings shall include the following information:

- (1) The date, time, and place of the hearing.
- (2) Location of the site.
- (3) A brief description of the request, and any proposed modifications or variances.
- (4) Applicant's name.
- (5) Project name and file number and a statement of its availability for inspection by the public.
- (6) A statement of the right of any person to submit written testimony to the appropriate permit-issuing authority and to appear at the public hearing to give testimony orally.
- (7) A statement that only persons who submit written or oral testimony to the permit-issuing authority may appeal the decision.
- (8) A statement announcing the city's goal of complying with the intent of the Americans with Disabilities Act, announcing accessibility, offer of assistance to persons with special needs, and availability of TDD services.

(E) Burden of Proof/Testimony.

- (1) The burden of presenting evidence to the permit-issuing entity sufficient to lead it to conclude that the application should be approved, conditioned, or denied shall be upon the party advancing the position.
- (2) All persons in attendance that wish to testify shall be sworn in.
- (3) All findings and conclusions necessary to the issuance of a decision shall be based upon reliable evidence.

(F) Joint Public Meetings or Hearings.

(1) Approval Authority's Decision to Combine Joint Hearing. At the applicant's request, the approval authority may combine any public hearing on a project permit application with any hearing that may be held by another local, state, regional, federal, or other agency, on the proposed action, as long as:

- (a) The hearing is held within the city limits; and
- (b) The requirements of subsection (F)(3) of this section are met. (RCW [36.70B.110\(7\)](#))

(2) Applicant's Request for a Joint Meeting or Hearing. The applicant may request that the public hearing on a permit application be combined as long as the joint hearing can be held within the time periods set forth in this title. In the alternative, the applicant may agree to a particular schedule if that additional time is needed in order to complete the hearings. (RCW [36.70B.110\(7\)](#))

(3) Prerequisites to Joint Public Meeting or Hearing. A joint public hearing may be held with another local, state, regional, federal or other agency and the city, as long as:

- (a) The other agency is not expressly prohibited by statute from doing so (RCW [36.70B.110](#)(8));
- (b) Sufficient notice of the meeting or hearing is given to meet each of the agencies' adopted notice requirements as set forth in statute, ordinance, or rule;
- (c) The agency has received the necessary information about the proposed project from the applicant in enough time to hold its meeting or hearing at the same time as the local government hearing; and
- (d) The meeting or hearing is held within the geographic boundary of the local government.

(G) Record.

(1) Tape recordings shall be made of all hearings required by this title, and such recordings shall be kept for at least two years. Accurate minutes shall also be kept of all such proceedings, but a transcript need not be made. The written decision of a hearing examiner shall meet the requirement for minutes of the hearing examiner public hearing.

(2) Whenever practicable, all documentary evidence presented at a hearing, as well as all other types of physical evidence, shall be made a part of the record of the proceedings and shall be kept by the city for at least two years. [Ord. 994 § 2, 2020.]

19.04A.265 Appeals.

(A) This section sets forth procedures for appeals, in addition to any specific procedures set forth in each of the review types in Chapter [19.04B](#) GPMC.

(B) Processing of Appeals. Appeals of decisions on project permit decisions shall be processed according to the procedures outlined in each of the review types in Chapter [19.04B](#) GPMC. The decision maker on the appeal may reverse or affirm or modify the decision, if it is found the original decision was based on faulty facts or incorrect application of the law. Any modifications to the decision shall be limited to those necessary to ensure the decision criteria of this title are met.

(C) Effect of Appeal. Decisions on Type I, II and III permits are assumed valid unless overturned by an appeal decision. An appeal stays all actions by the designated official seeking enforcement of or compliance with the order or decision appealed from, unless the designated official finds that a stay would, in his opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed except by order of the hearing examiner or a court.

(D) Exhaustion of Administrative Remedies. No action to obtain judicial review may be commenced unless all rights of administrative appeal provided by this title or state law have been exhausted. The cost of transcription of all records ordered certified by the court for such review shall be borne by the appellant. A copy of each transcript prepared by an appellant shall be submitted to the city for confirmation of its accuracy.

(E) Consolidated Appeals. All appeals of project permit application decisions, other than an appeal of determination of significance (DS), shall be considered together in a consolidated appeal. (RCW [36.70B.060](#)(6), [43.21C.075](#)) [Ord. 994 § 2, 2020.]

Article IV. Duties, Authorities and Qualifications of Permit-Issuing and Review Bodies

19.04A.310 Purpose.

The purpose of this article is to define the authorities, roles and responsibilities for the positions or entities responsible for administering this title. [Ord. 994 § 2, 2020.]

19.04A.320 Designated official.

(A) The designated official enforces the municipal code unless otherwise specified. As specified in this title, the designated official shall be a city representative.

(B) Authority and Duties. The designated official or designee shall have the authority to enter and inspect buildings and land during reasonable hours, with permission of the occupant or owner or by court order, to issue abatement orders and citations and to cause the termination and abatement of violations of this title unless otherwise specified. The duties of the designated official shall include, but not be limited to, the following: enforce and administer this title unless otherwise specified; investigate complaints and initiate appropriate action; render decisions or make recommendations as specified in this title; and keep adequate records of land use applications, enforcement actions, and appeals. The designated official may also review administrative modifications items previously approved by the planning commission and/or city council.

(C) Appeals. Appeals of final decisions of the designated official made in the course of interpretation or administration of this title shall be governed by GPMC [19.04A.265](#), Appeals. Code enforcement actions pursuant to GPMC [19.04A.040](#), Compliance

with this title required, are not “final decisions” for the purpose of this section, except as otherwise provided in this title. [Ord. 994 § 2, 2020.]

19.04A.325 Public works director.

The public works director or designee is the administrative head of the public works department. As provided in various sections, the public works director is responsible for planning, administration, enforcement, and decision making as it pertains to public improvements as specified in this title, including the approval of plans for public improvements and approval of public improvements for acceptance by the city, or to delegate such authority to the public works staff or designated official. In delegating authority, the public works director or his or her representative reserves the right of final decision. [Ord. 994 § 2, 2020.]

19.04A.330 Building official.

The office of the building official is established to administer and enforce the building and construction codes. The rules, regulations and procedures under which the building official or designee shall operate are established in GFMC Title [15](#). [Ord. 994 § 2, 2020.]

19.04A.350 Hearing examiner.

(A) The purpose of establishing a “hearing examiner” is to separate the application of land use regulations from policy making; to provide a level of expertise to conduct administrative and quasi-judicial hearings arising from the application of this title and the rules and procedures developed under it; to better protect and promote the interests of the community; and to expand the principles of fairness and due process in public hearings.

(B) Authority and Duties. The “hearing examiner” shall serve at the pleasure of the mayor. The hearing examiner shall interpret, review and make recommendations on implementation of land use regulations as provided by ordinance and may perform other quasi-judicial functions as are delegated by ordinance. Unless otherwise specified, the term “hearing examiner” shall also mean deputy examiners and examiners pro tem. Hearing examiners shall be appointed based on their qualifications for the duties of the office including education and experience.

(1) Influence and Conflict of Interest. No person, including city officials, elected or appointed, shall attempt to influence the hearing examiner in any matter pending before him/her, except at an open record [public](#) hearing duly called for such purpose, or to interfere with the hearing examiner in the performance of his/her duties in any way; provided, that this section shall not prohibit the city attorney from rendering legal service to the hearing examiner upon request. The hearing examiner shall be subject to the same code of ethics as set forth in Chapter [42.23](#) RCW.

(2) Rules. The hearing examiner shall have the power to prescribe rules for the scheduling and conduct of hearings and other procedural matters related to his/her duties.

(3) Powers. The hearing examiner shall have the authority to:

(a) Review and make decisions on the following land use permit matters pursuant to RCW [35A.63.170](#):

(i) Conditional use permits;

(ii) Variances;

(iii) Preliminary plats;

(iv) Appeals of administrative decisions or determinations;

(v) Planned residential developments (PRDs);

(vi) Appeals of administrative decisions or determinations pursuant to Chapter [43.21C](#) RCW, the State Environmental Policy Act (SEPA);

(vii) Amortization periods for nonconforming signs;

(viii) Manufactured/mobile home parks;

(ix) Nonconforming use permits; and

(x) Appeals of SEPA determinations of the underlying land use action.

(b) Review and decide civil violations in conjunction with enforcement actions of the city as described in Chapter [19.11](#) GFMC, Enforcement.

(c) Review and make recommendations to city council regarding a proposed development agreement in compliance with GPMC [19.04C.045](#).

(d) Hear and make decisions under GPMC [15.04.050](#) and [15.04.060](#).

(4) Procedures. The hearing examiner shall:

(a) Receive and examine available information;

(b) Conduct public hearings in accordance with the provisions of this UDC and Chapter [36.70B](#) RCW and ensure that the city makes a recording of the open record public hearing;

(c) Administer oaths and affirmations;

(d) Issue subpoenas and examine witnesses; provided, that no person shall be compelled to divulge information which he/she could not be compelled to divulge in a court of law;

(e) Regulate the course of the hearing;

(f) Make and enter findings of fact and conclusions to support his/her decisions;

(g) Conduct conferences for the settlement or simplification of the issues;

(h) Conduct discovery;

(i) Dispose of procedural requests or similar matters;

(j) Take official notice of matters of law or material facts;

(k) Issue summary orders in supplementary proceedings; and

(l) Take any other action authorized by or necessary to carry out this chapter;

(m) The above authority may be exercised on all matters for which jurisdiction is assigned to the hearing examiner by city ordinance, code or other legal action of the city council. The nature of the hearing examiner's decision shall be as specified in this chapter and in each ordinance or code which grants jurisdiction to the hearing examiner. [Ord. 1030 § 3, 2022; Ord. 1007 § 1 (Att. A § 2), 2021; Ord. 994 § 2, 2020.]

19.04A.360 Planning commission.

(A) A planning commission is created by Chapter [2.24](#) GFMC to involve residents of the city in advising the city council on matters of community development.

(B) Authority and Duties. The planning commission's authority and duties are provided in Chapter [2.24](#) GFMC and this section. The planning commission shall serve as an advisory body to the city council in the following respects:

(1) The planning commission may make recommendations to the city council based on its findings and conclusions and on those of its committees. It shall prepare the elements of the comprehensive plan or this title for adoption or modification; advise the council regarding comprehensive land use and development policy or special area concerns; and investigate and make recommendations on matters suggested by the council, the mayor, Granite Falls citizens, or upon its own initiative.

(2) The planning commission shall monitor the growth and development of the city and the areas surrounding the city and shall continually reevaluate and recommend revisions to the elements of the comprehensive plan or land use code.

(C) Public Hearings. The planning commission shall conduct its public hearings under this title in accordance with GFMC [19.04A.260](#), Public meetings and public hearings. The planning commission may hold additional hearings and meetings as it sees fit to conduct its business.

(D) Quorum. A quorum shall be considered a majority of the currently constituted membership. [Ord. 994 § 2, 2020.]

19.04A.370 City council.

(A) The city council makes decisions on changes to the text of this title and to the official zoning map pursuant to GFMC [19.04C.035](#).

(B) Authority and Duties. The city council's authority and duties are provided in Chapter [2.08](#) GFMC.

(C) Public Hearings. The city council shall conduct its public hearings under this title in accordance with GFMC [19.04A.260](#).

(D) Public Hearings and Appeals. The city council may hold additional hearings and meetings as it sees fit to conduct its business. [Ord. 994 § 2, 2020.]

19.04C.035 Amendments.

(A) Purpose. The purpose of this section is to define types of amendments to the development regulations, comprehensive plan, and other official controls and to identify procedures for those actions. Amendments to the comprehensive plan and development regulations are legislative functions separate from any permit process otherwise set forth in this section.

(B) Development Regulations and Other Official Controls. This section is intended to provide the method for adopting amendments to the text and official map of the city's development regulations and other official controls. Requests to change a regulatory zone affecting a parcel of land, or portion of a lot, are processed under this section.

(1) Initiation of Amendment. An amendment to the zoning code or other official controls may be initiated by:

- (a) The city council;
- (b) The planning commission;
- (c) The city-designated official;
- (d) One or more property owners directly affected by a proposal through the submittal to the city of an application and fee as set forth in subsections (D)(2) and (D)(3) of this section;
- (e) Citizen advisory committees or organizations through the submittal to the city of an application and fee as set forth in subsections (D)(2) and (D)(3) of this section.

(2) Application Required. A zoning code amendment application is required to formally request a change to the regulations and standards in this UDC. A zoning map amendment (rezone) application is subject to the requirements of GFMC [19.04C.070](#). All zoning map amendment (rezone) applications must be accompanied by a comprehensive plan amendment application in compliance with subsection (C) of this section. Applications shall include:

- (a) A completed zoning code or zoning map amendment application form;
- (b) Property owners' and agents' names, addresses, and other contact information;
- (c) Reason for the requested change;
- (d) Statement of how the proposed amendment is consistent with comprehensive plan goals and policies;
- (e) For proposed amendments regarding a specific parcel or parcels rather than a zone, district or designated area of the city:
 - (i) Parcel identification number and address of the parcel or parcels;
 - (ii) Mailing labels of all property owners within 300 feet of the parcel or parcels;
 - (iii) A legal description of the subject property; and
 - (iv) Vicinity map;
- (f) A completed environmental checklist; and
- (g) Other relevant information regarding the proposal.

(3) Fees. As may be established by resolution of the city council.

(4) Staff Report. The designated official shall prepare a written report on each amendment pending before the planning commission. The report shall be transmitted to the planning commission and to the applicant before the public hearing. Each report shall contain:

- (a) Any factual findings pertaining to the amendment.
- (b) Any comments from city departments or other agencies with jurisdiction.
- (c) The environmental assessment, SEPA determination and/or final environmental impact statement.
- (d) The designated official's recommendation.

(5) Public Hearing by Planning Commission. The city shall give notice and the planning commission shall hold a public hearing prior to the recommendation for adoption or amendment of any official control to the city council. See GFMC [19.04B.405](#) through [19.04B.460](#) for hearing procedures and rules.

(6) Adoption by City Council. Amendments to the development regulations or other official controls shall be adopted by the city council by ordinance after a public hearing on the planning commission's recommendation.

(C) Comprehensive Plan. This section is intended to provide the method for adopting amendments to the text and official maps of the city's comprehensive plan. Comprehensive plan amendments may include, but are not limited to, policy changes; land use designation changes; level of service standard changes; addition of new analyses; addition of new elements; or other changes that are mandated by state law or determined to be in the interest of the city. GPMC [19.04C.040](#) describes the adopted comprehensive plan.

