

DIAL-IN CONTACT PHONE NUMBER: (US) +1(253) 215-8782/MEETING ID:852 7460 1763

The City of Granite Falls Planning Commission will hold an in-person online (hybrid) meeting in the Civic Center at 7:00PM on June 14, 2022. Contact information is above for joining the meeting by telephone. You can also join by computer at the Zoom meeting link:

<https://us06web.zoom.us/j/85274601763>. Whether in advance of the meeting by comment sent e-mail to the City Clerk, in person, by phone or computer connection, public comment is encouraged.

**CITY OF GRANITE FALLS
PLANNING COMMISSION
JUNE 14, 2022
7:00 PM
MEETING AGENDA**

- 1. CALL TO ORDER**
- 2. FLAG SALUTE**
- 3. ROLL CALL**
- 4. APPROVAL OF MINUTES:**
 - A. Approval of May 10, 2022 Minutes**
- 5. PUBLIC COMMENTS/RECOGNITION OF VISITORS-NON ACTION ITEMS**

(Public comments are encouraged both for items that are not action items in this Agenda and for actions items in this Agenda. Comments may be submitted in advance in writing or by e-mail to the City Clerk or may be made in person, or by telephone or computer connection at the time of the meeting. Individual comments will be limited to three minutes. Group comments shall be limited to five minutes.)
- 6. NEW BUSINESS:**
 - A. Public Hearing - 7:05 PM**

For consideration of the City of Granite Falls amendments to the Development Regulations
 - B. Please REVIEW Comprehensive Plan Section II (in your binders):**
 - *Housing Element**
 - *Capital Facilities and Utilities Element**
 - C. Election of Vice Chair**
- 7. CURRENT BUSINESS:**

8. **REPORTS:**
 - A. City Clerk Reports
 - B. Homework
9. **CORRESPONDENCE:**
10. **ADJOURN:**

Notice-All Proceedings of this meeting are sound recorded.

Approval of May 10, 2022 Minutes



GRANITE FALLS

City of Granite Falls
215 S. Granite Avenue / P.O. Box 1440
Granite Falls, Washington 98252

P 360-691-6441
F 360-691-6734
www.ci.granite-falls.wa.us

PLANNING COMMISSION

MEETING

MAY 10, 2022

7:00 PM

MINUTES

1. CALL TO ORDER (Via Zoom)

City Clerk Reese called the Planning Commission meeting to order at 7:00 p.m.

2. FLAG SALUTE:

City Clerk Reese led the Planning Commission, Staff and Audience in the Pledge of Allegiance to the Flag.

Commissioner Marsh moved to have Commissioner Straughn run tonight's meeting. Commissioner Morrison seconded. Motion carried.

3. ROLL CALL:

Planning Commission

Commissioner Frederick Cruger – Absent
Commissioner Ron Stephenson – Absent
Commissioner Scott Morrison – Present
Commissioner Bruce Straughn – Present
Commissioner Chris Marsh – Present

City Staff

Darla Reese, City Clerk

Consultants

Ryan C. Larsen, Consultant Planner

4. APPROVAL OF MINUTES

A. Approval of March 8, 2022 Minutes

Commissioner Morrison moved to approve the meeting Minutes as written. Commissioner Marsh seconded.

5. PUBLIC COMMENTS/RECOGNITION OF VISITORS – NON-ACTION ITEMS

No one was present online to speak during this portion of the meeting, and no written correspondence had been received.

6. NEW BUSINESS

A. Miscellaneous Minor Updates to Title 19

Consultant Planner Larsen reviewed the miscellaneous minor updates to Title 19 summary of proposed changes including:

