

**CITY OF SNOHOMISH
Snohomish, Washington**

ORDINANCE 2312

AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON, AMENDING THE CITY'S DEVELOPMENT CODE, AS SET FORTH IN TITLE 14 OF THE SNOHOMISH MUNICIPAL CODE ("SMC"), BY ADOPTING PLANNING FINDINGS AND RECOMMENDATIONS; AMENDING SMC SECTION 14.100.020 RELATING TO DEFINITIONS OF PLANNING TERMS; AMENDING SMC SECTION 14.207.130 and 14.207.135 RELATING TO RECREATIONAL/CULTURAL LAND USES; AMENDING SMC SECTION 14.235.230 RELATING TO PARKING STANDARDS; AND PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE

WHEREAS, the City has adopted a Land Use Development Code as Title 14 of the Snohomish Municipal Code ("Development Code") to implement the Comprehensive Plan and to ensure compatible and rational land development and land use in all portions of the City; and

WHEREAS, Title 14 of the Snohomish Municipal Code (SMC) provides for a range of permitted land uses in each land use designation within the City's planning area; and

WHEREAS, the preservation of historic structures is a priority of the City; and

WHEREAS, the Comprehensive Plan promotes single-family areas that provide suitable living environments for individuals and families and are characterized by quietness, privacy, safety, and land use stability and compatibility; and

WHEREAS, the predominant use within Single Family designations is intended to be single-family detached housing; and

WHEREAS, Title 14 SMC currently allows certain uses that are commercial in nature but compatible with the scale and character of a single-family neighborhood; and

WHEREAS, on June 1, 2016, a public hearing on the proposed amendments set forth herein was held before the Planning Commission and all persons wishing to be heard were heard; and

WHEREAS, following the public hearing, the Planning Commission evaluated issues related to the amendments; and

WHEREAS, consistent with SMC 14.15.090, the Planning Commission made findings and issued a recommendation to the City Council regarding the proposed amendments in which the Planning Commission found that the proposed amendments are internally consistent with the Comprehensive Plan, the Growth Management Act, and the State Environmental Policy Act, and are in the interest of the public health, safety, and welfare of Snohomish residents; and

WHEREAS, in its Findings and Recommendation, the Planning Commission recommended that the City Council adopt the proposed Development Code amendments which are set forth herein; and

WHEREAS, pursuant to SMC 14.15.070 and RCW 36.70A.106, the City has notified the Washington State Department of Commerce of the City's intent to adopt the proposed amendments to the City's Development Code; and

WHEREAS, the proposed amendments are exempt from the State Environmental Policy Act (SEPA) pursuant to WAC 197-11-800(19)(b); and

WHEREAS, on July 19, 2016, a public hearing on the proposed amendments was held by the City Council, and all persons wishing to be heard were heard;

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF SNOHOMISH, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Adoption of Planning Commission Findings and Recommendation.

The Planning Commission findings dated June 1, 2016 are hereby adopted, incorporated by reference, including but not limited to the findings that the Development Code amendments adopted by this Ordinance are:

- a. Internally consistent with the City of Snohomish Comprehensive Plan;
- b. Consistent with the Washington State Growth Management Act;
- c. Consistent with the Washington State Environmental Policy Act (Chapter 43.21C RCW); and
- d. In the interest of the public health, safety, and welfare of Snohomish residents.

Section 2. Amendment of SMC 14.100.020.

SMC Section 14.100.020 is hereby amended with new, amended, and deleted terms and definitions as set forth in the attached **Exhibit A** which is incorporated herein by this reference.

Section 3. Amendment of SMC 14.207.130 and 14.207.135.

SMC Sections 14.207.130 and 14.207.135 are hereby amended to include the new and deleted uses and associated conditions set forth in the attached **Exhibit B** which are incorporated herein by this reference.

Section 4. Amendment of SMC 14.235.230.

SMC Section 14.235.230 is hereby amended as set forth in the attached **Exhibit C** which is incorporated herein by this reference.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this ordinance.

