



PLANNING COMMISSION AGENDA

Regular Meeting Date: 10.22.14

Planning Commission Meeting:

First Wednesday of every Month @ 7:00pm

Lake Stevens School District Educational Service Center
12309 22nd Street NE,
Lake Stevens, WA 98258

Planning & Community Development Department

1812 Main Street
Lake Stevens, WA 98258
(425) 377-3235

www.lakestevenswa.gov

Municipal Code

Available online:

www.codepublishing.com/WA/LakeStevens/

- A. **CALL TO ORDER: 7:00pm**
Pledge of Allegiance
- B. **ROLL CALL**
- C. **GUEST BUSINESS**
- D. **ACTION ITEMS**
 - 1. Approval of September 3, 2014 Meeting Minutes
- E. **PUBLIC HEARING**

LUA2014-0079 Traffic Impact Fee Code Calculation Amendment LSMC 14.112.080 (Ableman)

Public hearing presentation will follow the public hearing format listed below:

PUBLIC HEARING FORMAT
 - 1. PC Chair Opens Public Hearing
 - 2. Staff Presentation
 - 3. Commission's questions for staff
 - 4. Proponent's comments
 - 5. Comments from the audience
 - 6. Proponent rebuttal comments
 - 7. Close public comments portion of hearing by motion
 - 8. Re-open public comment portion of hearing for additional comments (optional)
 - 9. Close Hearing by motion
 - 10. COMMISSION ACTION BY MOTION—Recommendation to Council
 - A. Approve
 - B. Deny
 - C. Continue
- F. **DISCUSSION ITEMS**
 - 1. Snohomish County 2014 Growth Monitoring Report (Ableman)
- G. **COMMISSIONER REPORTS**
- H. **PLANNING DIRECTOR'S REPORT**
- I. **ADJOURN**

SPECIAL NEEDS

The City of Lake Stevens strives to provide accessible opportunities for individuals with disabilities. Please contact Steve Edin, City of Lake Stevens ADA Coordinator, at (425) 377-3227 at least five business days prior to any City meeting or event if any accommodations are needed. For TDD users, please use the state's toll-free relay service, at (800) 833-6388, and ask the operator to dial the City of Lake Stevens City Hall number.

PLANNING COMMISSION REGULAR MEETING MINUTES

Community/Senior Center
1808 Main Street, Lake Stevens
Wednesday, September 3, 2014

CALL TO ORDER: 7:00 pm by Chair Gary Petershagen

MEMBERS PRESENT: Gary Petershagen, Chairman, Janice Huxford, Vice Chair, Mirza Avdic, Pamela Barnet, Jennifer Davis, Tom Matlack

MEMBERS ABSENT: Linda Hoult

STAFF PRESENT: Planning and Community Development Director Rebecca Ableman, Senior Planner Russ Wright, and Senior Planner Sally Payne

OTHERS PRESENT: Dave Huber, Gail Kallicott, Kyle Mose

Guest business. None.

Special Presentation. None.

Action Items:

1. *Approve August 20, 2014 Meeting Minutes.* Commissioner Avdic noted in the section where he was introduced that KCLS Library Board should be KCLS Kirkland Library Board. Motion by Commissioner Huxford, second by Commissioner Barnet, to approve the minutes of the August 20 meeting as corrected. Motion carried 6-0-0-1.

2. *Frontage Improvement Code Amendment Public Hearing.*

Motion by Commissioner Matlack, second by Commissioner Avdic, to open the public hearing on Frontage Road Development Improvement Code Amendment (LUA-2014-0058). Motion carried 6-0-0-1.

Senior Planner Payne presented the background and overview of the proposed code amendment, noting the direction from City Council related to the amendment. Staff reviewed the requirements for approving land use code amendments, adding that this proposal met the requirements. The findings and conclusions from the staff report were highlighted: the proposed amendments were consistent with the adopted Lake Stevens Comprehensive Plan, meet the criteria for amending the land use code, and complied with the Growth Management Act. Staff addressed the Commission's questions related to process, streamlining and actions of other jurisdictions. Senior Planner Payne informed the Commission that no public comment was received and that several jurisdictions including Marysville and Mill Creek has considered similar amendments. Director Ableman responded that the proposed amendment would streamline the process by providing the Public Works Director flexibility to waive frontage requirements when specific criteria were met. The Commission acknowledged and thanked staff for their responses.

Staff recommended the Planning Commission forward a recommendation to City Council to approve the proposed Frontage Road Development Improvement Code Amendment

(LUA2014-0058).

Public comments: None. Staff added that no written comments had been received.

Motion by Commissioner Huxford, second by Commissioner Barnet, to close public testimony. Motion carried 6-0-0-1.

Motion by Commissioner Matlack, second by Commissioner Huxford, to close the public hearing on the Frontage Road Development Improvement Code Amendment. Motion carried 6-0-0-1.

Motion by Commissioner Barnet, second by Commissioner Davis, to forward a recommendation to City Council to approve the Frontage Road Development Improvement Code Amendment (LUSA2014-0058). Motion carried 6-0-0-1.

3. 2014 Comprehensive Plan Docket Public Hearing.

Motion by Councilmember Matlack, second by Councilmember Barnet, to open the public hearing on the 2014 Comprehensive Plan Docket. Motion carried 6-0-0-1.

Senior Planner Payne presented the proposed city-initiated amendments and responded to questions. Staff discussed the background and overview of the Docket and Comprehensive Plan amendments and reviewed how each item met the criteria for approval.