- Amended section 19.01.030 by adding new (C), (G), (H), and (I) and amending (F). Changes are due to the recent adoption of Ordinance 1020-2022 to clarify rules of interpretation.
- Amended section 19.04(C)(1) and (2) to address the addition of an enforcement section in new Title 19.11. Change is due to the recent adoption of Ordinance 1020-2022 where the enforcement section in advertently was left out.
- Amended section 19.04A.350(B)(3)(a)(vi) to remove binding site plans from the hearing examiners review since these are to be done administratively. Also amended (B)(3)(b) to address the addition of an enforcement section in the new Title 19.11. Change is due to the recent adoption of Ordinance 1020-2022 where the enforcement section in advertently was left out.
- Amended section 19.06.040(R)(1) to address the addition of an enforcement section in new Title 19.11. Change is due to the most recent adoption of Ordinance 1020-2022 where the enforcement section in advertently was left out.
- Amended section 19.07.040(A)(3) to address the addition of an enforcement section in new Title 19.11. Change is due to the recent adoption of Ordinance 1020-2022 where the enforcement section in advertently was left out.
- Added new Title 19.11 Enforcement. Change is due to the recent adoption of Ordinance 1020-2022 where the enforcement section in advertently was left out so created new chapter to address this addition.

Consultant Planner Larsen also reviewed the next steps of the process up to adoption of the ordinance.

B. Please REVIEW Comprehensive Plan Section II (in your binders):

*Natural Features Element

*Land Use Element

Be prepared for discussion

*Passport to 2044 Handout from Puget Sound Regional Council and Department of Commerce are partnering together to set up the series of meetings for local jurisdictions to view the local process updates.

City Clerk Reese to email out webinar information to the Planning Commission members.

*Planning Commission to let City Clerk Reese know if they have registered for the webinar.

Consultant Planner Larsen mentioned there is grant money available for cities for Comprehensive Plan updates = \$20,000.00-\$25,000.00 allotted. We will review open houses, etc. at the next meeting.

Natural Features Element

- Add ordinances approved up to date
 - Updated Flood Plain Ordinance (add approval date)
 - Updated the Critical Areas Ordinance (add approval date)
- Goals and Policies Section – review if they are outdated
- NF-4 (top of page) – Discusses monitoring that happened and wrapped up in June of 2020. Is some of this information old and not relevant any longer? Or if it is, should it have an update to the information? (needs an ending)
- NF-6 – Air Quality – third paragraph. The summer fires that Granite has been having and the impact to the air quality throughout the state. Should this be mentioned in this chapter?
- NF-6 – Policy and Procedures – Are the procedures out of a city policy? Or are they just brainstormed ideas? – Add that the City provides the only electric car chargers available to the public in town.
- There were be a “push” for cities to add information on climate change in their document along with policies and procedures – we can decide when we get to this part
- Maps will be updated – will add a FEMA map
 - Have a separate typed link to each page that has a map
- 2024 Comprehensive Plan Page – link info to page

Land Use Element

- Add paragraph on LU-8 population – revise table and add our 2015-2035 population explanation on the population allocation and reallocation by Snohomish County dropping our numbers
- On website fix “Land Use Element Appendix” wording it is misspelled
- LU-2 – under Major Land Use Considerations and Goals - add selling point “Zero B&O Tax Dollars”
- LU-5 – Second paragraph = Should we have a Downtown Master Plan? – Discussion with the City Council on this
- LU-6 – Schools = update sections; Football, City Hall, Public Works, Fire Department
- LU-10 - LU-7 – Table = update table
- LU-12 – Put dwelling units in sections as per Comprehensive Plan numbers

C. Comprehensive Plan Update Webinar

Consultant Planner Larsen reviewed this item under the start of the last Agenda item.

7. CURRENT BUSINESS

There were no Current Business items for the Agenda.

8. REPORTS:

A. City Clerk Report

There were no questions on the City Clerk's reports.

B. Homework

Please read & review the next two sections of the Comprehensive Plan:

- Housing Element
- Capital Facilities and Utilities Element

9. CORRESPONDENCE:

There were no correspondence items for the Agenda.

10. ADJOURNMENT:

Commissioner Straughn adjourned the meeting.

Public Hearing - 7:05 PM

**For consideration of the City of Granite Falls
amendments to the Development Regulations**



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Exhibit 1, page 1 of 1

PUBLIC HEARING NOTICE

City of Granite Falls

June 14, 2022

7:05 p.m.

