

**CITY OF SULTAN  
WASHINGTON  
ORDINANCE NO. 1075-10**

**AN ORDINANCE OF THE CITY OF SULTAN,  
WASHINGTON, ADOPTING AMENDMENTS TO SULTAN  
MUNICIPAL CODE TITLE 16, UNIFIED DEVELOPMENT  
CODE, REDUCING THE MINIMUM LOT SIZE FOR  
MANUFACTURING USES FROM ONE ACRE TO ONE-  
HALF ACRE IN SECTION 16.12.050, HIGHWAY  
ORIENTED DEVELOPMENT ZONE, AND IN SECTION  
16.12.060 ECONOMIC DEVELOPMENT ZONE ; AND  
ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the City of Sultan has adopted Sultan Municipal Code Title 16, Unified Development Code, and periodically adopts amendments to said Title in response to changing conditions, and

WHEREAS, Title 16 contains zoning provisions in Section 16.12.050 Highway Oriented Development Zone, and in Section 16.12.060 Economic Development Zone, that set minimum lot sizes for Manufacturing Uses, and

WHEREAS, Said zones establish One (1) Acre as the minimum lot size that can be created by land division processes for location of a manufacturing use, and

WHEREAS, The Planning Board, on its own initiative, proposed that One Acre was an unnecessarily large lot size for certain industrial uses and proposed that One-half (1/2) Acre would be a more appropriate minimum lot size, and

WHEREAS, The Planning Board, at its regular meeting of April 21, 2009, conducted a duly advertized public hearing on the proposal to amend Section 16.12.050 Highway Oriented Development Zone, and in Section 16.12.060 Economic Development Zone to provide for a minimum lot size of One-half (1/2) Acre for manufacturing uses, and

WHEREAS, The Planning Board received testimony supportive of the proposal and received no testimony in opposition to the proposal, and

WHEREAS, The Planning Board finds that manufacturing uses must be properly designed and buffered to accommodate the proposed lot and adjacent uses, and

WHEREAS, The Planning Board, at its regular meeting of April 21, 2009, unanimously adopted a motion to forward the proposal to reduce the minimum lot size for manufacturing uses in said zones, and that the City Council, as provided in SMC 16.134.050 J., need not hold an additional public hearing on the proposed amendment, and

WHEREAS, The City provided notice to the Washington Department of Community, Trade, and Economic Development for review under provisions of RCW 36.70A.106 (3)(b), and other notices as required by law, and

WHEREAS, The City received clearance on the required notice process from the State by letter on April 13, 2009, which clearance authorizes final action on the proposed amendment, and

WHEREAS, The City Council has received and accepted the recommendation of the Planning Board, and finds that the proposed reduction in minimum lot size is supportive of certain industries, and will assist Comprehensive Plan policies regarding economic development, and that any industrial placements will continue to be required to conform to all applicable development and environmental standards;

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

Section 1. The CITY OF SULTAN MUNICIPAL CODE TITLE 16, UNIFIED DEVELOPMENT CODE, is hereby AMENDED AS FOLLOWS:

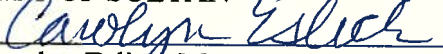
EXHIBIT A: Tables of Dimensional and Density Requirements for Section 16.12.050 Highway Oriented Development Zone, and Section 16.12.060 Economic Development Zone, with changes indicated to reduce the minimum lot size for Manufacturing Uses from One (1) Acre to One-half (1/2) Acre.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

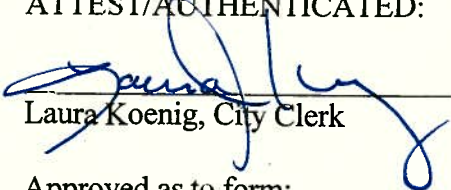
Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 8<sup>th</sup> DAY OF APRIL, 2010.**

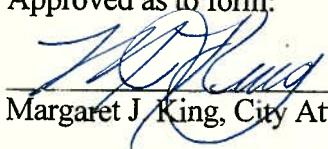
CITY OF SULTAN

  
Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

  
Laura Koenig, City Clerk

Approved as to form:

  
Margaret J. King, City Attorney

Published: April 21, 2010

**16.12.050 Highway-oriented development (HOD) zone.**

A. General Description of Character and Intent of the Zone. This zone includes areas that have the potential to accommodate moderate to dense highway-oriented development along Route 2. Commercial and office uses as part of a planned retail center are envisioned for this zoning district.