(1) Initiation of Amendment. Pursuant to the docketing process set forth under subsection (D) of this section, an amendment to the comprehensive plan may be initiated by:

- (a) The city council requesting the planning commission to set the matter for hearing and recommendations;
- (b) The planning commission with the concurrence of the designated official;
- (c) The city designated official;
- (d) One or more property owners directly affected by a proposal through the submittal to the city of an application and fee as set forth in subsections (C)(2) and (C)(3) of this section;
- (e) Citizen advisory committees or organizations through the submittal to the city of an application and fee as set forth in subsections (C)(2) and (C)(3) of this section.

(2) Application Required. Application for a change to the comprehensive plan shall include:

- (a) A completed application form;
- (b) Property owners' and agents' names, addresses, and other contact information;
- (c) Reasons for the requested change;
- (d) Statement of how the proposed amendment is consistent with comprehensive plan goals and policies;
- (e) For proposed amendments regarding a specific parcel or parcels rather than a zone, district or designated area of the city:
 - (i) Parcel identification number and address of the parcel or parcels;
 - (ii) Mailing labels of all property owners within 300 feet of the parcel or parcels;
 - (iii) A legal description of the subject property; and
 - (iv) Vicinity map;
- (f) A completed environmental checklist; and
- (g) Other relevant information regarding the proposal.

(3) Fees. As may be established by resolution of the city council.

(4) Staff Report. The designated official shall prepare a written report on each amendment pending before the planning commission. The report shall be transmitted to the planning commission and to the applicant before the public hearing. Each report shall contain:

- (a) Any factual findings pertaining to the amendment.
- (b) Any comments from city departments or other agencies with jurisdiction.
- (c) The environmental assessment, SEPA determination and/or final environmental impact statement.
- (d) The staff's recommendation.

(5) Public Hearing by Planning Commission. The planning commission shall hold a public hearing prior to the recommendation for adoption or amendment of any comprehensive plan amendment to the city council. See GPMC [19.04B.405](#) through [19.04B.460](#) for hearing procedures and rules.

(6) Adoption by City Council. Amendments to the comprehensive plan shall be adopted by the city council by ordinance after a public hearing on the planning commission's recommendation.

(D) Docket Process. The comprehensive plan shall be amended no more frequently than annually, except that subarea plans may be adopted as amendments at any time. Amendment proposals shall be processed as follows:

- (1) The city shall advertise the comprehensive plan amendment docketing process on September 1st, inviting the public to propose amendments by October 31st. The notice shall also state that the city council shall decide which proposed amendments will be carried forward during the current cycle.

(2) At the close of the proposal period, the submittals shall be reviewed by the planning commission and the proposals recommended for further processing sent to the city council. This list will include proposals submitted by city departments, boards and commissions and other agencies as well as private parties.

(3) The city council shall adopt a resolution directing the designated official to proceed with the selected amendments for the current cycle. Proposed amendments that are eliminated from further consideration may be resubmitted in the next cycle.

(E) Exceptions to Annual Cycle. Amendments may be considered more frequently than once per cycle for any of the reasons specified in RCW 36.70A.130(2)(b).

19.04C.065 Home Occupations

(A) Purpose. The purpose of this section is to provide standards which allow an individual in a residential of a single-family dwelling to operate a limited activity from their principal residence or permitted accessory structure while achieving the goals of retaining residential character, maintaining property values and preserving environmental quality.

(B) Applicability. Home occupations are only permitted in the R-2.3, R-9,600, R-7,200, MR, and DT-2,500 zones. Home occupations are conditional in the CBD zone with approved residential uses.

(C) Exemptions.

(1) Home-based day care provisions are stated in GFMC [19.06.080](#).

(2) Temporary lodging facilities (lodging house), including bed and breakfast inns and boarding/rooming homes, are exempt from the regulations of this section.

(D) Performance Standards.

(1) Intent. It is the intent of this subsection to provide performance standards for home occupation activities, not to create a specific list of every type of possible home-based business activity. The following performance standards prescribe the conditions under which home occupation activities may be conducted when incidental to a residential use. Activities which exceed these performance standards should refer to this section to determine the appropriate commercial, industrial, civic, or office use category which applies to the activity.

(2) General Provisions. The following general provisions shall apply to all home occupation activities:

(a) The activity is clearly incidental and secondary to the use of the property for residential purposes and shall not change the residential character of the dwelling or neighborhood;

(b) External alteration inconsistent with the residential character of the structure is prohibited;

(c) Use of hazardous materials or equipment must comply with the requirements of the International Building Code and the International Fire Code;

(d) The activity does not create noticeable glare, noise, odor, vibration, smoke, dust or heat at or beyond the property lines;

(e) Use of electrical or mechanical equipment which creates visible or audible interference in radio or television receivers or fluctuations in line voltage at or beyond the property line is prohibited;

(f) Manufacturing shall be limited to the small-scale assembly of already manufactured parts, but does not preclude production of small, individually handcrafted items, furniture or other wood items as long as the activity meets the other standards of this chapter;

(g) Customers/clients are prohibited on the premises prior to 6:30 a.m. and after 7:30 p.m.;

(h) Sales in connection with the activity are limited to merchandise handcrafted on site or items accessory to a service (e.g., hair care products for beauty salon);

(i) In addition to the single-family parking requirements, off-street parking associated with the activity shall include one additional space in accordance with standards set forth in GFMC [19.06.050\(A\)\(3\)\(a\)](#);

(j) Only the resident can perform the activity; nonresident employees are prohibited;

(k) The activity shall be limited to an area less than 500 square feet or a size equivalent to 50 percent of total floor area of the living space within the residence, whichever is less;

(l) One vehicle, up to 10,000 pounds gross vehicle weight, is permitted in connection with the activity;

(m) The activity shall be performed completely inside the residence, an accessory structure or a combination of the two;

(n) There shall be no outside display or storage of materials, merchandise, or equipment;

(o) Approval. A home occupation permit is a Type I permit subject to administrative approval by the city’s designated official. See Table 2, GFMC [19.04A.210](#)(D). [Ord. 1020 § 1 (Att. A), 2022.]

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19.04D.010 Purpose.

The purpose of this chapter is to set forth the criteria, standards and requirements for the review and approval of subdivisions and short subdivisions. [Ord. 1020 § 1 (Att. A), 2022.]

19.04D.020 Review and approval criteria.

(A) Each proposed subdivision or short subdivision shall be reviewed to ensure that:

- (1) The proposal conforms to the goals, policies, criteria and plans set forth in the city of Granite Falls comprehensive plan;
- (2) The proposal conforms to the development standards set forth in this title;
- (3) The proposal conforms to the requirements of this section and those set forth in this chapter and [GFMC 19.06.150](#) and GFMC 19.04A.205 through 19.04A.260;
- (4) The proposed street system conforms to the city of Granite Falls public works standards and specifications and is laid out ~~in a traditional street gridsuch a manner as~~ to provide for the safe, orderly and efficient circulation of traffic;
- (5) The proposed subdivision or short subdivision will be adequately served at the applicant's cost with city-approved water and sewer, and other utilities appropriate to the nature of the subdivision or short subdivision;
- (6) The layout of lots, and their size and dimensions, take into account topography and vegetation on the site in order that buildings may be reasonably sited, and that the least disruption of the site, topography, trees and vegetation will result from development of the lots;
- (7) Identified hazards and limitations to development have been considered in the design of streets and lot layout to assure street and building sites are on geologically stable soil considering the stress and loads to which the soil may be subjected;
- (8) Safe walk to school procedures, as established by the Granite Falls School District No. 332, have been met;
- (9) Tree preservation requirements have been adequately met.

(B) Lack of compliance with the criteria set forth in subsection (A) of this section shall be grounds for denial of a proposed subdivision or short subdivision, or for the issuance of conditions necessary to more fully satisfy the criteria.

(C) No final plat or short subdivision shall be approved unless:

- (1) The final plat or short subdivision is in substantial conformance with the provisions for the preliminary approval, including any conditions imposed as part of the approval.
- (2) The final plat or short subdivision contains a dedication to the city of all common improvements, including but not limited to streets, roads, sewage disposal, water supply systems, and storm drainage and disposal, which were a condition of approval.
- (3) All common improvements required as conditions of approval of the proposed subdivision or short subdivision have been referenced on the final plat or short subdivision.
- (4) City-approved water and sewer facilities shall be available to each lot created by the division of land. Other common utilities, systems, and features designed to serve all lots within the subdivision such as, but not limited to, power, phone service, natural gas, critical area(s) impact mitigation, storm drainage and detention/infiltration systems designed to be used by the entire subdivision, and street illumination systems, all located either within public right-of-way, future public right-of-way, or easements dedicated to the utility(ies), shall also be constructed and installed prior to final approval and available to each lot created by the division of land.
- (5) The final plat or short subdivision is in compliance with the provisions of GFMC 19.07.020, Critical areas regulations, and Chapter 19.12 GFMC, Concurrency and Adequacy.
- (6) Except when a surety bond, a cash deposit or assignment of funds for the construction of certain improvements has been approved pursuant to subsection (C)(7) of this section, all required improvements, public or private, have been constructed or installed in accord with the provisions of this chapter and the requirements of the approved preliminary plat, subject to inspection and approval by the city engineer.
- (7) For subdivisions (long plats), the applicant may be allowed to submit a surety bond, a cash deposit or an assignment of funds acceptable to the city in lieu of actually installing or constructing certain of the required improvements meeting the description in criteria in subsection (C)(7)(a), (C)(7)(b) or (C)(7)(c) of this section and subject to written approval by both the public works director and city engineer. Their decision shall consider all relevant factors including the following criteria:

- (a) Whether only minor items of the required improvements need to be completed such as the final lift of asphalt pavement and/or landscaping; or
- (b) Whether the city and/or other public agency's capital project needs to be completed ahead of the required improvements to allow for logical sequence of construction to prevent damage or disruption to the improvements being made; or
- (c) Whether constructing the required improvements prior to plat approval will create an unnecessary and unusual hardship to the applicant that is not self-created; and
- (d) Whether the need for the surety bond, cash deposit, or assignment of funds is not the result of deliberate actions of the applicant; and
- (e) The extent to which public health, safety, and welfare are not endangered by allowing the plat to be approved without the required improvements being completed, prior to final plat approval.

(D) When the city administrator finds that the final plat or short subdivision is in substantial conformity to the preliminary approval, he or she shall endorse his or her approval on the final plat or short subdivision and shall implement the final approval and recording procedures set forth in Chapter 19.05 GFMC, Subdivisions, Binding Site Plans, and Boundary Line Adjustments, and this title. [Ord. 1020 § 1 (Att. A), 2022.]

19.04D.040 Lot standards.

(A) Suitability for Intended Use. All lots shall be suitable for the general purpose for which they are intended to be used. No lot shall be of such size or design as to be detrimental to the health, safety or sanitary needs of the residents of the subdivision or such lot.

(B) Lots shall be created by following the procedures of Chapter [19.05](#) GFMC, Subdivisions, Binding Site Plans, and Boundary Line Adjustments, and this title.

(C) No lot shall be established which is in violation of the Granite Falls Municipal Code.

(D) Lot Shapes. Lot shapes shall be designed to avoid awkward configuration or appendages.

(E) Width – Area – Frontage. Each lot shall have sufficient width, area and frontage to comply with the minimum site requirements as set forth in GFMC [19.06.010](#), Density and dimension.

(F) Depth. Each lot should have an average depth between the front and rear lot lines of not less than one foot depth for each one foot of width.

(G) Front Lot Line. For corner lots, double frontage lots, and single frontage lots, the front lot line shall be the property line(s) separating the lot from a street or vehicle access corridor.

(H) Side Lot Lines. As much as possible, where topography and natural features permit, side lot lines should run at right angles to the street upon which the lot faces, except that on curved streets they shall be radial to the curve.

(I) Building Setback Lines. Where watercourses, topography, geology and soils, vegetation, utilities, lot configuration, or other unique circumstances dictate a different building envelope than that set by GFMC [19.06.010](#), Density and dimension, building setback lines may be required to be shown on the final plat or short subdivision map and observed in the development of the lot.

(J) Future Subdivision of Lots. Where the subdivision or short subdivision will result in a lot one-half acre or larger in size which is likely to be further divided in the future, it may be required that the location of lot lines and other details of layout be such that future division may readily be made without violating the requirements of this section and without interfering with orderly extension and connection of adjacent streets. It is intended that the lot lines and other details of future subdivision be advisory only, and shall not be final or binding on the applicant unless he makes further application; however, any restriction of buildings within future street locations may be imposed and may require such restrictions to be set forth on the final plat or short subdivision. [Ord. 1020 § 1 (Att. A), 2022.]

19.04D.050 Exception to lot standards.

(A) Cluster – Zero Lot Line – Townhouse Development. The relaxation of building setbacks, lot size and lot frontage requirements as set forth in GFMC [19.06.010](#), Density and dimension, and GFMC [19.04D.040](#), Lot standards, may be authorized for a subdivision developed in compliance with GFMC [19.06.010](#)(E), General Development Standards. Such authorization shall only occur where the applicant presents a plan whereby the entire subdivision will be designed and developed with provision for proper maintenance of recreation facilities and open space which will be commonly available for use of the residents of the subdivision and which will be of such benefit to said residents as is equal to that which would be derived from observance of the size and frontage requirements otherwise specified. The relation of said requirements shall not violate the purpose and criteria set forth in GFMC [19.05.005](#), Introduction and purpose, and GFMC [19.04D.020](#), Review and approval criteria, respectively.

(B) Eminent Domain. Parcels smaller than otherwise permitted by the Granite Falls Municipal Code may be created through the action of governmental agencies including the city of Granite Falls by such actions as eminent domain and the splitting of a parcel by dedicated right-of-way. Wherever possible, such parcels shall be merged in title with adjacent lots to create lots in compliance with the Granite Falls Municipal Code.

(C) Substandard Lots. A lot of record created prior to the effective date of the Granite Falls Municipal Code that does not meet the minimum area or dimensional requirements of the land use district in which located shall be considered a conforming lot of record if the following requirements are met: there must be no adjoining lots of record of continuous boundary in the same ownership to which the substandard lot can be merged in title or with which the lot lines can be adjusted to create lots of record which would comply with the Granite Falls Municipal Code.

(D) Lots for Building Pads. In industrial, business and multiple residential zones, lots with boundaries coterminous or nearly so with building walls may be created. The standards that normally would apply to such lots shall apply instead to the project tract of which such lots are a part. [Ord. 1020 § 1 (Att. A), 2022.]

19.04D.060 Legal Lot Status Determination.

(A) Purpose.

(1) The purpose of this section is to provide a process and criteria for determining whether a lot, tract, or parcel (parcels) is a lot of record consistent with applicable state and local law, and to provide alternate criteria for determining lot status for a parcel that may not qualify outright as a lot of record.

(B) Applicability and Burden of Proof.

(1) The standards of this section apply to all requests for lot status determinations or for any applications relating to land development, building permits, property division, boundary line adjustment or any other land use actions when a lot status determination is necessary pursuant to RCW 58.17.210.

(2) The applicant shall bear the burden of proving that a parcel of land is a lot of record.