BEFORE THE GRANITE FALLS PLANNING COMMISSION

NOTICE IS HEREBY GIVEN THAT in the Granite Falls City Hall Council Chambers at 215 S Granite Avenue, Granite Falls, WA on Tuesday, the 14th day of June, 2022, at 7:05 p.m. or soon thereafter, a public hearing for consideration of the City of Granite Falls amendments to the Development Regulations. Amendments are: Amended section 19.01.030 by adding new (C), (G), (H) and (I) and amending (F); Amended section 19.04.040(C)(1) and (2) to address the addition of an enforcement section in new Title 19.11; Amended section 19.04A.350(B)(3)(a)(vi) to remove binding site plans from the hearing examiners review since these are to be done administratively. Also amended (B)(3)(b) to address the addition of an enforcement section in new Title 19.11; Amended section 19.06.040(R)(1) to address the addition of an enforcement section in new Title 19.11; Amended section 19.07.040(A)(3) to address the addition of an enforcement section in new Title 19.11; and Added new Title 19.11 Enforcement. All changes are due to the recent adoption of Ordinance 1020-2022 where the enforcement section in advertently and not codified with the ordinance adoption.

Any person may appear at the hearing and may be heard in support of or in opposition to this proposal. If you are unable to attend the public hearing in person, you may submit your written comments by 4:00 p.m., June 14, 2022, to the attention of the City Clerk at Granite Falls City Hall, 215 S Granite Avenue, Granite Falls, WA, 98252, in order for your comments to be considered as part of the formal record. Additional information may be obtained at City Hall from 8:30 a.m. to 5:00 p.m. weekdays by calling 360-691-6441.

GRANITE FALLS PLANNING COMMISSION

Darla Reese, City Clerk

Dated this 2nd day of June 2022.

The City of Granite Falls strives to provide access and services to all members of the public. Please notify the City at least one week prior to the event if reasonable accommodations are needed.

Notice – All Proceedings of this meeting are sound recorded



GRANITE FALLS

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Exhibit 2, page 1 of 1

PUBLIC HEARING NOTICE

I, Darla Reese, City Clerk for the City of Granite Falls, WA hereby certifies the Public Hearing Notice for consideration of City of Granite Falls Amendments to the Development Regulations was posted in three public places as described below.

City Hall, 215 South Granite Avenue by: Darla date: 6/3/2022

Granite Falls Public Library, 815 East Galena Street by: BO date: 6/2/22

Granite Falls Post Office, 205 East Stanley Street by: BO date: 6/2/22

Mailed and Emailed to Affective Agencies & Tribes

by Darla / Becky date: 6/2/2022

Certified this 3rd day of June, 2022

Darla Reese

By Darla Reese, City Clerk, MMC

Everett Daily Herald**Affidavit of Publication**

State of Washington }

County of Snohomish } ss

Michael Gates being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of EDH956036 6/14/22 PUBLIC HRG as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 06/04/2022 and ending on 06/04/2022 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount the fee for such publication is
\$70.52.

Subscribed and sworn before me on this

16 day of June,
2022.

Linda Phillips

Notary Public in and for the State of
Washington.

City Of Granite Falls/LEGAL ADS | 14102095
DARLA REESE

Linda Phillips
Notary Public
State of Washington
My Appointment Expires 8/29/2025
Commission Number 4417

RECEIVED

JUN 09 2022

City of Granite Falls

PUBLIC HEARING NOTICE
City of Granite Falls
June 14, 2022
7:05 p.m.

BEFORE THE GRANITE FALLS PLANNING COMMISSION
NOTICE IS HEREBY GIVEN THAT in the Granite Falls City Hall Council Chambers at 215 S Granite Avenue, Granite Falls, WA on Tuesday, the 14th day of June, 2022, at 7:05 p.m. or soon thereafter, a public hearing for consideration of the City of Granite Falls amendments to the Development Regulations. Amendments are: Amended section 19.01.030 by adding new (C), (G), (H) and (I) and amending (F); Amended section 19.04.040(C)(1) and (2) to address the addition of an enforcement section in new Title 19.11; Amended section 19.04A.350(B)(3)(a)(vi) to remove binding site plans from the hearing examiners review since these are to be done administratively. Also amended (B)(3)(c) to address the addition of an enforcement section in new Title 19.11; Amended section 19.06.040(R)(1) to address the addition of an enforcement section in new Title 19.11; Amended section 19.07.040(A)(3) to address the addition of an enforcement section in new Title 19.11; and Added new Title 19.11 Enforcement. All changes are due to the recent adoption of Ordinance 1020-2022 where the enforcement section inadvertently and not codified with the ordinance adoption.
Any person may appear at the hearing and may be heard in support of or in opposition to this proposal. If you are unable to attend the public hearing in person, you may submit your written comments by 4:00 p.m., June 14, 2022, to the attention of the City Clerk at Granite Falls City Hall, 215 S Granite Avenue, Granite Falls, WA, 98252. In order for your comments to be considered as part of the formal record, additional information may be obtained at City Hall from 8:30 a.m. to 5:00 p.m. weekdays by calling 360-691-6441.