Section 6. Effective Date. This ordinance shall be effective five days after adoption and publication by summary.

ADOPTED by the City Council and **APPROVED** by the Mayor this 19th day of July, 2016.

CITY OF SNOHOMISH

By _____
KAREN GUZAK, MAYOR

ATTEST:

APPROVED AS TO FORM:

By _____
Pat Adams, CITY CLERK

By _____
GRANT K. WEED, CITY ATTORNEY

Date of Publication: _____

Effective Date (5 days after publication): _____

EXHIBIT A

Chapter 14.100
DEFINITIONS

Sections

14.100.020 Definitions

(...)

Community-based theater means a land use where musical and dramatic performances are staged for public audiences. The term includes only those facilities owned and operated by a non-profit organization. Accessory uses may include arts education, assembly uses, ticket sales, and concessions.

(...)

Theater means an establishment primarily engaged in the indoor exhibition of motion pictures or of live theatrical presentations.

(...)

Except as provided herein, all other provisions of SMC 14.100.020 shall remain in full force and effect, unchanged.

EXHIBIT B

14.207.130 Recreational/Cultural Land Use Table.

Land Use	Open Space	Public Park	Urban Horticulture	Single Family Residential	Low Density Residential	Medium Density Residential	High Density Residential	Commercial	Neighborhood Business	Historic Business District	Business Park	Industrial	Airport Industry	Mixed Use
Parks and Recreation														
Campgrounds	p	p												
Community stables		c	c											
Destination resorts		p						p		p			p	
Marina		p	c					p		p				
Public park	p	p	p	p	p	p	p	p		p	p	p	p	p
Public trails	p	p	p	p	p	p	p	p		p	p	p	p	p
Recreational center		p						p			p			
Recreational vehicle park		c						p2						
Amusement/Entertainment														
Amusement arcades								p		p	p	p		p
Bowling center								p			p			
Golf driving range		c											c	
Golf facility		c						p						
((Plays/theatrical production)) Community-based theater		((p))		c8				((p))		((p))	((p))			((p))
Shoot range													c6	
Sports club		p						p		p	p	p		p
Theater		p						p		p	p			
Cultural														
Arboretum		p7		p	p	p	p	p		p	p	p	p	p
Conference center		p7						p		p	p	p	p	p
Library		p7		c	c	c	c	p		p				p
Museum		p7		c	c	c	c	p		p	p	p		p

14.207.135 Recreational/Cultural Land Uses: Regulations.

(...)

8. The following conditions and limitations shall apply to community-based theaters:

- a. The floor area of the facility is limited to 4,000 square feet.
- b. The facility shall be located within the Historic District.
- c. The site shall have direct access to a street designated as a collector arterial or minor arterial.

Except as provided herein, all other provisions of SMC 14.207.135 shall remain in full force and effect, unchanged.

EXHIBIT C

14.235.230 Parking for Recreational/Cultural Land Uses.			
	Land Use	Parking Requirement	Supplemental Requirements
Parks and Recreation			
	Park	To be determined based on use	
	Trails	To be determined based on use	
	Campgrounds	1 space per camp site	
	Community stables	1 space per horse if at maximum capacity	
	Destination resorts	1 space per 200 gsf	
	Recreational vehicle park	1 stall per space	
Amusement/Entertainment			
	Theater(,Plays))	1 space per every 4 seats	
	Bowling center	1 space per maximum design capacity for use	1 space per 200 sf of gfa not incl. in calculation
	Sports club	1 space per 200 sf enclosed gfa	plus 1 space for every 3 persons at maximum capacity use
	Golf facility	1 space per 300 sf of area	1 space per 200 sf of enclosed gfa
	Golf driving range	1 space per tee	1 space per 200 sf of enclosed gfa
	Shooting range (indoor)	1 space per 400 enclosed gsf	
	Amusement arcades	1 space per 200 sf gfa	
Cultural			
	Library, Museum	1 space per 300 sf of gfa	
	Arboretum	to be determined	
	Conference center	1 space per 200 gfa	