(C) Determination Process.

(1) Lot Status Determinations as Part of a Building Permit or Other Land Use and Development Request.

(i) Lot status determinations involving building permit or other land use and development applications shall submit all materials set forth in subsection (d) of this section, along with the underlying applications, and required application fees.

(ii) Concurrent review with an underlying application shall follow the process for the underlying building permit or land use permit.

(iii) A separate written approval of a lot status determination will not be issued unless requested by the applicant.

(2) Lot Status Determinations Without a Building Permit or Other Land Use and Development Request.

(i) Lot status determinations not involving any other concurrent City reviews shall submit all materials set forth in subsection (d) of this section, a complete Type I application and current fee.

(ii) The lot status determination shall be reviewed for compliance with the criteria in this section.

(iii) The City will issue a written determination of lot status.

(3) If any nonconforming lot is held in common ownership with an adjacent lot or lots and the combined lots have previously functioned as a single lot to support or allow a use or development, then the nonconforming lot is deemed to have been combined with the adjacent lot or lots and may only be used in accordance with this title as a single lot.

(D) Submittal Requirements. The following materials shall be provided by all applicants for a lot status determination:

(1) Complete application (if not a concurrent review);

(2) Written narrative explaining the purpose of the request;

(3) Title report (prepared within 30 days of submittal to the City);

(4) Scaled site plan to include property lines, dimensions, structures, site improvements, easements and utility locations;

(5) Any existing evidence of legal lot status such as:

- (i) Prior approved and recorded short subdivision or subdivision approval showing formal lot creation;
- (ii) Recorded deeds or contracts describing the lot or lots either individually or as part of a conjunctive legal description (e.g., Lot 1 and Lot 2); or
- (iii) Historic tax records or other similar evidence, describing the parcel as an individual lot.

(E) Decision Criteria. The designated official shall determine that a parcel is a legal lot of record when the parcel meets one or more of the following criteria:

- (1) The parcel was created through a subdivision or short subdivision in the city after June 17, 1970.
- (2) The parcel was created through a subdivision or short subdivision recorded with Snohomish County or approved by Snohomish County prior to annexation and after August 9, 1969.
- (3) The parcel was created through a subdivision or short subdivision with written approval by Snohomish County between 1937 and 1969 and has been subsequently developed, sold through deed transfer and meets the requirement of subsection (f)(3) of this section.
- (4) The lot was created by a process defined in RCW 58.17.040 RCW.

(F) Alternate Decision Criteria for Determining Lot Status. The designated official shall determine that a parcel is a legal lot of record when the parcel meets one or more of the following criteria:

- (1) The parcel was created through territorial platting prior to 1937, was not subsequently developed, altered or improved, and the applicant can demonstrate that the parcel meets the requirement of subsection (f)(3) of this section.
- (2) The parcel is a tax parcel created for tax segregation purposes by the County Assessor and the applicant can demonstrate that the parcel meets the requirement of subsection (f)(3) of this section and the following:
 - (i) The parcel was created by a tax segregation process prior to March 4, 1972; and
 - (ii) The parcel was defined by metes and bounds legal description or fractional section description and conveyed by notarized deed prior to December 31, 1968; or
 - (iii) The parcel was conveyed as an individually described parcel to separate, noncontiguous ownerships through a fee simple transfer or purchase.
- (3) For consideration for an alternative determination of lot status, the applicant shall demonstrate that:
 - (i) The parcel substantially meets or can meet current zoning standards per Title 19 including but not limited to access to public utilities, site access, road, sidewalk, stormwater, lot size, setbacks, etc.; and
 - (ii) The parcel does not adversely impact public health or safety; and
 - (iii) The parcel does not adversely affect or interfere with the implementation of the Comprehensive Plan.
 - (iv) For purposes of reviewing the status of preexisting parcels, parcels within 10 percent of lot size standards shall be considered to substantially meet the current standards unless the designated official determines that public health or safety impacts are present.

(G) Prior Determination.

- (1) Lots which have been recognized through a previous lot status determination, including approvals from Snohomish County before annexation, or other planning approval in which lot recognition is made, are lots of record. Such parcels shall remain lots of record unless the property owner consolidates or merges the lot with another lot or alters the lot or portions of a lot subject to a court decision. Any such change shall necessitate a new legal lot determination through the processes outlined in this section.
- (2) The City shall have the authority to review lots that have been altered through the boundary line agreement process identified in RCW 58.04.007. If the City determines that the limited parameters of RCW 58.04.007 do not apply to a recorded boundary line agreement, the City's determination of lot status shall be based on the recorded boundaries prior to the agreement, unless a boundary line adjustment is approved through the process outlined in Section 19.05.200.

19.05.310 Fee Simple Unit lot subdivisions.

(A) Purpose. The purpose of this section is to allow subdivision of certain housing types where subdivision is not otherwise possible due to conflicts between characteristics of the development type and applicable dimensional standards. in Chapter 19.06 GFMC. In such cases, the unit lot subdivision process provides opportunities for fee simple ownership of land as an alternative to condominium ownership. The purpose is to also allow for the creation of lots for the individual ownership of these types of housing units while applying only those site development standards applicable to the parent parcel(s) as a whole, established in GFMC Title 19.03 Zoning. Unit lot subdivision applies the dimensional standards to the overall site, the “parent lot,” while allowing flexibility in the dimensional standards for the subordinate “unit lots.” This section is not intended to permit uses or densities that are not otherwise allowed in the land use designations in which a unit lot subdivision is proposed.

(B) Administrative Deviation from Dimensional Standards. The overall development on the parent lot proposed for subdivision shall maintain consistency with the development standards applicable to the land use designation and the land use type at the time the application is vested, as specified by the applicable code provisions and this section. Subsequent additions or modification to the structure(s) shall not create any nonconformity of the parent lot. Administrative deviation from setback, lot width, ~~lot coverage~~hard surface coverage, and lot area standards in Chapter 19.03 GFMC may be approved for individual unit lots through a unit lot subdivision, subject to any limitations in this section. Structures on unit lots and structures divided by unit lots that conform to a recorded unit lot subdivision shall not be considered nonconforming under GFMC 19.06.140.

(C) Portions of the parent lot not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots, or by a homeowners' association comprised of the owners of the individual unit lots.

(D) Unit Lot Subdivision does not allow separate ownership of stacked unit(s). However, a condominium and unit lot subdivision can be combined in cases where a unit lot has stacked units and separate unit ownership is desired.

~~(E)~~ Unit lot subdivisions and subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.

~~(F)~~ Approval Process. Unit lot subdivisions of nine or fewer lots shall be processed in the same manner as short plats pursuant to the associated permit type in Chapters 19.04A and 19.04B GFMC. Unit lot subdivisions of 10 or more lots shall be processed as plats pursuant to the associated permit types in Chapters 19.04A and 19.04B GFMC.

~~(G)~~ Approval Criteria. In addition to any other standards and approval criteria applicable to a unit lot subdivision proposal, including but not limited to criteria in Chapters 19.03, 19.04C, and 19.04D GFMC, proposals shall be subject to the following:

- (1) Each unit lot shall have individual sewer service, water service, and a power meter specific to that unit.
- (2) Private usable open space of at least 400 square feet, exclusive of required parking, shall be provided for each dwelling unit on the same unit lot as the dwelling unit it serves. Such areas shall have a minimum dimension of 15 feet and shall be usable.
- (3) Parking shall be calculated and designed for each lot in compliance with Chapter 19.06 GFMC, although parking required for a dwelling may be provided on a different lot or tract within the parent lot as long as the right to use that parking is formalized by an easement declared on the plat. Where parking for detached single-family buildings is provided on a different lot or tract, parking allowances for detached single-family residences in Chapter 19.06 GFMC, including tandem parking and backing into a street, shall not apply.
- (4) Private access drives are allowed to provide access to dwellings and off-street parking areas within a unit lot subdivision. Access, joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open area and other similar features, as recorded with Snohomish County.
- (5) Access and utility easements, joint use and maintenance agreements, and covenants, conditions, and restrictions identifying the rights and responsibilities of property owners and/or the homeowners’ association shall be executed for use and maintenance of common garage, parking, and vehicle access areas; drainage facilities; underground utilities; common open space (such as common courtyard open space); exterior building facades and roofs; and other similar features, and shall be recorded with the Snohomish County auditor.
- (6) Subdivision of common wall or zero lot line development such as townhouses shall provide a five-foot-wide building maintenance easement for external walls, eaves, chimneys, and other architectural features that rest directly on the lot line. The maintenance easement shall be shown on the face of the plat.
- ~~(7) The final plat shall note all conditions of approval, that unit lots are not buildable lots independent of the overall development, and that additional development of the individual unit lots, including but not limited to reconstruction, remodel, maintenance, and addition, shall comply with conditions of approval and may be limited as a result of the application of development standards to the parent lot or other applicable regulations.~~
- ~~(8)~~ The application for unit lot subdivisions shall include a detailed, scaled site plan with building footprints. Adequate information shall be provided to determine compliance with all applicable criteria.

~~(F) The facts that the unit lot is not a separate buildable lot and that additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot shall be noted on the plat, as recorded with Snohomish County. [Ord. 1020 § 1 (Att. A), 2022.]~~

~~(H) Notes shall be placed on the plat recorded with the county auditor's office to acknowledge the following:~~

~~(1) Approval of the design and layout of the development plan was granted by the review of the development, as a whole, on the parent lot (including the subject project file number if applicable);~~

~~(2) Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot as a whole, and shall conform to the approved development plan;~~

~~(3) If a structure or portion of a structure has been damaged or destroyed, any repair, reconstruction or replacement of the structure(s) shall conform to the approved development plan;~~

~~(4) The unit lot is not a separate buildable lot and that development of the individual unit lots, including but not limited to reconstruction, remodel, maintenance, and addition, may be limited as a result of the application of development standards to the parent lot. shall be noted on the plat, as recorded with Snohomish County. [Ord. 1020 § 1 (Att. A), 2022.]~~

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19.06.010 Density and dimension.

(A) Purpose. The purpose of this chapter is to establish dimensional standards for development. These standards are established to provide flexibility in project design and promote high-quality development within the city.

(B) Density Standards. All residential density provisions are herein expressed in terms of minimum lot size based on the ~~density standards~~ adopted in the comprehensive plan.

(1) Density bonuses in accordance with planned residential developments shall be authorized in approvals as described in Chapter [19.05](#) GFMC.

(2) Stormwater features, roads, and critical areas (exclusive of buffers), are not included in density calculations.

(E) General Development Standards.

(1) Existing Lot – Single-Family Dwelling Permitted. In any zone that permits a single-family dwelling unit, a single-family dwelling unit and permitted accessory structures may be constructed or enlarged on one lot which cannot satisfy the density requirements of the zone where the lot was legally created prior to the effective date of this regulation. This section shall not waive the requirements for setbacks and height of the zone in which the lot is located.

(2) Combining Lots – Interior Yard Setback Exception. Where two or more lots are used as a building site and where principal buildings cross lot lines, interior yard setbacks shall not be required from those lot lines crossed by the principal building.

(3) Legally Created Lots – Development Permitted Proof.

(a) Development shall be permitted only on legally created lots.

(b) To establish that a lot has been legally created, the applicant must provide one of the following:

(i) A copy of formal plat, short plat, or large lot subdivision approved by Granite Falls separately describing the lot.

(ii) A copy of the boundary line adjustment or lot combination separately describing the lot.

(iii) Documentation that the creation of the lot was exempt from the provisions of the subdivision title.

(iv) A deed, contract of sale, mortgage, recorded survey, or tax segregation that separately describes the lot.

(c) Pipestem (Flag) Lots. Pipestem (flag) lots are allowed in the R-2.3, R-9,600 and R-7,200 zones. Pipestem (flag) lots may be approved subject to the criteria provided in this code.

(d) Bulkheads and Retaining Walls. Any structure constructed and erected between lands of different elevations used to resist the lateral displacement of any material, control erosion, or protect structures may be placed within required setbacks to a maximum height of six feet, provided all applicable site distance requirements are met.

(4) Development Standards for All Pipestem (Flag) Lots. All pipestem (flag) lots, irrespective of when platted, shall meet the following standards, subject to site plan review:

(a) All development of principal residences, accessory dwellings, garages, sheds, and other structures shall be built within the required setbacks.

(b) The “building area” within the setbacks shall be large enough to accommodate a 40-foot-diameter building circle to ensure that the shape of the lot is adequate to support development that results in attractive, usable open spaces.

(c) The perimeter treatment of the lot including the driveway portion may include fencing or landscaping to screen the development from adjacent properties.

(d) The maximum length of a “flag” shall be 200 feet.

(5) Sanitary Sewer Connection. All new developments requiring sanitary sewer facilities must connect to a public sewer system if the system is within 200 feet of the property line. If not within 200 feet, the development must connect at the time that public sewer becomes available to any property served by a private sewage disposal system. This connection must be made within 90 days of sewer availability.

Any existing septic system that fails to meet Snohomish health district standards must be repaired or replaced within 90 days of failure.

(6) Stormwater Drainage and Water Quality. All development shall comply with the Department of Ecology's 2005 Stormwater Management Manual for Western Washington and revisions thereto. [Ord. 905 § 1 (Att. A), 2016; Ord. 740 § 1 (Exh. A), 2007.]

19.06.020 Landscaping and screening.

(A) Purpose. The purpose of this section is to establish standards for landscaping and screening, to maintain or replace existing vegetation, provide physical and visual buffers between differing land uses, lessen environmental and improve aesthetic impacts of development and to enhance the overall appearance of the city. Notwithstanding any other provision of this chapter, trees and shrubs planted pursuant to the provisions of this chapter shall be types and ultimate sizes at maturity that will not impair scenic vistas.

(B) Applicability. The standards set forth in this section shall apply to:

- (1) All uses of land which are subject to site plan or architectural design review;
- (2) The construction or location of any duplex, ~~triplex~~, or multifamily structure of ~~three~~ four or more attached dwelling units;
- (3) Any new subdivision or manufactured/mobile home park;
- (4) The construction or expansion of any commercial structure or parking facility;
- (5) The construction or expansion of any industrial structure or parking facility.

(C) Landscape Plan. A plan of the proposed landscaping and screening of projects subject to this section shall be provided as part of the application and shall contain the following:

- (1) Identification of existing trees and tree canopies;
- (2) ~~Identification of~~ S significant trees and vegetation to remain;
- (3) New landscaping – location, species, diameter or size of materials using both botanical and common names. Drawings shall reflect the ultimate size of plant materials;
- (4) Identification of tree protection techniques.
- (5) Alternative Landscaping Plans. The city may authorize modification of the landscape requirements when alternative plans comply with the intent of this chapter and:
 - (a) The proposed landscaping represents a superior result than that which would be achieved by strictly following requirements of this section; or
 - (b) The alternative plan incorporates the increased retention of significant trees and naturally occurring undergrowth; or
 - (c) The alternative plan incorporates unique, historic or architectural features such as plazas, courts, fountains, trellises, or sculptures.
 - (d) The landscape plan shall be prepared by a professional landscape designer. The applicant must demonstrate expertise in landscape design in order to qualify/prepare landscape plans. This requires the submittal of a resume, and a list of recent project experience.