GRANITE FALLS PLANNING COMMISSION
Daria Reese, City Clerk

Dated this 2nd day of June 2022.

The City of Granite Falls strives to provide access and services to all members of the public. Please notify the City at least one week prior to the event if reasonable accommodations are needed.

Notice - All Proceedings of this meeting are sound recorded
Published: June 4, 2022, EDH936035



**CITY OF GRANITE FALLS
PLANNING COMMISSION STAFF REPORT**

DATE: June 14, 2022

SUBJECT: Public Hearing - Minor Updated to Title 19

CONTACT PERSON: Ryan C. Larsen, Planning Consultant

ATTACHMENTS: A.ZCA2022-001 *Land Use Updates* – Proposed Zoning Code Amendments to Title 19

ISSUE

1. The issue before the Planning Commission is to review the 2022 Development Regulation – Miscellaneous Code Edits as described below.
2. Make a recommendation to City Council on the proposed amendments.

POLICY

Granite Fall Municipal Code (GFMC) section 19.04.130(D)(1) states, “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 (3) of this section; or (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 (3) of this section.” City Designated Official along with the city Planning Consultant are suggesting several development regulation amendments to Title 19. These changes are proposed to ensure consistency between code sections and references. The Planning Commission is required to make a recommendation on the proposed edits to the City Council following a public hearing. City Council is to receive the recommendation and take final action on the amendments through the adoption of an ordinance.

DISCUSSION

City planning consultant and staff are proposing several edits to Title 19 the Granite Falls Municipal Code. The city is only processing amendments to the GFMC pursuant to 19.04.130(D). City staff and planning consultant are proposing to modify various code

section to correct reference to address changes caused by Ordinance 1020-2022 recently adopted by City Council.

Planning Commission reviewed proposed changes at their May 10, 2022 meeting. The proposed edits have had environmental review and a SEPA threshold determination of non-significance was issued on June 4, 2022. Also, the proposed changes/edits were sent to the Department of Commerce and Department of Ecology of the proposed changes on June 1, 2022. Expedited review was request to Department of Commerce to reduce the review time by state agencies and others.

The city Consultant prepared the following Zoning Code amendments (ZCA).

- ZCA2022-001 Land Use Updates – Proposed Zoning Code Amendments to Title 19, (Attachment B) – Outlined below. The proposed ordinance is in Attachment A below and is done in ~~strike-through~~ for deletions and underline for additions. Below is a summary of the proposed change.
 1. Amended section 19.01.030 by adding new (C), (G), (H) and (I) and amending (F). Changes are due to the recent adoption of Ordinance 1020-2022 to clarify rules of interpretation.
 2. Amended section 19.04.040(C)(1) and (2) to address the addition of an enforcement section in new Title 19.11. Change is due to the recent adoption of Ordinance 1020-2022 where the enforcement section in advertently was left out.
 3. Amended section 19.04A.350(B)(3)(a)(vi) to remove binding site plans from the hearing examiners review since these are to be done administratively. Also amended (B)(3)(b) to address the addition of an enforcement section in new Title 19.11. Change is due to the recent adoption of Ordinance 1020-2022 where the enforcement section in advertently was left out.
 4. Amended section 19.06.040(R)(1) to address the addition of an enforcement section in new Title 19.11. Change is due to the recent adoption of Ordinance 1020-2022 where the enforcement section in advertently was left out.
 5. Amended section 19.07.040(A)(3) to address the addition of an enforcement section in new Title 19.11. Change is due to the recent adoption of Ordinance 1020-2022 where the enforcement section in advertently was left out.
 6. Added new Title 19.11 Enforcement. Change is due to the recent adoption of Ordinance 1020-2022 where the enforcement section in advertently was left out so created new chapter to address this addition.