**Highway-Oriented Development (HOD) Zone  
Table of Dimensional and Density Requirements**

Uses Permitted	Maximum Units/Acre	Minimum Lot Dimensions			Minimum Yard Setbacks (ft)			Max. Bldg. Hgt. (ft)	Max. Lot Coverage (%)
		Area	Width (ft)	Depth (ft)	Front	Each Side	Rear		
Caretaker Residence	-	4,500 sq.ft.	50	90	25	10	25	30	25
Guest Houses	12-rooms	0.5 acres	100	100	25	10	25	30	35
Hotels/Apartment Hotels	30-rooms	0.5 acres	100	100	25	10	25	30	35
Motels	30-rooms	1 acre	100	200	25	10	25	30	25
Bed and Breakfast Inns/Guest Houses	16-rooms	0.5 acres	100	100	25	25	25	30	25
Retail Trade Establishments <sup>1</sup>	-	10,000 sqft.	70	80	25	10	25	30	25 <sup>6</sup>
Agricultural Produce Stands/Plant Nurseries <sup>5</sup>	-	10,000 sqft.	70	80	25	10	10	30	50
Home Building Supply Stores	-	1 acre	100	200	50	25	50	30	35 <sup>6</sup>
Flea Markets <sup>3</sup>	-	1 acre	100	200	25	25	25	30	25
New and Used Car Sales & Service Facilities	-	1 acre	100	200	25	25	25	30	25 <sup>6</sup>
Automobile Service Stations/Car Washes	-	0.5 acres	100	100	25	25	25	30	25
Automobile Rental Agencies	-	10,000 sqft.	70	80	25	10	25	30	20
Shopping Centers	-	2 acres	200	300	25	25	50	30	25 <sup>6</sup>
Wholesale/Storage/Distribution Facilities	-	1 acre	100	200	25	25	25	30	40 <sup>6</sup>
Personal Services Establishments <sup>1</sup>	-	10,000 sqft.	70	80	10	10	25	30	35 <sup>6</sup>
Veterinarians/Animal Kennels and Shelters	-	0.5 acres	100	100	25	25	50	30	40
Public Transit Terminal Facilities	-	2 acres	200	200	50	25	50	30	20
Parking Structures <sup>4</sup>	-	0.5 acres	100	100	10	10	10	30	60

Automobile Repair and Service Facilities	-	100	100	100	25	25	50	30	25
Bus/Professional Services Establishments <sup>1</sup>	-	70	10,000 sqft.	80/p>	10	10	25	30	35 <sup>6</sup>
Libraries	-	100	0.5 acres	100	25	20	25	30	40 <sup>6</sup>
Government Offices	-	70	10,000 sqft.	80	10	10	25	30	35 <sup>6</sup>
Post Offices	-	100	1 acre	200	25	20	60	30	25 <sup>6</sup>
Health Care Facilities	-	100	0.5 acres	100	25	25	25	30	25 <sup>6</sup>
Public Safety (Police/Fire) Stations	-	100	0.5 acres	100	25	25	40	30	35 <sup>6</sup>
Sewage Lift Station/Water Pump Station <sup>3</sup>	-	100	0.5 acres	100	25	30	30	30	40
Electrical Substations <sup>3</sup>	-	70	10,000 sqft.	80	25	15	25	30	40
Transmission Lines <sup>3</sup>	-	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Tattoo Parlors <sup>7</sup>	-	100	1 acre	200	25	25	35	30	25
Houses of Worship <sup>3</sup>	-	100	1 acre	200	25	25	25	30	30 <sup>6</sup>
Recreation Facilities	-	2	2	2	2	2	2	30	10
Game/Video Arcades <sup>1</sup>	-	70	10,000 sqft.	80	25	25	25	30	25
Night Clubs	-	100	1 acre	200	25	30	50	30	25
Adult Entertainment Facilities <sup>3,7</sup>	-	100	1 acre	200	25	25	35	30	25
Recreational Vehicle Parks	20-vehicles	200	2 acres	200	50	25	25	30	10
Seasonal Parking Facility <sup>3</sup>	-	50	2,500 sq. ft.	50	10	5	5	N/A	N/A
Limited Food/Beverage Processing Facilities	-	100	1 acre	200	25	25	25	30	30 <sup>6</sup>
Manufacturing Uses <sup>3</sup>	-	100	1/4 acre	200	25	25	25	30	30 <sup>6</sup>

**16.12.060 Economic development (ED) zone.**

A. General Description of Character and Intent of the Zone. This zoning district includes the industrial, warehousing, and major office development areas of the city, as well as the major utility areas.