(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 removed from a required perimeter buffer or a required setback pursuant to the applicable zoning district shall be replaced at a ratio of three replacement trees for every significant tree removed. Conifer replacement deciduous trees shall be a minimum of two inches in diameter measured at a point two feet above the existing ground at the time of planting. Conifer replacement trees shall be a minimum of six feet in height at the time of planting. The type and species of the replacement trees shall be subject to approval by the designated official.~~

~~(4) Significant trees are those which are over 15 inches in diameter measured at a point two feet above the existing ground. (2) Significant trees, which include evergreen and/or deciduous trees, excluding Alders or Cottonwoods, 10~~

inches in diameter or greater measured at a point four and one-half feet above existing grade, shall be retained as follows:

(a) Perimeter landscaped areas that do not constitute a safety hazard shall be retained.

(b) At the discretion of the designated official, the applicant shall be required to hire a certified arborist to evaluate trees proposed for retention, including those located within NGPA tracts (specifically along the fringes) or other areas as identified. The arborist shall make a written recommendation to the planning department with regard to the treatment of the treed area. In the event of an immediate hazard, this requirement shall be waived.

(c) To provide the best protection for significant trees or areas of native vegetation designated as landscape buffer during the construction stage, a temporary five-foot-high, orange clearing limits construction fence shall be erected in a line generally corresponding to the dripline of any significant tree to be retained, or five-foot wide around native vegetation to be retained. 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. All such fencing shall be installed and inspected by the community development department prior to commencement of site work.

(d) At the discretion and approval of designated official, where it is not feasible and/or desirable to retain the significant trees, the applicant may propose a planting plan on an alternative site or area, or payment into the city tree fund, that provides effective replacement of the functions and/or value lost through removal of the significant trees.

(e) Significant trees removed shall be replaced at a ratio of one replacement tree for every significant tree removed. The type, species, and location of the replacement trees shall be subject to approval by the designated official. Replacement deciduous trees shall be a minimum of two inches in diameter measured at a point two feet above the existing ground at the time of planting. Conifer replacement trees shall be a minimum of six feet in height at the time of planting.

~~(f)(a) The Designated Official may authorize the exclusion of any tree which for reasons of health, age or site development is not desirable to retain.~~

~~(g)(b) The Designated Official may also determine a tree to be significant due to the uniqueness of the species or to protect a wildlife habitat.~~

~~(35) 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.~~

~~(46) 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.~~

~~(57) Retention of other existing vegetation that is equal to or better than available nursery stock is strongly encouraged.~~

~~(8) 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 Developments.

(1) Perimeter Areas. Notwithstanding other regulations found in this chapter, perimeter areas not covered with buildings, driveways, ~~and~~ parking and loading areas, or other hard surface coverage 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 designated official.

~~(2) Street Frontages.~~

~~(a) All street frontages shall include street trees planted no further apart than 30 feet.~~

~~(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 count 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 designated official.~~

(F) Requirements for Commercial and Industrial Uses.

(1) Perimeter Areas. ~~See subsection (E)(1) of this section. 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 designated official.~~

(2) Buffer Areas. Where a development subject to these standards is contiguous to a residential zoning district or areas of residential development, then the required perimeter area shall be landscaped the full width of the setback areas as follows:

- (a) A solid screen of evergreen trees or shrubs; or
- (b) A solid screen of evergreen trees and shrubs planted on an earthen berm an average of three feet high; or
- (c) A combination of trees or shrubs and fencing where the amount of fence does not exceed 50 percent of the linear distance of the buffer, planted so that the ground will be covered within three years.

~~(3)(3) Areas without Setbacks. Street Frontages.~~

~~(a) All street frontages shall include street trees planted no further apart than 30 feet.~~

~~(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 count 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 designated official.~~

~~(a) In areas where there is no required setback or where buildings are built to the property line, development subject to this chapter shall provide a street tree at an interval of one every 20 feet or planter boxes at the same interval or some combination of trees and boxes, or an alternative.~~

~~(b)~~ Street trees shall be a minimum caliper of two inches and be a species approved by the city and installed to city standards. Planter boxes shall be maintained by the property owners and shall be of a type approved 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 10 or more 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.

(H) Deviation. The designated official can allow deviations from subsections (D) through (G) of this section to protect public safety, on-site critical areas and associated buffers and to accommodate unique or historical features of the site subject to the same number of trees and amount of landscaping being provided on or adjacent to the site as otherwise would have been provided pursuant to subsections (D) through (G) of this section without a deviation.

(I) Maintenance. Whenever landscaping is required under the provisions of this chapter, the following shall apply: as per landscape maintenance bond requirement:

(1) Shrubs and trees in the landscaping and planting areas shall be maintained in a healthy growing condition during the first three years after installation;

(2) Planting beds shall not be located over impervious surfaces;

(3) All landscaped areas shall be provided with automatic irrigation systems except landscaping on a single-family lot may be irrigated with hose bibs within 75 feet of plantings;

(4) Dead or dying trees or shrubs shall be replaced immediately; and

(5) Planting areas shall be maintained free of noxious weeds and trash on a regular basis. [Ord. 974 § 9, 2019; Ord. 960 § 12 (Exh. K), 2018; Ord. 924 § 2 (Exh. A), 2017; Ord. 915 § 8 (Att. D), 2016; Ord. 905 § 1 (Att. A), 2016; Ord. 827 § 17, 2012; Ord. 740 § 1 (Exh. A), 2007.]

19.06.040 Sign regulations.

(A) Purpose. Our sign code is our “Guidebook to Success in Visual Communication” in Granite Falls. It is designed to maximize our effectiveness, efficiency, and consistency in:

- (1) Informing or reminding visitors and residents of available goods, services, and events of which they may have been unaware;
- (2) Guiding them physically to the appropriate location(s);
- (3) Maintaining an aesthetic appearance and style in concert with the cohesive public image the city is striving to portray.

We encourage creativity and diversity in “on-premises” signs, and regulate them only insofar as they must fit the scale and character of the business they serve.

(B) Intent. The intent of this section is to regulate the number, size, location, height, illumination, character, and other pertinent features of signs, in order to provide adequate identification and advertising for business, and access to advertising signage in a manner that will promote fair economic competition and at the same time protect the public health, safety, and welfare of the city.

(C) General. This section shall govern all regulations not identified in subsequent sections.

- (1) All signage used per site or tenant shall be counted towards the total allowed for the site or tenant maximum unless otherwise exempted.
- (2) Wall Sign Location. No wall sign shall project more than 18 inches from the wall of a building, nor extend above the eave or deck line of the building upon which it is located; except those located upon parapet walls, wherein they may be located above the deck line but not above the height of the parapet wall.

(D) Residential. This subsection shall govern signage in the riverfront residential (R-2.3), residential 9,600 (R-9,600), residential 7,200 (R-7,200), downtown residential (DT-2,500), and multiple residential (MR) residential zoning districts.

(1) Address signs must comply with the fire and postal code requirements and shall not count towards the maximum number or size requirements.

(2) One of the following is allowed for each multifamily development of six or more units:

(a) ~~Freestanding Monument~~ Signs. Applicable to multifamily properties containing six or more dwelling units, identifying the name of the development.

- (i) Size. Surface area shall not exceed 32 square feet per face.
- (ii) Location. Subdivision and/or multifamily complex identification signs are to be located at the public entrance from a right-of-way.
- (iii) Setback. Setback to be a five-foot minimum setback from all property lines.
- (iv) Height (Maximum). Shall not exceed 10 feet in height.
- (v) Number Permitted. One per public entrance.

(b) Wall Signs. Applicable to multifamily properties containing four or more dwelling units. Not to include building number identification.

- (i) Size. Sign surface area shall not exceed 32 square feet.
- (ii) Number Permitted. One per site.

(3) Home Occupation Signs.

(a) Size. Surface area shall not exceed four square feet per face for a total of eight square feet for all signage including wall-mounted, ~~monument freestanding~~ and suspended signs.

(b) Location. Individual dwelling unit identification signs are to be located on the wall of a dwelling unit, next to the primary entrance or in the window.

(c) ~~Monument Freestanding~~, applicable to single-family residential only; one sign not to exceed five feet in height, and four square feet per face. Setback shall be a minimum of five feet from all property lines.

(d) Suspended Signs. One suspended sign per residence, not to exceed four square feet per face, maximum two faces, and must comply with the height and safety requirements stated for suspended signs in subsection (H)(5) of this section.

(4) Signs, Other, Such as Would Identify a Residence or State a Point of View. Shall not include signs otherwise referenced in this section, and shall not include off-premises commercial advertising, home occupations or signs otherwise regulated or exempted by this section.

(a) Size. Shall not exceed four square feet in area per each face (maximum of two faces).

(b) Location. ~~Monument Freestanding~~ signs shall be located at least five feet from all property lines. Wall signs shall not be located on or above the eave line.

(5) Nonresidential Uses. Nonresidential uses permitted, conditionally permitted or accessory in residential zoning districts shall follow subsections (D)(3) and (4) of this section.

(E) Public Ownership Zone. This subsection shall govern signage in the schools, parks and miscellaneous within the public ownership zone.

(1) All residential sign users in this zoning district will follow the residential criteria of subsection (D) of this section.

(2) Signage Calculation. The lesser of one-half square foot of signage, per one lineal foot of property frontage; or one square foot of signage, per one lineal foot of building frontage.

(3) Site Signage Maximum. Not to exceed 250 square feet per site.

(4) ~~Monument Freestanding~~ Signs.

(a) Size. Surface area shall not exceed 100 square feet per sign face.

(b) Setback. Setback shall be a minimum of five feet from all property lines.

(c) Height (Maximum). Shall not exceed ~~25-12~~ feet in height.

(d) Number Permitted. One per site, with the following exception:

(i) Parcels with more than 300 lineal feet of frontage are granted one additional ~~monument freestanding~~ sign; provided, that they are located more than 200 lineal feet apart as measured by a straight line, not to exceed two per site.

(F) General Commercial, Industrial Retail, Light Industrial and Heavy Industrial. This subsection shall govern signage in the GC, IR, LI and HI zoning districts.

(1) All residential sign users in these zoning districts will follow the residential criteria of subsection (D) of this section.

(2) A single occupancy building within this zone, regardless of size, has the right to a minimum sign area of 40 square feet.

(3) Single Occupancy Building.

(a) Signage Calculation. Two square feet of signage per lineal foot of building frontage.

(b) Site Signage Base Maximum. Shall not exceed 250 square feet per site.

(4) Multiple Occupancy Building.

(a) Signage Calculation. Two square feet of signage per lineal foot of building frontage.

(b) Site Signage Base Maximum. Shall not exceed 250 square feet per site with the following exceptions:

(c) Signage Increase Above Base Maximum. For each additional tenant with an active business license to do business at that address, the maximum allowable signage increases an additional 32 square feet per tenant, but shall not exceed 378 square feet (multiple tenant maximum).

(i) Newly created tenant spaces shall be allowed one tenant identity wall sign located above that particular tenant's entry; shall not exceed 12 square feet.

(d) If the site has reached the multiple tenant maximum and additional tenants are added then the building is allowed directory signs in accordance with subsection (F)(4)(c)(i) of this section.

(5) ~~Monument Freestanding~~ Signs.

(a) Surface Maximum (Single Occupancy Building). Shall not exceed 100 square feet per sign face.

(b) Surface Maximum (Multiple Occupancy Building). Shall not exceed 100 square feet per sign face.

(c) Setback. Setback shall be a minimum of five feet from all property lines except where topography or nonstandard configuration of the abutting right-of-way and street improvements or other unique physical circumstances exist, the city designated official may allow a setback of less than five feet to achieve the stated purpose and intent of this section. Any sign located within five feet of a street right-of-way shall not be located so as to interfere with drivers' or others' visibility at intersections or at place of ingress or egress.

(d) Height (Maximum). Shall not exceed 35 feet in height.

(e) Number Permitted. One per site, with the following exceptions:

(i) Parcels with more than 400 lineal feet of street frontage shall be granted one additional monument freestanding sign; provided, that they are located more than 200 lineal feet apart as measured by a straight line for a total of no more than two per site.

(6) Site Signage Maximum Increase. If the site is permitted one additional monument freestanding sign, the site is granted 60 additional square feet of signage above the base or multiple tenant maximum to be applied towards a monument freestanding sign or wall sign. Site signage shall not exceed 310 square feet for single occupancy buildings or 438 square feet for multiple occupancy buildings.

(G) Central Business District (CBD). This subsection shall govern signage in the CBD zoning district.

(1) All residential sign users in this zoning district shall follow the residential criteria of subsection (D) of this section.

(2) A single occupancy building within this zone, regardless of size, has the right to a minimum sign area of 32 square feet.

(3) Signage Calculation. Two square feet of signage per lineal foot of building frontage.

(4) Site Signage Base Maximum (Single Occupancy Building). Shall not exceed 150 square feet of signage per site.

(5) Site Signage Base Maximum (Multiple Occupancy Building). Shall not exceed 150 square feet of signage per site with the following exceptions:

(a) Signage Increase Above Base Maximum. For each additional tenant after the first tenant, the maximum allowable signage increases an additional 20 square feet per tenant; shall not exceed 230 square feet for the entire site (multiple tenant maximum).

(b) If the site has reached the base or multiple tenant maximum and if new tenant spaces are created then the building is allowed directory signs in accordance with subsections (G)(7) and (F)(4)(c)(i) of this section.

(6) Corner Lot. Parcels with frontage on two or more public rights-of-way shall be granted an additional 40 square feet of signage above the base or multiple tenant maximum.

(7) Multiple Occupancy Buildings. Multiple occupancy buildings with shared public entrances are allowed one directory sign per street frontage with a public entrance, located on the wall of the building next to the entrance. Shall not exceed six square feet in surface area. Shall not count against base or multiple tenant maximum if adhering to this provision.

(8) Monument Freestanding Signs.

(a) Surface Maximum (Single Occupancy Building). Shall not exceed 50 square feet per sign face.

(b) Surface Maximum (Multiple Occupancy Building). Shall not exceed 80 square feet per sign face.

(c) Setback. No minimum setback from property lines is required; provided, that the designated official approves visibility.

(d) Height (Maximum). Shall not exceed 25-12 feet in height.

(e) Number Permitted. One per site, with the following exception:

(i) Parcels with more than one street frontage shall be granted one additional monument freestanding sign; provided, that they are not located on the same frontage.