FINDINGS

1. City planning consultant and staff are proposing several development regulations edits to Title 19 of the Granite Falls Municipal Code. The city is only processing amendments to the GFMC pursuant to 19.04C.035(A)-(B)
2. The City Staff/Consultant Team has prepared proposed edits as outlined below:

- a. Amended section 19.01.030 by adding new (C), (G), (H) and (I) and amending (F). Changes are due to the recent adoption of Ordinance 1020-2022 to clarify rules of interpretation.
 - b. Amended section 19.04.040(C)(1) and (2) to address the addition of an enforcement section in new Title 19.11. Change is due to the recent adoption of Ordinance 1020-2022 where the enforcement section in advertently was left out.
 - c. Amended section 19.04A.350(B)(3)(a)(vi) to remove binding site plans from the hearing examiners review since these are to be done administratively. Also amended (B)(3)(b) to address the addition of an enforcement section in new Title 19.11. Change is due to the recent adoption of Ordinance 1020-2022 where the enforcement section in advertently was left out.
 - d. Amended section 19.06.040(R)(1) to address the addition of an enforcement section in new Title 19.11. Change is due to the recent adoption of Ordinance 1020-2022 where the enforcement section in advertently was left out.
 - e. Amended section 19.07.040(A)(3) to address the addition of an enforcement section in new Title 19.11. Change is due to the recent adoption of Ordinance 1020-2022 where the enforcement section in advertently was left out.
 - f. Added new Title 19.11 Enforcement. Change is due to the recent adoption of Ordinance 1020-2022 where the enforcement section in advertently was left out so created new chapter to address this addition.
3. Environmental review/Determination of Non-significance and noticing the Department of Commerce and Department of Ecology of the proposed changes occurred on Wednesday June 1, 2022.
 4. The Department of Commerce provide notice to the City on June 1, 2022 confirming receipt and the City has met the procedural requirements for notification.
 5. Planning Commission reviewed proposed changes at their May 10, 2022 meeting.
 6. City Council reviewed proposed changes at their June 1, 2022 meeting.
 7. Planning Commission will be holding a hearing on the proposed edits at their June 14, 2022 meeting.

ALTERNATIVES

1. Move to recommend approval to City Council for the 2022 Development Regulation proposed amendments described in Attachments A – Proposed Zoning Code Amendments to Title 19 as prepared by staff.
2. Move to recommend denial to City Council for the 2022 Development Regulation proposed amendments described in Attachments A – Proposed Zoning Code Amendments to Title 19 as prepared by staff.
3. Move to recommend approval and/or denial of certain proposed 2022 Development Regulation proposed amendments described in Attachments A – Proposed Zoning Code Amendments to Title 19, to City Council as determined by the Planning Commission.

4. Take no action at this time and direct City staff and the City consultant to provide the Commission with additional information prior to making a recommendation to City Council.

RECOMMENDED ACTION

I move to recommend City Council adopt the 2022 Development Regulation proposed amendments described in Attachments A – Proposed Zoning Code Amendments to Title 19, as prepared by staff and the city consultant.

ATTACHMENT A**AMENDED SECTION****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.

~~(D)~~(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 GFMC and in Chapter 19.07 GFMC, all words and terms used in this UDC shall have their customary meanings.

~~(E)~~(F) Shall, Should, May, Will. The words “shall” and, “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.

AMENDED SECTION**19.04A.040 Compliance with this title required.**

(A) All land uses, activities, construction, clearing, grading, filling, development, and structural modifications or alterations shall comply with this title and with all permits and approvals granted for the use, activity, construction, clearing, grading, filling, development, intensification, or structural modifications or alterations. Except as required by state law, no permit or approval shall be issued for any parcel of land developed or divided in violation of this title.

(B) All divisions of land shall comply with this title. Any portion of a lot or lots that was used to calculate compliance with this title, standards, or regulations shall not be subsequently subdivided or segregated from such lot or lots or sold or transferred separately from such lot or lots.