**Economic Development (ED) Zone  
Table of Dimensional and Density Requirements**

Uses Permitted	Maximum Units/Acre	Minimum Lot Dimensions			Minimum Yard Setbacks (ft)			Max. Bldg. Hgt. (ft)	Max. Lot Coverage (%) <sup>5</sup>
		Area	Width (ft)	Depth (ft)	Front	Each Side	Rear		
Manufacturing Plants/Facilities <sup>2</sup>	-	1/2 acre	100	200	25	25	35	50	65
Wholesale Operations <sup>2</sup>	-	1 acre	100	200	25	25	35	50	40
Warehousing Operations <sup>2</sup>	-	1 acre	100	200	25	25	35	50	40
Freight Distribution Centers <sup>2</sup>	-	2 acres	200	200	25	25	35	50	30
Mini-Warehouse/Storage Facilities <sup>2</sup>	-	1 acre	100	200	25	25	25	30	65
Public Transit Storage and Maintenance Facilities	-	2 acres	200	200	25	25	25	50	25
Public Transit Stations	-	10,000 sq. ft.	70	80	25	10	25	30	40
Moving Van and Storage Facilities <sup>2</sup>	-	1 acre	100	200	25	25	35	50	40
Airports, Landing Fields and Heliports	-	25 acres	500	500	100	100	100	50	20
Auto Repair Establishments	-	20,000 sq. ft.	100	100	25	25	35	30	25
Towing and Wrecking Services	-	20,000 sq. ft.	100	100	25	25	35	30	25
Janitorial Services	-	20,000 sq. ft.	100	100	25	25	25	30	25
Laundry Plants <sup>2</sup>	-	1 acre	100	200	25	25	35	50	25
Electrical Substations	-	20,000 sq. ft.	100	100	25	30	25	30	25
Electrical Generating Plants	-	25 acres	500	500	100	100	100	100	25
Sewage Treatment Plants	-	2 acres	200	200	50	50	50	30	35
Solid Waste Disposal/Recycling Centers	-	2 acres	100	200	25	50	50	30	25
Petroleum Products Storage and Distribution	-	5 acres	200	300	50	50	50	50	50
Business or Professional Service Establishments	-	10,000 sq. ft.	70	80	10	10	25	30	25
Personal Services	-	10,000 sq. ft.	70	80	10	10	25	30	35
Libraries	-	0.5 acres	100	100	25	20	20	30	40

Government Offices	-		10,000 sq. ft.	70	80	10	10	25	30	35
Post Offices	-		1 acre	100	200	25	20	60	30	25
Public Safety Police/Fire	-		0.5 acres	100	100	25	25	40	30	35
Recreational Facilities <sup>6</sup>	-		6	6	6	6	6	6	30	10
Caretaker Residences <sup>4</sup>	-		4,500 sq. ft.	50	90	25	10	25	30	25
Guest Houses <sup>3</sup>	-		3	3	3	3	3	3	30	25
Hotel/Apartment Hotels <sup>3</sup>	30-rooms		0.5 acres	100	100	25	10	25	30	35
Bed and Breakfast <sup>3</sup>	16-rooms		0.5 acres	100	100	25	25	25	50	25
Auto Service Station <sup>3</sup>	-		0.5 acres	100	100	25	25	25	30	25
Auto Rental <sup>3</sup>	-		10,000 sq. ft.	70	80	25	10	25	30	20
Bars/Taverns/Cocktail Lounges <sup>3</sup>	-		10,000 sq. ft.	70	80	10	10	25	30	35
House of Worship <sup>3</sup>	-		1 acre	100	200	25	25	25	30	30
Parking Structure <sup>4</sup>	-		0.5 acre	100	100	10	10	10	30	60
Retail Food Establishments	-		20,000 sq. ft.	100	100	25	10	25	30	25
Health Care Facilities	-		20,000 sq. ft.	100	100	25	10	25	30	25
Correctional Institutions	-		50 acres	1,000	1,000	200	200	200	50	20
Adult Entertainment Facilities <sup>1</sup>	-		1 acre	100	200	25	25	35	30	25
Tattoo Parlors <sup>1</sup>	-		1 acre	100	200	25	25	35	30	25
Seasonal Parking Facility <sup>3</sup>	-		2,500 sq. ft.	50	50	10	5	5	N/A	N/A
Secure Community Transitional Facilities <sup>3</sup>	3-rooms		12,000 sq. ft.	100	100	25	25	25	30	25