(9) If a parcel of land in the CBD is 15,000 square feet or larger and has a street frontage of 135 lineal feet or greater, then the GC signage allotment (subsection (F) of this section) applies, with the exception that monument freestanding signs shall conform to the height limit in the CBD.

(10) Location.

(a) Sidewalks and corners at the intersection of Stanley Street and Granite Avenue shall remain clear of all signs with the exception of directional signs, maximum three and one-half square feet, displayed for same day event signs as approved by the city's designated official – see subsection (I)(4) of this section.

(b) Signs shall not be located on, or at an elevation above, the ridge of the roof or the top of the roof deck.

(c) Signs shall be positioned to complement the architecture of the building on which they are located. Signs shall not interrupt or overlap architectural features such as cornices, columns, trim and windows, excluding interior applied window signs.

(d) Signs shall not extend beyond the wall on which they are located, excluding approved projecting signs as referenced in subsection (H)(2) of this section.

(H) Sign Variations in the CBD, GC, IR, LI and HI Zones.

(1) Portable Signs. This subsection shall govern portable signage as described in the CBD, GC, IR, LI and HI zoning districts.

(a) Residential users are not allowed portable signs, including those operating with a home occupation business license.

(b) Not Permitted. Portable signs are not permitted in any zoning districts other than those listed under this subsection (H), excluding off-premises directional signs.

(c) Size. Shall not exceed two feet in width and three feet in height.

(d) Attachment. Not to be permanently affixed to the ground.

(e) Location. Shall meet the following requirements:

(i) Shall be located on the premises for which it is advertising, in the location specified under the approved permit. Not to be located in the public right-of-way. Not to be located in required parking areas, affixed to or covering required landscaping such as bushes or shrubs.

(ii) Shall not interfere with pedestrian movement, nor impede the vision or block the movement of motorists on private or public rights-of-way.

(iii) Portable signs in the central business district may be located on the public sidewalk directly in front of the sponsoring business; provided in a manner they not impede pedestrian movement. Additionally, the location requirements codified at subsection (H)(1)(e) of this section and the permit requirements found in subsection (H)(1)(e)(viii) of this section must be satisfied.

(iv) Duration. To be displayed during business hours only.

(v) Number. One per business and a maximum three per building.

(vi) Illumination. Not permitted.

(vii) Construction. Portable signs shall be constructed of durable, rigid, all-weather materials (i.e., plywood, plastic, etc.) so as not to lose their structural integrity in inclement weather. Sign must be of a sufficient weight and stature to ensure that it will remain in place during high winds.

(viii) Owners of portable signs shall be required to keep their signs legible and well maintained.

(2) Projecting Signs. This subsection shall govern projecting signage in the CBD, GC, IR, LI, and HI zoning districts.

(a) Residential users are not allowed projecting signs, including those operating with a home occupation business license.

(b) Size. Shall not exceed five feet in horizontal projection and 20 square feet total.

(c) Clearance. Minimum nine feet of vertical clearance from grade or sidewalk.

(d) Projection from Building Wall. Shall not project more than five feet from building wall with the leading edge. Interior edge not to project more than six inches from the building wall.

(e) Projection over Right-of-Way. Only those projecting signs located in the central business district may be permitted to project into the public right-of-way, provided they meet all requirements relating to traffic, construction, safety and size.

(f) Additional Permit Requirements. When deemed necessary due to safety concerns, those projecting signs located in the central business zoning district, over the public right-of-way, shall require the applicant to provide the city with a letter of indemnification appropriate to the city attorney, holding the city harmless for loss or injury resulting from the sign.

(3) Window Signs. This subsection shall govern window signage as described in CBD, GC, IR, LI, and HI zoning districts.

(a) Residential users are not allowed window signs for commercial purposes, including those operating with a home occupation business license.

(b) Window signs shall follow the requirements listed below and shall be considered exempt from being calculated as part of the total allotted sign area:

(i) Total area of window signage shall not exceed one-third (33 percent) of the window, as measured as the length times the width of the windowpane.

(ii) Window signage area may not be transferred from one window to another.

(iii) Glass doors should not exceed 20 percent coverage.

(c) Lighted window signs are allowed in all zones, except any residential zone, including those operating with a home occupation business license.

(d) Electronic window signs, open/closed signs, and business identification and product services signs are allowed to be on 24 hours a day.

(e) Number Permitted. A total of three lighted signs, one open/closed/hours plus two lighted signs identifying the business, service or products, shall be the maximum allowed, per tenant space, otherwise as may be permitted by this code.

(f) Size Allowed. Any lighted window signs including electronic signs are allowed three square feet each and are not counted toward total signage allowed.

(4) Roof Signs. This subsection shall govern roof signage as described in CBD, GC, IR, LI, and HI zoning districts.

(a) Residential users are not allowed roof signs, including those operating with a home occupation business license.

(b) Size. Roof signs shall not exceed 20 square feet in surface area or four feet in height per tenant.

(c) Location. Roof signs shall be located on or above the eave or deck of the roof.

(d) Attachment. Signs shall be installed in such a manner that there are no visible angle iron supports, guy wires, braces, or secondary supports. Signs shall appear to be an architectural or integral part of the roof.

(e) The total, cumulative area of roof signs shall be counted as part of the base or multiple tenant maximum.

(5) Suspended Signs. This subsection shall govern suspended signage as described in CBD, GC, IR, LI, and HI zoning districts.

(a) Residential users for suspended signs, refer to residential signage in subsection (D) of this section.

(b) Size. Shall not exceed 10 square feet in surface area.

(c) Clearance. Minimum nine feet of vertical clearance from grade or sidewalk. Sign shall not be suspended more than one foot below the attachment point.

(d) Location over Public Sidewalk. Only those suspended signs located in the central business district may be permitted to suspend over the public sidewalk, provided they meet all requirements relating to traffic, construction, safety and size and are attached to an approved awning, canopy, marquee or porte cochere.

(e) Additional Permit Requirements. When deemed necessary due to safety concerns, those suspended signs located in the central business district, over the public right-of-way, shall require the applicant to provide the city with a letter of indemnification appropriate to the city attorney, holding the city harmless for loss or injury resulting from the sign.

(6) Banner Signs.

(a) Size. Shall not exceed the lesser of 20 percent of the area of the wall face to which it is attached, or 75 square feet in area, as measuring the extreme edges of the banner.

(b) Location. Shall be located completely on the wall of the building or leased space of the sponsoring business. Not to be located in required parking areas, upon poles, other constructed frame, affixed to or covering required landscaping, utility poles or vehicles.

(c) Attachment. Shall be affixed so as not to fall in high winds or storm events.

(d) Maintenance. Shall remain legible, and be well maintained.

(e) Duration. Shall be limited to 90 days total per calendar year per site, regardless of alternating banners. To be used in increments up to 15 days. Signs announcing the opening or closing or relocation of a business shall be permitted for 60 days from issuance of a business license, without being counted against the standard annual duration permitted. Upon removal, a banner may not be re-erected for duration equal to the time it was displayed.

(f) Number Permitted. One banner per wall or frontage, not to exceed two per building.

(g) Permit Requirements. A permit shall be issued with the applicant notifying the city of the proposed date(s) and location for the display of the banner(s).

(h) Not Permitted. Residential users are not allowed banner signs, including those operating with a home occupation business license.

(i) The use of banners as a primary business sign is prohibited.

(7) Air-Supported Structures, Inflatable Objects, Kites and Searchlights.

(a) Size, Height, and Illumination. Shall adhere to all applicable city, state and federal requirements relating to public safety, air and vehicular traffic control and the like. Kites and inflatable objects such as balloons shall not be operated more than 150 feet from the grade of the earth beneath the point of attachment, without written waivers from the Federal Aviation Administration.

(b) Location. Shall be located on the premises for which it is advertising, in the location specified under the approved permit. Not to be located in the public right-of-way. Shall not be located in required landscaping or parking areas. Shall not interfere with pedestrian movement, nor impede the vision or block the movement of motorists on private or public rights-of-way.

(c) Maintenance. Must be well maintained.

(d) Duration. Shall be limited to 30 days total per calendar year per type of use, i.e., air-supported structure, inflatable object or searchlight per site, regardless of alternating banners. To be used in increments of up to 15 days. Upon removal, the structure may not be re-erected for a duration equal to the time it was displayed.

(e) Number Permitted. Only one air-supported structure, inflatable object or searchlight shall be permitted individually at one time per site. Upon removal, the structure may not be re-erected for a duration equal to the time it was displayed.

(f) The beam of the searchlight shall not flash against any building or sweep an arc greater than 45 degrees from vertical.

(g) Permit Requirements. A permit shall be issued with the applicant notifying the city of the proposed date(s) and location for the display of the temporary sign(s).

(8) Changeable Message and Electronic Signs. This subsection shall govern signs on which the message can be changed, such as reader boards and electronic signs.

(a) Electronic signs located indoors and within three feet of a window are permitted in all zones except all residential zones, including those operating with a home occupation business license.

(b) Changeable message and electronic signs are allowed on all properties that do not have a principal use of single-family residential.

(c) Changeable copy areas of a sign shall be included as part of the permitted sign area.

(d) ~~Freestanding~~/Monument Changeable Message and Electronic Sign Size.

(i) The surface area of the changeable message or electronic signs shall be no more than 50 percent of the maximum sign surface area allowed for nonchangeable signs, specific to the zoning district in which it is proposed.

(ii) Motor vehicle service stations and convenience stores with gas pumps may utilize up to 20 square feet of the permitted surface area of a ~~freestanding monument~~ sign for changeable prices of motor fuel only. The price

display may be electronic as long as it meets the requirements of this section and does not create a traffic safety issue by glare or include blinking lights.

(iii) Movie theaters and other performance/entertainment facilities may utilize up to 80 percent of the permitted surface area of a ~~freestanding or~~ monument sign for display of names of films, plays or other performances currently showing on the site.

(e) Location.

(i) Shall be located according to the requirements for signs in the applicable zoning district in which it is proposed.

(ii) Shall be an on-premises sign, except for changeable message and electronic signs owned and operated by the fire district, school district, city or a single nonprofit organization approved by city council providing noncommercial, public service information may be off-premises signs.

(f) Wall/Building Mounted Changeable Message and Electronic Signs Size Allowed. The surface area of wall or building mounted changeable message and electronic signs shall be no larger than 33 square feet.

(g) Electronic Sign Display.

(i) Shall not change more rapidly than once every five seconds except for electronic signs which provide alternate message only as to time and temperature which may change at a rate no greater than one message every two seconds.

(ii) The display shall not appear to flash, undulate, pulse or portray explosions, fireworks, flashers or bursts of light and/or graphics and blinking or chasing lights.

(iii) The display shall not appear to move toward or away from the viewer, expand or contract, bounce, rotate, spin, twist or otherwise portray movement or animation as it comes onto, is displayed on, or leaves the sign.

(iv) All electronic signs shall be equipped with a device that automatically dims the intensity of the lights during hours of darkness.

(h) Number Permitted.

(i) Not to exceed one changeable message or electronic sign per parcel or commercial, industrial or business complex, not in addition to the number of ~~freestanding monument~~ signs permitted for the site.

(ii) Not to exceed one changeable message or electronic sign per business.

(i) Permit Requirements. Permit applications must include a copy of the manufacturer's operating manual, which includes the manufacturer's recommended standards for light levels, scrolling or traveling speed and other display operations.

(9) Given the ongoing changes in technology and materials, any sign type not included above will be addressed and reviewed by the city's designated official.

(l) Temporary Signs.

(1) Sale/Rental/Lease Signs.

(a) Residential Zones. Signs announcing the sale, rental, or lease of property located in the riverfront residential (R-2.3), residential 9,600 (R-9,600), residential 7,200 (R-7,200), downtown residential (DT-2,500) and multi-residential (MR) zoning districts shall adhere to the following requirements:

(i) Size, Height. Sign face shall not exceed three feet in width by five feet in height. Not to exceed six feet in overall height.

(ii) Location. Shall be located within the confines of the subject property.

(iii) Illumination. Not permitted.

(iv) Duration. Shall be removed no later than 10 days following the sale, rental or lease of the property or unit listed.

(v) Number Permitted. Shall not exceed one per parcel/unit.

(b) CBD, GC, IR, LI, HI Zones. Signs announcing the sale, rental, or lease of property located in the CBD, GC, IR, LI, and HI zoning districts shall adhere to the following requirements:

(i) Size, Height. Sign face shall not exceed four by eight feet. Not to exceed six feet in overall height.

(ii) Location. Shall be located within the confines of the subject property.

(iii) Illumination. Not permitted.

(iv) Duration. Shall be removed no later than 10 days following the sale, rental or lease of the property or unit listed.

(v) Number Permitted. Shall not exceed one per parcel/unit. A second real estate sign may be permitted for parcels fronting on two public streets.

(c) Off-Premises Directional. Off-premises directional signs for the announcement and direction to residential real estate open houses and garage/yard sales in the residential zoning districts and residential uses in the public open space and limited open space zoning districts shall be permitted according to the following requirements:

(i) Size, Height. Shall not exceed six square feet in surface area. Not to exceed three feet in overall height.

(ii) Location. Shall be located no more than 25 feet in any direction from a street intersection at the curb line. Shall be located a minimum of five feet from the edge of a street intersection without a curb line. On streets containing curb, gutter and sidewalk, signs shall be located in a manner not to impede pedestrian movement.

(iii) Attachment. Not to be permanently affixed (including staking) to the ground. Not to be located on utility poles.

(iv) Illumination. Not permitted.

(v) Duration. Signs shall be erected only during daylight hours when a salesperson or duly appointed representative is on site.

(vi) Number Permitted. No more than one on-premises and five off-premises signs per open house or sale.

(vii) Construction. Signs shall be constructed of a durable, rigid, all-weather material (i.e., plywood, plastic, etc.) so as not to lose their structural integrity in inclement weather. Sign must be of a sufficient weight and stature to ensure that it will remain in place during high winds. Owners of signs shall be required to keep their signs legible and well maintained.

(2) Construction Signs. Signs identifying the architects, engineers, contractors, developers, financing institutions and other individuals or firms associated with the project are permitted according to the following requirements:

(a) Size, Location. Shall conform to the size and location regulations as set forth by zoning districts in subsection (l)(1) of this section.

(b) Illumination. Not permitted.

(c) Duration. Signs shall be permitted after the issuance of a building permit, and removed upon issuance of a certificate of occupancy from the city of Granite Falls building department.

(d) Number Permitted. No more than four per parcel in residential zoning districts, and six per parcel for all other zoning districts. Residential construction in the public ownership zoning district shall only be permitted four per parcel.

(3) Future Home or Future Use Signs. Signs identifying the proposed use on a vacant or developed parcel are permitted according to the following requirements:

(a) Size, Location. Shall conform to the size and location regulations as set forth by zoning district in subsection (l)(1) of this section. However, formal subdivisions which have preliminary plat approval may have one sign announcing the plat per public entrance, not to exceed four feet in width by eight feet in height.