© Violations and Penalties.

(1) Any person violating any provisions of this title shall be subject to **GPMC 19.04.120 Chapter 19.11**, Enforcement.

(2) Any building, structure, development, activity, land use, or division of land not in conformance with this title, and not a legal nonconformance or exempted by a policy governing existing nonconforming structures or uses, is declared to be unlawful, substandard, and a public nuisance, and is subject to the enforcement and abatement provisions in **GPMC 19.04.120 Chapter 19.11**, Enforcement.

AMENDED SECTION

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 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) **Binding site plans;**

~~(vii)~~ Appeals of administrative decisions or determinations pursuant to Chapter 43.21C RCW, the State Environmental Policy Act (SEPA);

- ~~(viii)~~ (vii) Amortization periods for nonconforming signs;
 - ~~(ix)~~ (viii) Manufactured/mobile home parks;
 - ~~(x)~~ (ix) Nonconforming use permits; and
 - ~~(xi)~~ (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 GFMC19.04.120 Chapter 19.11, Enforcement.
- (c) Review and make recommendations to city council regarding a proposed development agreement in compliance with GFMC 19.04C.045.
- (d) Hear and make decisions under GFMC 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 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.

AMENDED SUBSECTION

19.06.040 Sign regulations.

(R) Administration and Enforcement.

- (1) Authority. The process and requirements for administration and enforcement are defined in GFMC19.04.120 Chapter 19.11, Enforcement. If the enforcement process in GFMC19.04.120 Chapter 19.11, 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.

AMENDED SECTION

19.07.040 Penalties and enforcement.

(A) Enforcement – Penalties.

(1) Site Inspections. The designated official is authorized to make site inspections and take such actions as necessary to enforce this title. The designated official shall present proper credentials and make a reasonable effort to contact any property owner before entering onto private property.

(2) Order Remedial Action. The designated official shall have the authority to order restoration, rehabilitation or replacement measures to compensate for the destruction or degradation of critical area lands at the owner's expense, and may force compliance by suit filed in a court having jurisdiction.

(3) Penalty Imposed. Any person who fails to comply with the provisions of this title shall be subject to a penalty as provided in GFMC 19.04.120 Chapter 19.11, Enforcement per day for each day of noncompliance, measured from the date the violation begins until the person complies with the requirements of this title.

(B) Appeals.

(1) Filing. An appeal of the designated official's decision to require a critical area study must be filed with the city clerk within 10 working days after said decision. The hearing examiner shall initially hear the appeal as provided for in GFMC 19.04B.140, Appeal of Type I decision.

(2) Procedure. Any decision to approve, condition or deny a development or alteration proposal based on the requirements of this title may be appealed in accordance with the procedures and standards applicable to the subject development or alteration proposed.

NEW CHAPTER

Chapter 19.11

Enforcement

(A) Enforcing Official – Authority. The designated official shall be responsible for enforcing this UDC and this code and may adopt administrative rules to meet that responsibility. The designated official may delegate enforcement responsibility to other department heads, building inspector, fire chief, or chief of police as appropriate.

(B) General Penalty. Compliance with the requirements of this UDC shall be mandatory. The general penalties and remedies established in subsections (D) and (E) of this section for such violations shall apply to any violation of the UDC. The enforcement actions authorized under this chapter shall be supplemental to those general penalties and remedies.

(C) Application.

(1) Action Taken. Actions under this chapter may be taken in any order deemed necessary or desirable by the designated official to achieve the purpose of this chapter or of the development code.

(2) Violation. Proof of a violation of a development permit or approval shall constitute prima facie evidence that the violation is that of the applicant and/or owner of the property upon which the violation exists. An enforcement action under this chapter shall not relieve or prevent enforcement against any other responsible person.

(D) Civil Regulatory Order.

(1) Authority. A civil regulatory order may be issued and served upon a person if any activity by or at the direction of that person is, has been, or may be taken in violation of the development code.

(2) Notice. A civil regulatory order shall be deemed served and shall be effective when posted at the location of the violation and/or delivered to any suitable person at the location or delivered by mail or otherwise to the owner or other person having responsibility for the location.

(3) Content. A civil regulatory order shall set forth:

(a) The name and address of the person to whom it is directed.

(b) The location and specific description of the violation.

(c) A notice that the order is effective immediately upon posting at the site and/or receipt by the person to whom it is directed.

(d) An order that the violation immediately cease, or that the potential violation be avoided.

(e) An order that the person stop work until correction and/or remediation of the violation as specified in the order.

(f) A specific description of the actions required to correct, remedy, or avoid the violation, including a time limit to complete such actions.

(g) A notice that failure to comply with the regulatory order may result in further enforcement actions, including civil fines and criminal penalties.

(4) Remedial Action. The designated official may require any action reasonably calculated to correct or avoid the violation including, but not limited to, replacement, repair, supplementation, revegetation, or restoration.

(E) Civil Fines.

(1) Authority. A person who violates any provision of the development code, or who fails to obtain any necessary permit or who fails to comply with a civil regulatory order shall be subject to a civil fine.

(2) Amount. The civil fine assessed shall not exceed \$1,000 for each violation. Each separate day, event, action or occurrence shall constitute a separate violation.

(3) Notice. A civil fine shall be imposed by a written notice, and shall be effective when served or posted as set forth in subsection (D) of this section. The notice shall describe the date, nature, location, and act(s) comprising the violation, the amount of the fine, and the authority under which the fine has been issued.

(4) Collection. Civil fines shall be immediately due and payable upon issuance and receipt of the notice. The designated official may issue a regulatory order stopping work until such fine is paid. If remission or appeal of the fine is sought, the fine

shall be due and payable upon issuance of a final decision. If a fine remains unpaid 30 days after it becomes due and payable, the designated official may take actions necessary to recover the fine. Civil fines shall be paid into the city's general fund.

(5) Application for Remission. Any person incurring a civil fine may, within 10 days of receipt of the notice, apply in writing to the designated official for remission of the fine. The designated official shall issue a decision on the application within 10 days. A fine may be remitted only upon a demonstration of extraordinary circumstances.

(6) Appeal. A civil fine may be appealed to the hearing examiner as set forth in GFMC 19.04B.140.

City Clerk Reports

City Clerk Staff Report May 18, 2022

Business Licenses (Outside City):

Salish Roots Septic LLC
17714-65th Ave. NW
Stanwood, WA 98292
Septic tank pumping and services

Redemption NW Paint Services LLC
6901-Lower Ridge Rd.
Everett, WA 98203
Exterior and indoor painting services including; millwork, cabinetry doors, walls, ceilings, siding & trim.
Also, pressure washing and cleaning services

Maintenance SOS LLC
9527-58th Dr. NE
Marysville, WA 98270
Contractor, construction, building maintenance, property maintenance

Scott's Turf & Tree, LLC
6909-272^{ns} St. NE
Arlington, WA 98223
Landscaping maintenance including; moving, pruning, weeding, thatching; landscape install decks, patios, fences, irrigation sprinkler systems

Building Permits Issued:

Checkmate Holdings, LLC
11125 Mt. Loop Hwy.
Plumbing for new commercial building #3

Building Permit #2022-036

Max Landen
10503 Tailspare Ave.
Residential A/C Unit

Building Permit #2022-037

Jared & Laura Lambert
9812 Hawkins Ave.
Residential A/C Unit

Building Permit #2022-038

Alexis Ortiz
17602 Tailspare Ave.
Residential A/C Unit

Building Permit #2022-039

Phillip Saunsaucie
17601 Quartz St.
Residential A/C Unit

Building Permit #2022-040

City Clerk Staff Report June 1, 2022

Business Licenses (Inside City):

Red Dirt Clothing (Spliethof, Tara Jean)
10211 Suncrest Blvd.
Granite Falls, WA 98252
Boutique

Bella Home (Perez, Ivonne Denisse)
10307 Skyline Ave.
Granite Falls, WA 98252
Interior designer

Building Permits Issued:

Don Olson
201 W. Pilchuck St.
Residential heat pump

Building Permit #2022-041

Stefan Welch
110 S. Granite Ave.
Commercial hot water tank

Building Permit #2022-042

Tom Westling
712 S. Granite Ave.
Residential hot water tank

Building Permit #2022-043