(b) Illumination. Not permitted.

(c) Number Permitted. No more than one per parcel or proposed development.

(d) Duration. Shall be erected no more than 12 months before construction or intended use the announcement is describing. Shall be removed upon either of the following: the issuance of a certificate of occupancy or the completion of a permanent sign, or for residential uses, when 75 percent of the units or homes have been sold, leased or rented.

(4) Sidewalks and corners of Stanley Street and Granite Avenue shall remain clear of all signs with the exception of directional signs, maximum of three and one-half square feet, displayed for same day event signs as approved by the city's designated official.

(5) Signs Over Right-of-Way (Permit Required). Signs including banners and signs erected upon city-approved sign structures may be permitted in and/or over public right-of-way in locations approved by the city in accordance with the following requirements:

(a) Application. A city-approved application shall be submitted with the required fee as outlined in the city of Granite Falls fees resolution, no more than 90 days prior to the event date.

(b) Size. Banner signs shall be no more than 100 square feet in area. Freestanding Monument signs shall be no larger than eight feet by four feet. The name of the local event sponsor(s) is not to exceed 25 percent of the total sign surface.

(c) Duration. An approved sign may be erected no more than 14 days prior to the event date and remain no longer than seven days after the event.

(J) Murals. This subsection shall govern murals in all zoning districts.

(1) Permit Exemption. Murals may be painted or otherwise placed on any building or structure where permitted. However, a rendition of the mural shall be reviewed and approved by the city's designated official prior to placement, to ensure that it is not a commercial sign nor contains a commercial message.

(2) Permit Required. Murals containing a commercial sign message shall require a sign permit and shall only be allowed on premises in the CBD, GC, IR, LI, and HI zoning districts. The commercial "display area" of the mural shall be calculated against the allowed signage for the site and/or tenant.

(K) Illumination. This subsection shall govern illumination of signs where permitted in the city.

(1) The light directed upon, or internal to, any sign shall be shaded, shielded or directed so that the light intensity or glare shall not adversely affect the surrounding or facing premises, or adversely affect safe vision of operators of vehicles moving on public or private roads, highways or parking areas, or adversely affect safe vision of pedestrians on a public right-of-way. Glare and intense lighting of signs shall not shine on or directly reflect into residential structures.

(L) Exemptions. Subject to the requirements of this section, the following signs shall be exempt from all provisions of this section, except for construction, safety regulations and permitting requirements for permanent signs or where otherwise referenced in this section.

(1) Political Signs.

(a) Private Property. Not to exceed 32 square feet in area per sign. To be removed 10 days following the date of the election or item of public vote.

(b) Private Property (Campaign Headquarters). Political signs may be larger than 32 square feet; provided, that they adhere to the size requirements of the underlying zoning district in which they are located.

(c) Public Right-of-Way (Off-Premises).

(i) Size and Height. Political signs shall not exceed 32 square feet in area. No political sign may exceed six feet in height.

(ii) Location. Permits for political signs are not required. Political signs may not be placed on private property without the permission of the property owner. In parking strips and public rights-of-way where the placement of a political sign may be fairly attributed to a neighboring property owner, permission of that owner must first be obtained prior to placement. Political signs may not be located so as to impede driver vision or represent an obstruction or hazard to vehicular or pedestrian traffic. On public property, not part of the public right-of-way, relevant city departments may designate an area or areas for the placement of political signs in order to ensure that placement will not interfere with the intended use of that land.

(iii) Removal of Election Signs. Off-premises political signs shall be removed within 10 days of the date of the election to which the sign pertains. Failure to remove political signs within the time limit provided shall constitute a violation of this code and be punishable as such. In the event that city personnel are required to remove signs from public rights-of-way after expiration of the time limit for removal, all costs associated with such removal shall be the responsibility of the candidate or campaign organization for whom the sign was posted and shall be collected in addition to any other penalty applicable to failure to remove the sign.

(iv) Public Works Projects. The public works department may remove signs from public rights-of-way in order to conduct periodic maintenance activities or public works projects. Signs removed for this purpose may be picked up at City Hall. Signs not picked up after 30 days will be discarded.

(v) Removal of Signs in Disrepair. The city may remove any sign which is in a state of disrepair from the public right-of-way or public property at any time. For purposes of this subsection, a sign is in a state of disrepair if it is ripped, torn, broken, faded, obliterated, obscured, dilapidated, blown down, knocked over or in any other state in which its message has ceased to be readable or legible.

(2) Public Informational Signs. Signs of a noncommercial nature and erected in the public interest, by or on the order of a city employee, such as traffic and safety advisory signs.

(3) Directional Signs for City Facilities or City-Sponsored Functions. City entrance/exit signs, memorial and historical markers.

(4) Way-Finding Sign Program Signs. Way-finding signs owned and maintained by the city may be located within and adjacent to public right-of-way within the city of Granite Falls. The signs may include gateway signs at key city entrances, directional signs for en-route guidance, and destination signs at or near a specific use. Way-finding signs are subject to a way-finding sign program and specifications approved by the Granite Falls city council.

(5) Integral Signs. Names of buildings, dates of erection, monumental citations, commemorative tablets and the like, when carved into stone, concrete or similar material made of bronze, aluminum, steel or other permanent type of construction and made an integral part of the structure, not exceeding 10 square feet in area and not projecting more than six inches from the face of the structure.

(6) Address signs meeting the requirements of applicable emergency services departments and the city engineer for adequate visibility from the right-of-way.

(7) Signs required by law.

(8) Warning signs and other on-site informational signs not to exceed four square feet in surface area.

(9) Seasonal decorations appropriate with the applicable holiday. Said decorations are to be removed 10 days following the holiday or season.

(10) The flag of governmental and public institutions.

(11) The flag of a commercial institution not advertising a product to be left loose to fly in the breeze. Not to exceed one per business and 20 square feet in surface area.

(12) Legal notices and official instruments.

(13) Decorative flags and bunting for a celebration, convention or commemoration of significance to the community located on public right-of-way, when authorized by the city council for a prescribed period of time.

(14) Signs incorporated into machinery or equipment by a manufacturer or distributor which identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, newspaper racks, telephone booths or gasoline pumps.

(15) Advertising signs located on licensed taxicabs and buses or commercial vehicles operating during the normal course of business.

(16) Credit card or membership signs not to exceed two square feet in area, or more than two per business.

(17) A maximum of two menu boards or price lists for drive-through facilities not to exceed 24 square feet in surface area located adjacent to and oriented toward the drive-through aisle. A permit shall be required for construction purposes.

(18) Menus, not to exceed four square feet in area, mounted on the wall or window adjacent to entrances to restaurants.

(M) Prohibited Signs. The following signs are prohibited in the city of Granite Falls:

(1) Signs that contain statements, words or pictures of an obscene, indecent or immoral character such as will offend public morals or decency under the prevailing statutes or U.S. Supreme Court rulings.

(2) Signs that resemble any official sign or marker erected by any governmental agency, or that by reason of position, shape or color would conflict with the proper functioning of any traffic sign or signal, or be of a size, location, movement, color, or illumination that may be reasonably confused with or construed as or conceal a traffic control device.

(3) Signs that are of such an intensity or brilliance as to cause glare or impair the vision of any motorist, cyclist or pedestrian using or entering the public right-of-way, or that are a nuisance or hazard to occupants of any property because of glare or other characteristics.

(4) Signs attached to public vegetation, utility poles, traffic control devices, lampposts, or city-owned structures and properties unless otherwise allowed pursuant to state or federal laws.

(5) Signs that are in violation of the building, electrical or fire codes adopted by the city.

(6) Signs on, attached to or a part of advertising vehicles.

(7) Portable reader board signs including trailer signs.

(8) Signs with visible moving, revolving or rotating parts or visible mechanical movement of any description or other apparent visible movement achieved by optical illusion, motion, electrical, electronic or mechanical means, except for traditional barber poles.

(9) Signs which are animated, or have the appearance of movement of a sign display through the use of patterns of lights, changes in color or light intensity, computerized special effects or through any other method except as permitted.

(10) Video signs visible from public right-of-way and/or adjacent properties.

(11) Signs that contain bare bulbs in excess of 165 lumens.

(12) Holographic display signs.

(13) Signs that incorporate projected images such as holographic display signs, emit any sound that is intended to attract the attention, or involve the use of live animals.

(14) Signs that emit audible sound, odor or visible matter such as smoke or steam.

(15) Off-premises signs including, but not limited to, billboards, snipe signs and those signs upon vehicles and trailers, except for those otherwise authorized by this section. This prohibition shall not apply to noncommercial signs, including but not limited to political signs or other categories of signage specifically exempted under this section.

(16) Signs that are painted, pasted, or printed on any curb, pavement or any portion of any public sidewalk or street, except house numbers and traffic control signs.

(17) Signs for which a permit has been granted under conditions with which the permitted sign does not comply.

(18) The use of banners as a primary business sign.

(19) Any other signs that are not specifically permitted or exempted by this section.

(N) Nonconforming Signs. Where a legal sign exists at the effective date of adoption of the ordinance codified in this section, that could not be constructed under the terms of this section, such sign may remain so long as the structure remains lawful and is not hazardous to public safety. Legal nonconforming signs may be repaired, so long as the repair does not result in a larger size or height, or with an increase in illumination. Repairs are limited to 50 percent of the replacement costs of the sign and shall not result in a change of material or message. Improvements beyond these thresholds or replacement of the sign requires compliance with this code.

(O) Illegal Signs. All existing illegal signs will need to be brought into conformance or removed within six months of the adoption of this section.

(P) Permits and Fees.

(1) Permits Required. It shall be unlawful for any person to erect, re-erect, construct, enlarge, display, alter or move a sign, or cause the same to be done, without first obtaining a permit for each sign from the city's designated official as required by this chapter. This section shall not be construed to require an additional permit to clean, repaint, or otherwise perform normal maintenance or repair of a permitted sign or sign structure. If, however, a sign is modified in any way, a permit is required. No permit shall be required to change the message on a changeable message and electronic sign.

(2) Permit Application Procedure. To obtain a sign permit the applicant shall file a complete application on a form provided by City Hall. Each applicant shall provide the following information:

(a) Identify and describe the sign being permitted.

(b) Describe the land where the proposed sign is to be located by legal description, street address or parcel number.

(c) Provide a site plan drawn to scale containing a north arrow, location of property line, lot dimensions, adjacent rights-of-way or access easements, location and size of existing signs, and the location of the proposed sign.

(d) Provide plans, elevations, diagrams, light intensities, structural calculations and other materials to aid in the review as required by the city's designated official.

(e) Provide a copy of an approved electrical permit when required.

(3) Fees. When a permit is required, fees shall be paid in accordance with the adopted city of Granite Falls fees resolution in effect at the time of permit submittal.

(Q) Construction, Inspection, Maintenance and Safety.

(1) Construction. All permanent signs and sign structures shall be designed and constructed in accordance with the requirements of applicable city of Granite Falls adopted codes. All signs with electric illumination shall receive a permit from the Washington State Department of Labor and Industries prior to issuance of the sign permit. All utilities, including electrical service, shall be located underground where applicable.

(2) Inspection. When a permit has been issued for a sign, the city's designated official or designee shall have right of entry to the property to inspect the sign to ensure compliance to the permit issued. It is the responsibility of the applicant or sign owner to call for all required sign inspections.

(3) Maintenance. All signs, together with their supports, braces, guys and anchors, shall be kept in good repair. The surfaces of all signs shall be kept neatly painted at all times. The ground area shall be maintained in a neat and orderly manner.

(4) Maintenance/Safety. The city's designated official or designee may order the removal of any sign on private property that is not maintained in a safe and orderly condition. The order for removal or maintenance of any sign shall be sent by the designated official or designee to the owner of the sign or property owner. The notice shall be sent by certified mail, return receipt requested. If the action requested in the order is not taken within the specified time period, the designated official or designee may direct the sign to be removed from the premises. The owner of the sign or the property shall be charged an amount equal to the city's cost for removal of the sign, but in no event shall the fee be less than \$100.00.

(R) Administration and Enforcement.

(1) Authority. The process and requirements for administration and enforcement are defined in Chapter [19.11](#) GFMC, Enforcement. If the enforcement process in Chapter [19.11](#) GFMC, Enforcement, has been pursued to the point of fines, then the city of Granite Falls may also file criminal charges against the violator.

(2) Responsibility. The ultimate responsibility for any sign shall be borne by the legal owner of the property or business where the sign is located. The city's designated official may require, when necessary, that the property owner or agent be party to, or applicant for, a sign permit. [Ord. 1030 § 4, 2022; Ord. 915 § 4 (Att. C), 2016; Ord. 905 § 1 (Att. A), 2016; Ord. 862 §§ 38 – 47, 2013; Ord. 829 § 2, 2012; Ord. 827 §§ 12 – 16, 2012; Ord. 790 § 1, 2009; Ord. 779 § 1, 2009; Ord. 740 § 1 (Exh. A), 2007.]

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.

(1) Required Automobile Parking Spaces. Off-street parking spaces shall be provided as an accessory use in accordance with the requirements of this section at the time any building or structure is erected, enlarged, or expanded.

(2) Size and Access. Each off-street parking space shall have an area of not less than ~~462~~160 square feet exclusive of access drives or aisles and a width of not less than ~~nine~~eight feet. There shall be adequate provision for ingress and egress from each parking space at all times.

(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.
- (c) For uses other than those specified, parking facilities shall be located not farther than 300 feet from the facility.

(4) Unit of Measurement. In stadiums, sports arenas, churches, and other places of assembly in which patrons or spectators occupy benches, pews, or other similar seating facilities, each 18 inches of width or 80 square feet of open area of such seating facilities should be counted as one seat for the purpose of determining requirements of off-street parking facilities under this title.

(5) Expansions or Enlargements. Where any structure is enlarged or expanded, off-street parking spaces shall be provided for said expansion or enlargement in accordance with the requirements of subsection (A)(8) of this section. Nothing in this title shall be construed to require off-street parking spaces for the portion of said building or structure existing at the effective date of the ordinance codified in this title. A change in use in an existing structure shall require additional off-street parking spaces as set forth in subsection (A)(8) of this section.

(6) Exemptions. The expansion or enlargement of an existing building (a building that received a certificate of occupancy at least three years prior to the permit application for expansion) for the addition of residential units, shall not require additional parking stalls.

(7) Mixed Occupancies. In the case of two or more uses in the same building, the total requirements for off-street parking facilities shall be the sum of the requirements for the several uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use, except as hereafter specified in subsection (A)(8) of this section for joint use.

(8) Uses Not Specified. In the case of a use not specifically mentioned in subsection (A)(8) of this section, the requirements for off-street parking facilities shall be determined by the designated official. Such determination shall be based upon the requirements for the most comparable use specified in subsection (A)(8) of this section or on a parking study of three or more of the same use located in communities within the Puget Sound region.

(9) Parking Spaces Required for Particular Uses. The minimum number of off-street parking spaces required for residential and nonresidential uses shall be as set forth in the following table:

Table 1 – Parking Spaces Required

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.
<u>2. Accessory Dwelling Units</u>	<u>1 off-street space per ADU on lots up to 6,000 square feet in size.</u> <u>2 off-street spaces per ADU on lots 6,000 square feet or greater in size.</u>
2. All multifamily uses in the central business district (CBD)	1 off-street space per unit.
33. Family Day-day care center, home-based	1 for each employee, plus 1 additional, not including required residential spaces.

Table 1 – Parking Spaces Required

Use	Parking Spaces Required
45. Day care center, commercial	1 for each employee, plus 1 for every 10 children or adults.
56. Banks <u>and financial services, savings and loan associations, business or professional offices</u>	1 for each 400 square feet of gross floor area.
67. Bowling alleys <u>Bed and breakfast</u>	4 for each alley. <u>1 for each bedroom and 2 per facility</u>
78. Churches	1 for each 5 seats in the principal place of assembly for worship, including balconies and choir lofts.
89. Dance halls, skating rinks, youth cabarets <u>Congregate care facility/retirement center</u>	1 for each 25 square feet of skating or dancing area, plus 1 per 40 square feet of all other building area. <u>One-half space per dwelling unit and one space per employee based on the maximum potential number of employees during a single shift.</u>
910. 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.
1011. Fraternity, sorority or group student house <u>Social or civic organization facility</u>	1 for each 3 sleeping rooms or 1 for each 6 beds, whichever is greater. <u>250 square feet.</u>
1112. Hospitals	1 for each 2 beds.
1213. Large group home, institution <u>Adult family home</u>	1 for each 2 beds.
1314. Libraries and museums	1 for each 250 square feet of floor area open to the public.
1415. Lodging and rooming house <u>Boarding house</u>	1 <u>0.25</u> for each sleeping room.
1516. <u>Light</u> 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.
1617. Medical or dental clinics	5 for each physician or dentist or 1 per 200 square feet of floor area, whichever is greater.
1718. Motels, hotels	1 for each unit.
1819. Motor vehicle or machinery sales, wholesale stores, furniture stores	1 for each 400 square feet of gross floor area.
2019. Offices providing on-site customer service	1 for each 200 square feet.
2021. Offices not providing on-site customer service	1 for each 500 square feet.
2122. <u>Offices, taverns, cocktail lounges (if less than 4,000 square feet)</u> <u>Taverns and bars</u>	1 for each 150 square feet of floor area.
2223. <u>Offices, taverns, cocktail lounges (if more than 4,000 square feet)</u> <u>Vehicle services, minor</u>	20 spaces plus 1 space per 100 square feet. <u>2.5 for retail or office space plus 3 per service bay.</u>
24. <u>Vehicle services, major</u>	<u>2.5 for retail or office space plus 2 per service bay</u>
2325. Indoor recreational facilities	1 for every 3 people that the facility is designed to accommodate when fully utilized.
2426. Mini-storage <u>Vehicle storage, small or large</u>	3 spaces plus 1 for each 10 storage units. <u>2 for office space plus 3 for storage yard.</u>
2527. Commercial retail	1 for each 300 square feet.

(9) Required Loading Areas.

(a) In any commercial and manufacturing zones, and for any institutional use in whatever zone it may be located, every building or portion of building hereafter erected or structurally altered to provide additional floor space shall be provided with a minimum of one off-street or off-alley loading space for each 10,000 square feet of usable floor space within the building, which usable floor space is intended to be used for or is used for merchandising, manufacturing, warehousing, or processing purposes. If the building contains less than 10,000 square feet of usable floor space, the requirement for an off-street or off-alley loading space may be waived by the building inspector.

(b) If the building contains more than 24,000 square feet of floor space so used, then there shall be one additional loading space provided for each additional 24,000 square feet of floor space.

(c) Each loading space shall measure not less than 30 feet by 12 feet, shall have an unobstructed height of 14 feet, shall be made permanently available for such purpose, and shall be surfaced, improved, and maintained. Such facilities shall be so located that trucks using the same shall not encroach upon or interfere with areas reserved for off-street parking nor project into any public right-of-way and shall be adjacent to the building to be served thereby. If the site upon which such loading space or spaces are to be located abuts upon an alley, such loading space or spaces shall be off-alley. If the loading space is incorporated within a building, then, as to location, the requirements of this section shall not apply.

(d) Any floor area provided by additions to or structural alterations to a building shall be provided with loading space or spaces as set forth herein whether or not loading spaces have been provided for the original floor space.

(10) Alley Access to Parking. The alleys located in the four-block area bordered by Stanley Street, Wabash Avenue, Union Street, and Cascade Avenue may be used to access off-street parking for customers. All other alleys in the city may be used to access off-street parking for employees and residents only. Access to customer off-street parking outside of the downtown parking area illustrated in Figure 3 in GFMC [19.06.060](#) shall be from a public street and not an alley.

(11) Tandem Parking. Tandem parking spaces only count as one parking space when calculating the number of parking spaces required under subsection (A)(8) of this section. [Ord. 994 § 5, 2020; Ord. 960 § 13 (Exh. L), 2018; Ord. 937 § 22 (Exh. U), 2017; Ord. 924 § 2 (Exh. A), 2017; Ord. 905 § 1 (Att. A), 2016; Ord. 883 § 12 (Att. C), 2014; Ord. 862 § 48, 2013; Ord. 740 § 1 (Exh. A), 2007.]

19.06.090 Accessory dwelling units.

(A) Purpose. Accessory dwelling units (ADUs) are intended to increase the supply of affordable and independent housing for a variety of households, increase home and personal security, provide supplemental earnings for people with limited incomes, and increase residential densities. This should occur by utilizing the existing infrastructure and community resources while protecting the existing character of single-family neighborhoods.

(B) Procedures. Any owner/occupant seeking to establish an ADU shall apply for approval in accordance with the following:

(1) Application. The owner/occupant shall apply for a building permit for an ADU. A complete application form must demonstrate that all size thresholds and design standards are met.

~~(2) Affidavit. An affidavit affirming that the owner will occupy the principal dwelling or the ADU and agreeing to all the general requirements as provided in this title is required.~~

~~(a) An ADU shall be converted to another permitted use or shall be removed if one of the two dwelling units is not owner-occupied.~~

(C) General Requirements. The creation of an ADU shall be subject to the following general requirements:

(1) Number. ~~One Two~~ ADUs shall be allowed per lot of record as an accessory use in conjunction with any detached single-family structure.

(2) Type of Unit.

(a) An ADU shall be permitted as a second dwelling unit attached to, ~~or detached from,~~ or a combination of both, from the principal dwelling.

~~(b) A detached ADU may be any dwelling permitted in the applicable land use classification.~~

~~(c) A mobile home, recreational vehicle, camper, or vehicle shall not be used as an ADU.~~

(3) Size. An ADU shall be no greater than 1,000 square feet.

(4) Design. An ADU shall be designed to maintain the appearance of the principal dwelling as a single-family residence.

(a) The entrance to an attached ADU shall be located in such a manner as to be clearly secondary to the main entrance to the principal unit. not be directed towards any front yard unless utilizing an existing doorway.

(b) Detached ADUs shall be no closer to the front lot line than the front face of the principal dwelling. This provision shall not apply to waterfront lots regulated pursuant to the city shoreline management program.

(c) New construction of a detached ADU or conversion of an existing detached structure to an ADU shall not be permitted within the required front, side or rear yard setback. An exception to the required rear yard setback may be allowed if the rear yard abuts an alley.

~~(d)~~ (e) If an ADU is created by constructing a new detached structure on a single-family lot, the building height of the ADU shall not be greater than the principal dwelling's building height or 25 feet, whichever is less.

(e) If an ADU is created by constructing a new detached structure on a multifamily lot, the building height of the ADU shall not be greater than the principal dwelling's building height, or 33 feet, whichever is less.

(f) An ADU may be created by adding on to or converting an existing detached structure, even if the existing structure is non-conforming to required setbacks or lot coveragehard surface coverage as long as other applicable codes and requirements are met, such as for fire and safety, and as long as any existing non-conforming components of the existing structure are not expanded upon.

~~(eg)~~ An ADU shall have similar facade, roof pitch and siding to the principal dwelling unit.

(5) Parking. One (1) off-street parking space is required for each ADU on lots smaller than 6,000 square feet in size. For ADUs on lots of 6,000 square feet or greater, two (2) off-street parking spaces are required. Off- street parking spaces for ADUs shall be in addition to that which is required for the primary dwelling unit.

~~(56)~~ Approval. Approval of an ADU is a Type 1 permit subject to administrative approval by the city's designated official. See Table 19.04A-I, GPMC 19.04A.210. [Ord. 905 § 1 (Att. A), 2016; Ord. 740 § 1 (Exh. A), 2007.]

(D) Impact Fees. Impact fees are set forth in the fee schedule in a manner consistent with RCW 36.70A.681(1)(a): The city may not assess impact fees on the construction of accessory dwelling units that are greater than fifty percent (50%) of the impact fees that would be imposed on the principal unit.

19.06.135 Storage of recreational vehicles.

(A) Recreational Vehicles may be parked on a residential property, but shall be kept in a carport or garage, or in a driveway. The Recreational Vehicle must be parked on an asphalt, concrete or other similar surface material that will provide equivalent protection against potholes, erosion, and dust and the parking pad shall be sized to accommodate the dimensions of the RV. RVs may be parked on an existing gravel pad that is an adequate size to accommodate the dimensions of the RV.

(B) If such vehicles are located within the front or side yard setback of the principal building and/or accessory building, they must be stored on an approved driveway.

19.06.150 Public works construction standards.

(A) Purpose and Intent. Except as otherwise provided for in this chapter, any construction, alteration or repair of any facility located in the public right-of-way or public easement shall comply with the Granite Falls public works standards. [Ord. 905 § 1 (Att. A), 2016; Ord. 740 § 1 (Exh. A), 2007.]

Chapter 21.06

PARK AND RECREATION FACILITIES IMPACT FEE AND MITIGATION PROGRAM

21.06.010 Authority and purpose.

(A) This section is enacted pursuant to the city's police powers, Chapters [43.21C](#), [58.17](#) and [82.02](#) RCW. The purpose of this chapter is to:

- (1) Maintain a program for financing park and recreation facilities capital improvements necessitated in whole or in part by development within the city consistent with the goals and policies of the comprehensive plan;
- (2) Ensure adequate levels of service within the city;
- (3) Establish means to charge and collect impact fees to ensure that all new development bears its proportionate share of the capital costs of off-site facilities reasonably necessary to accommodate the growth and maintain adopted level of service standards;
- (4) Ensure that the city pays its fair share of the capital cost of park and recreation facilities necessitated by public uses unrelated to new growth; and
- (5) Ensure fair collection and administration of park and recreation facilities impact fees.

(B) The provisions of this chapter shall be liberally construed to effectively carry out its purpose in the interests of public health, safety and welfare. [Ord. 907 § 1 (Att. A), 2016.]

21.06.020 Applicability.

(A) The requirements of this chapter shall apply to all development regulated by the GFMC unless otherwise exempted.

(B) Mitigation of impacts on parks located in jurisdictions outside the city will be required when:

- (1) The other affected jurisdiction has reviewed the development's impact(s) under its adopted impact fee regulations and has recommended to the city that there be a requirement to mitigate the impact; and
- (2) There is an interlocal agreement between the city and the affected jurisdiction specifically addressing impact analysis and mitigation.

(C) The following are exempted from impact fees:

- (1) Alteration, expansion, reconstruction, or replacement of existing single-family or multifamily dwelling units that does not result in additional dwelling units.
- (2) Accessory dwelling units.
- (3) Development which has impact mitigation provided through environmental review under the State Environmental Policy Act.
- (4) Development for which park impacts have been mitigated by the payment of, or promise or obligation to pay, fees, dedicate land, or construct or improve park facilities as part of a permit approval process granted prior to the effective date of the ordinance codified in this chapter unless the terms of the agreement expressly provide otherwise. [Ord. 907 § 1 (Att. A), 2016.]

21.06.030 Geographic scope.

The boundaries within which park and recreation facilities impact fees shall be charged and collected are the same as the corporate city limits. All unincorporated areas annexed to the city on and after the effective date hereof shall be subject to the provisions of this chapter. After the adoption of interlocal agreements with other local, regional or state jurisdictions, the geographic boundaries may be expanded accordingly. [Ord. 907 § 1 (Att. A), 2016.]

21.06.040 Imposition of impact fees.

(A) Impact fees may be required pursuant to the fee schedule adopted through the process described herein, or mitigation may be provided through other means such as the purchase, installation and/or improvement of park and recreation facilities; or the dedication of land for park and recreation purposes.

(B) Impact fees shall:

- (1) Only be imposed for park needs that are reasonably related to the impacts of development;
- (2) Not exceed the proportionate share of the costs of park and recreation facilities that will reasonably benefit the new development;
- (3) Be used for park and recreation facilities that will reasonably benefit the new development;

- (4) Not be used to correct existing deficiencies;
- (5) Not be imposed to mitigate impacts or meet facility needs that are being addressed through other laws or programs;
- (6) Not be collected for improvements to other jurisdictions’ park and recreation facilities unless the city and the affected other jurisdiction have an interlocal agreement;
- (7) Not be collected for projects vested prior to the adoption date hereof unless changes or modifications to the development proposal require an amendment to the previous city approval and result in greater impacts than previously addressed by the vested approval;
- (8) Be collected only once for each development, unless changes or modifications to the development proposal require an amendment to the previous city approval and result in greater impacts than previously addressed by the vested approval;
- (9) Be collected for system improvement costs previously incurred by the city, to the extent that said improvements are intended to serve new development and that additional fees shall not be collected for system deficiencies; and
- (10) Be only collected on residential developments for park and recreation facilities impact mitigation. [Ord. 907 § 1 (Att. A), 2016.]

21.06.050 Approval of development.

Approvals and permits granted by the city shall include findings and conclusions pertaining to impact mitigation fees consistent with this chapter. [Ord. 907 § 1 (Att. A), 2016.]

21.06.060 Fee schedules and establishment of service area.

- (A) Impact fees shall be established by city council ordinance no more frequently than annually.
- (B) The entire city within the corporate limits is the service area. [Ord. 907 § 1 (Att. A), 2016.]

21.06.070 Calculation of impact fees.

(A) Park impact fees are based on the level of service standards for parks and recreation facilities established in the comprehensive plan.

- (1) It is the city’s intent to maintain the ratio of park land to population established in the comprehensive plan land use element. Dedication of land and facilities for public parks and recreation facilities is the preferred method for mitigating impacts on such facilities caused by the development of new households.
- (2) When creation of a new household (in the form of a subdivision, short plat, planned residential development (PRD), manufactured housing park, or residential building permit on a lot for which a parks impact fee has not been collected) is proposed, the city shall require dedication of land necessary to meet the park land to population ratio level of service standards for parks and recreation facilities. In the event that land dedication is determined by the city to be unfeasible, a mitigation fee in accordance with Table 2 shall be assessed. The amount of land to be dedicated for each dwelling unit shall be as shown in Table 1.

Table 1

Parks Land Dedication Formula

Park land area per household: 2 x 43,560/400 = 220 square feet/HH (rounded)
Given the following variables:
a) Comprehensive plan park land to population ratio = two acres per 1,000
b) Average household size = 2.6 persons per household
c) Households per 1,000 = 1,000/2.6 = 385

(B) The fee value of land to be dedicated may be determined by either of the following methods:

- (1) The applicant may provide a fair market appraisal of the improved property value. The appraisal shall be prepared by a member of the Appraisal Institute (MAI).
- (2) The city may calculate the average improved land value using Snohomish County assessor’s data for all new dwelling units constructed in the previous calendar year.

(C) Park impact fee (PIF) assessments in lieu of land dedication shall be collected based on Table 2 and specified by city council resolution.

Table 2
Parks Impact Fee Formula

Given the following variables:	
A	Adjustment in accordance with RCW 82.02.050 and 82.02.060 to provide a balance between impact fees and other sources of public funds to meet park and recreation facilities capital facility's needs. This adjustment is 50 percent, so that A = 0.5.
HS	Average household size of 2.6 persons.
PLOS	Adopted park land level of service standard of two acres per 1,000 population.
PLR	Proportionate land requirement per new household (0.0052) acre calculated as PLOS ÷ 1,000 x HS.
PV	Park land value of \$10,000 per acre and park improvement value of \$70,000 per acre.
TLOS	Adopted trails level of service standard of one mile per 1,000 population.
TV	Trails land and improvement value of \$30,000 per mile.
PTR	Proportionate trail requirement per new household (0.0026) calculated as TLOS ÷ 1,000 x HS.
Therefore: PIF = A x [(PLR x PV) + (PTR x TV)]	
PIF = 0.5 x [0.0052 x \$80,000 + 0.0026 x \$30,000] = \$247.00 per new household (unless amended by city council resolution ¹)	

¹ City council fee resolution No. 2015-02 sets the current park impact fee at \$230.00 per new household.

21.06.080 Impact fee account funds established.

(A) Park Impact Fee Fund. There is hereby created and established a special purpose park and recreation facilities impact fee fund to receive park impact fees. All park impact fees and investment income received pursuant to this chapter shall be deposited into the park impact fee fund.

(B) Procedures. Procedures for administration of the funds shall be established by the designated official. Expenditures from these funds shall be made in accordance with the city's normal budget procedures. Annually, the city shall prepare a report on each impact fee account showing the source and amount of all monies collected, interest earned, and capital or system improvements that were financed in whole or in part by impact fees. [Ord. 907 § 1 (Att. A), 2016.]

21.06.090 Use of funds.

(A) Impact fees shall be used for park and recreation facility improvements that will reasonably benefit the new development; shall not be imposed to make up for deficiencies in the park facilities serving existing developments; and shall not be used for maintenance or operation.

(B) Impact fees may be spent for improvements, including, but not limited to, facility planning, land acquisition, site improvements, necessary off-site improvements, construction, engineering, architectural, permitting, financing, grant matching funds and administrative expenses, applicable impact fees or mitigation costs, capital equipment pertaining to park and recreation facilities, and any other expenses which can be capitalized and are consistent with the comprehensive plan.

(1) Impact fees may also be used to recoup park and recreation facility improvement costs previously incurred to the extent that new growth and development will be served by the previously constructed improvements or incurred costs.

(2) In the event that bonds or similar debt instruments are or have been issued for the construction of park facility or system improvements for which impact fees may be expended, impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the facilities or improvements provided are consistent with the requirements of this chapter and are used to serve the new development. Capital facilities plans using impact fees for the purpose of assisting in the provision of capital facilities or facility systems must clearly differentiate between funds used for new improvement and those funds used to correct existing deficiencies. [Ord. 907 § 1 (Att. A), 2016.]

21.06.100 Assessment and collection.

(A) Fee Determination. For all development activity subject to this chapter, the city shall determine the total impact fee at the time of application for a building permit or for installation of a mobile/manufactured home, based on the parks, recreation

and open space element of the Granite Falls comprehensive plan and the resulting fee schedule in effect at the time of the application adopted by resolution.

(B) Collection Time. Collection shall occur prior to the time of building permit issuance. [Ord. 907 § 1 (Att. A), 2016.]

21.06.110 Adjustments – Independent calculations.

(A) A fee payer may request an adjustment to the impact fees set forth in this chapter by preparing and submitting to the city an independent fee calculation for the development activity for which a building permit is sought. The documentation submitted shall show the basis upon which the independent fee calculation was made.

(1) If the city agrees with the independent fee calculation, a written agreement shall be transmitted to the fee payer for recording.

(2) If the city does not agree with the independent fee proposal, the fee payer may request a third party review. The third party reviewer will be selected by the city.

(a) The fee payer shall pay the third party reviewer for services and the city for analysis of the independent fee calculation.

(b) While there is a presumption that the calculations set forth in the parks, recreation and open space element of the comprehensive plan are valid, the third party reviewer shall consider the documentation submitted by a fee payer and the analysis prepared by the city.

(c) The third party review may result in the city acceptance, rejection, or revision of the independent fee calculation after consideration of documentation submitted in support of or in opposition to the independent fee calculation, the specific characteristics of the development, principles of fairness, and/or other relevant information. The fees or alternative fees and the calculations shall be set forth in writing and shall be mailed to the fee payer.

(B) Determinations made pursuant to this section may be appealed to the hearing examiner subject to the procedures set forth in the UDC. [Ord. 907 § 1 (Att. A), 2016.]

21.06.120 Credits.

(A) The fee payer shall be entitled to a credit against the applicable impact fee component for the value of any dedication of land for, improvement to, or new construction of any system improvements provided by the fee payer, to facilities that are identified in the parks, recreation and open space element of the comprehensive plan and that are required by the city as a condition of approving the development activity.

(B) The amount of the credit shall be the higher of either the value of the land or improvements established in the adopted comprehensive parks, recreation and open space element or by an appraisal conducted by an independent professional appraiser mutually agreeable to the city and the fee payer. Either the fee payer or the city may request an appraisal, in which event the cost of the appraisal shall be borne by the requesting party. Determinations made pursuant to this section may be appealed to the hearing examiner subject to the procedures set forth in the UDC.

(C) After the effective date of the ordinance codified in this chapter, whenever a development is granted approval subject to a condition that the developer provide capital facilities and utilities park, open space, or linear trail park facilities that are identified in the comprehensive plan parks, recreation and open space element, or whenever the developer has agreed, pursuant to the terms of a voluntary agreement with the city, to provide land for parks, open space, or linear trails that are identified in the comprehensive plan capital facilities and utilities parks, recreation and open space element, or make improvements to existing facilities, the developer shall be entitled to a credit for the value of the land or actual costs of capital facility construction against the fee that would be chargeable under the formula provided by this chapter. The land value or costs of construction shall be determined pursuant to subsection (B) of this section.

(D) When a subdivision or other type of development is conditioned upon the dedication of land, or purchase, installation or improvement of park or recreation facility, a final plat, final PRD, or short plat shall not be recorded, nor a building permit issued until:

(1) The city has determined in writing that any land to be dedicated is shown on the face of the final plat, final PRD, or short plat, or a deed conveying the land to the city has been recorded with the Snohomish County auditor; and

(2) The city has determined in writing, after consultation with the designated public owner responsible for permanent, continuing maintenance and operation of the facilities, that the developer has satisfactorily undertaken, or guaranteed to undertake in a manner acceptable to the city, any required purchase, installation or improvement of the required park or recreation facility. [Ord. 907 § 1 (Att. A), 2016.]

21.06.130 Refunds.

(A) The current owner of property on which impact fees have been paid may receive a refund of such fees if the impact fees have not been expended or encumbered within 10 years of their receipt. In determining whether impact fees have been encumbered, impact fees shall be considered encumbered on a first-in, first-out basis.

(B) Any impact fees that are not expended or encumbered within these time limitations, and for which no application for a refund has been made within this one-year period, shall be retained and expended consistent with the provisions of this section.

(C) Refunds of impact fees shall include any interest earned on the impact fees.

(D) Should the city seek to terminate any or all impact fee requirements, all unexpended or unencumbered funds, including interest earned, shall be refunded to the current owner of the property for which an impact fee was paid. Upon the finding that any or all fee requirements are to be terminated, the city shall place notice of such termination and the availability of refunds in a newspaper of general circulation at least two times and shall notify all potential claimants by first class mail addressed to the owner of the property as shown in the county tax records. All funds available for refund shall be retained for a period of one year. At the end of one year, any remaining funds shall be retained by the city, but must be expended for the original purposes, consistent with the provisions of this section. The notice requirement set forth above shall not apply if there are no unexpended or unencumbered balances within the account or accounts being terminated.

(E) An owner/applicant may request and shall receive a refund, including interest earned on the impact fees, when:

(1) The owner/applicant does not proceed to finalize the development activity as required by statute or city code or the International Building Code; and

(2) The city has not expended or encumbered the impact fees in good faith prior to the application for a refund. In the event that the city has expended or encumbered the fees in good faith, no refund shall be forthcoming. However, if within a period of three years, the same or subsequent owner of the property proceeds with the same or substantially similar development activity, the owner shall be eligible for a credit. The owner must petition the city in writing and provide receipts of impact fees paid by the owner for a development of the same or substantially similar nature on the same property or some portion thereof. The city shall determine whether to grant a credit, and such determinations may be appealed by following the procedures set forth in this chapter.

(F) The amount to be refunded shall include the interest earned by this portion of the account from the date that it was deposited into the impact fee fund. [Ord. 907 § 1 (Att. A), 2016.]

21.06.140 Appeals and payments under protest.

(A) An appeal of the decision of the city, the third party reviewer, or the hearing examiner with regard to the imposition of an impact fee or fee amounts may be filed by the fee payer. Any appeal shall follow the appeal process for the underlying permit and not be subject to a separate appeal process.

(B) Any fee payer may pay the impact fees imposed by this chapter under protest in order to obtain a building permit. No appeal shall be permitted until the impact fees at issue have been provided.

(C) Further appeals of a decision under this chapter shall be considered by the city according to procedures in this chapter.

(D) The hearing examiner is authorized to make findings of fact regarding the applicability of the impact fees to a given development activity, the availability or amount of credit, or the accuracy or applicability of an independent fee calculation. [Ord. 907 § 1 (Att. A), 2016.]

21.06.150 Council review.

(A) 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 update of the parks, recreation and open space element of the comprehensive plan. [Ord. 907 § 1 (Att. A), 2016.]

21.06.160 Administrative fees.

The cost of administering the impact fee system for park and recreation facilities impact fees shall be a one-time charge established by the city. This fee, in addition to the actual impact fees, shall be paid by the developer to the city at the time of building permit issuance. [Ord. 907 § 1 (Att. A), 2016.]

21.06.170 Exemption or reductions.

(A) Public housing agencies or private nonprofit housing developers participating in publicly sponsored or subsidized housing programs may apply for exemptions or reductions from the requirements of this chapter. Any claim for a partial exemption of impact fees under this section shall be made by the time of building permit application. Any claim not so made shall be deemed waived.

(B) Private for-profit developers may apply for exemptions or reductions from the requirements of this chapter when all or a portion of the project is designed to accommodate low income residents or special populations that will result in lower impacts on parks facilities.

(C) The determination of the amount of any requested exemptions or reductions shall be based on the procedures of this chapter.

(D) The amount of impact fees exempted or reduced for low income subsidized units shall be replaced by other public funds, if a full waiver is provided.

(E) Dwelling units qualifying for impact fee exemptions or reductions shall be occupied by low income or special population residents for a minimum of 15 years. [Ord. 907 § 1 (Att. A), 2016.]

21.06.180 Relationship to environmental impact mitigation.

(A) As provided by RCW [82.02.100](#), development required to mitigate environmental impacts pursuant to RCW [43.21C.060](#) shall not be required to pay impact fees under this chapter for the same system improvements.

(B) Nothing in this chapter shall be construed to limit the city's authority to deny development permit applications when a proposal would result in significant adverse environmental impacts identified in environmental review under SEPA where reasonable mitigation measures are insufficient to address the identified impact. [Ord. 907 § 1 (Att. A), 2016.]

21.06.190 Severability.

If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this regulation or the application of the provision to other persons or circumstances shall not be affected. [Ord. 907 § 1 (Att. A), 2016.]

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10.04.030 Limit on duration of on-street parking.

(A) No vehicle shall be parked in one place for more than 72 consecutive hours on any street, alley or public place within the city. Vehicles tagged in violation of this code must be moved within 24 hours or are subject to tow at the owner's expense.

(B) A recreational vehicle may be parked within Public Right-of-Way for a period not to exceed 48 hours and shall not be parked within sight distance triangles.

(C) If after a recreational vehicle has exceeded the 48-hour limit and received notice of violation, the recreational vehicle is re-parked on the same street within 350 feet of the original location, it shall be considered to be parked in the same location within the street and still in violation of the 48-hour parking restriction.

10.04.040 Parking trucks, trailers or tractor-trailer combination.

(A) Parking trucks, trailers or tractor-trailer combination.

(1) No person shall stand or park a truck, or truck tractor-trailer combination which has a manufacturer's gross vehicle weight in excess of sixteen thousand pounds, a length in excess of twenty feet or a width in excess of eight feet upon any portion of a street or alley within any residential zone as defined in the city's zoning code and zoning map except when:

(a) Property is actively loaded or unloaded from such vehicle; or

(b) The vehicle is a City vehicle or public utility vehicle providing a service for the public; or

(b) The vehicle is an emergency vehicle; or

(d) Such vehicle is currently used at and is located at a specific location within a residential zone for the purpose of assisting in the providing of services such as construction, carpentry, plumbing or landscaping to such residence or location.

For the purposes of this chapter, "actively loading or unloading" means the process of transferring property, goods, materials, or passengers to or from a vehicle in a continuous and expeditious manner. A vehicle shall be considered to be actively loading or unloading only while such activity is visibly in progress and shall not exceed thirty (30) minutes, unless continuous loading or unloading activity is clearly occurring beyond that time. Extended on-site construction activities may be required to obtain a permit from the Community Development Department.

Vehicles parked, stopped, or standing without active loading or unloading, or exceeding the time limit stated above, are subject to citation, fines, and/or towing at the owner's expense in accordance with Section XXXX.

(2) No vehicle in excess of sixteen thousand pounds shall be parked on any street or roadway in such a manner that the vehicle faces against the direction of authorized traffic movement on that side of the street.