Senior Planner Wright provided a detailed review of the citizen-initiated maps amendments including the Huber request to change the land use designation from Medium Density Residential to Local Commercial on a 3.7 acre parcel close to Highway 204 and 10th Street SE and the Kjorsvik request to change the land use designations on several parcels in an 11-acre parcel near the eastern intersection of SR-9 and Soper Hill Road to Commercial and Local Commercial.

Senior Planner Wright clarified the distinction between the comprehensive plan docket and the rezone: the comprehensive plan is the guiding document for the city and incorporates goals and policies; the rezone is more site specific, with exact uses and standards for the development of a particular site.

He noted the proposed changes were consistent with the city's planning goals. He reviewed the public notice, environmental review, SEPA checklist and traffic study processes which were followed. Based on the traffic study, recommendations for improvements were incorporated as conditions into the SEPA determination for Kjorsvik. Staff recommended the Planning Commission forward a recommendation for approval to City Council of each map change.

Motion by Commissioner Davis, second by Commissioner Huxford, to open the public testimony portion of the hearing. Motion carried 6-0-0-1.

Gail Kalllicott, 4612 87th Avenue NE, Marysville, asked about the location of the roundabout. Staff explained the exact location had not been determined; it would be somewhere on the applicant's property near the intersection of Highway 9 and Soper Hill Road.

Motion by Commissioner Matlack, second by Commissioner Avdic, to close the public testimony portion of the hearing. Motion carried 6-0-0-1.

Motion by Commissioner Matlack, second by Commissioner Davis, to close the public hearing on the 2014 comprehensive plan docket. Motion carried 6-0-0-1.

Motion by Commissioner Huxford, second by Commissioner Barnet, to forward the city-initiated amendments to the comprehensive plan, T-1 through T-4, and the two citizen-initiated amendments to the land use map, M-1 and M-2, to the City Council with the recommendation for approval. Motion carried 6-0-0-1.

4. Kjorsvik Rezone Public Hearing.

Motion by Commissioner Matlack, second by Commissioner Huxford, to open the public hearing on the Kjorsvik rezone. Motion carried 6-0-0-1.

Senior Planner Wright noted that the background material from the above comprehensive plan action applied to the rezone application of the 11-acre parcel and supported the rezoning to Commercial District and Local Business. Staff analyzed the uses of adjacent properties and concluded the uses under the requested rezone could be compatible with the appropriate screening and implementation of the municipal code's design guidelines and land use elements. Traffic mitigation would need to occur at the time of development, including intersections at Soper Hill, the on-site roundabout, and possibly site improvements at Lake Drive and Lundeen to accommodate future traffic. Staff believed the project, as conditioned, was consistent with the city's comprehensive plan and that it met the criteria for rezone. He noted the Planning Commission was the hearing body for this project, instead of the Hearing Examiner, because there were multiple parcels involved and the rezone was so closely tied to the comprehensive plan changes. Staff recommended the Planning Commission forward a recommendation of approval to City Council, subject to the listed conditions.

Staff clarified that the walkability would be considered at the time a specific development request was received. Director Ableman noted, one-way traffic on Soper Hill would allow for substantial walkways or sidewalk. The setbacks for commercial development were reviewed. Staff informed the Commission the WA State Department of Transportation was provided notice through the SEPA process and that they had not provided comment.

Motion by Commissioner Matlack, second by Commissioner Huxford, to open the hearing for public testimony. Motion carried 6-0-0-1.

Kyle Mose, 114th Court NE, asked if consideration had been given to dead-ending Soper Hill Road, as opposed to making it a one-way. Staff responded that it and other alternatives had been discussed and might be considered in the future.

Staff noted the only letter received was from Snohomish County Surface Water, requesting specific drainage analysis at the time of development.

Motion by Commissioner Barnet, second by Commissioner Matlack, to close the public testimony. Motion carried 6-0-0-1.

Motion by Commissioner Hexford, second by Commissioner Matlack, to close the public hearing on the Kjorsvik rezone. Motion carried 6-0-0-1.

Motion by Commissioner Matlack, second by Commissioner Barnet, to forward to City Council a recommendation of approval of the Kjorsvik rezone request based on the Findings of Fact, Conclusions, and the recommended conditions as listed by staff. Motion carried 6-0-0-1.

Commissioner Reports. Commissioner Matlack reported the cleanup of the rail line at Monte Cristo had been delayed. Commissioner Barnet noted asked about sidewalks along South Lake Stevens Rd; staff noted the work being done was a drainage project, but the shoulder would be expanded. Commissioner Huxford reported on the new Aquafest Board.

Planning Director's Report.

The Planning Commission is invited to the presentation on the Lake Stevens housing profile, which will be presented at the September 8 City Council meeting. The city is a member of the Alliance for Housing Affordability.

Adjourn. Motion by Commissioner Huxford, second by Commissioner Davis, to adjourn at 8:03 p.m. Motion carried 6-0-0-1.

Gary Petershagen, Chair

Planning & Community Development



LAKE STEVENS PLANNING COMMISSION

STAFF REPORT

Agenda Date: October 22, 2014

Subject: Traffic Impact Fee Calculation Code Amendment (LUA2014-0001)

Contact	Rebecca Ableman	Budget	None at this
Person/Department:	<u>Planning and Community Development Director</u>	Impact:	<u>time</u>

RECOMMENDATION(S)/ACTION REQUESTED OF PLANNING COMMISSION: Hold a public hearing on October 22, 2014 and provide a recommendation for the City Council on the Code Amendment for Traffic Impact Fee (*Exhibit 1*).

RECOMMENDED MOTION:

I MOVE THE PLANNING COMMISSION RECOMMENDS THE CITY COUNCIL APPROVE CODE AMENDMENT FILE NUMBER LUA2014-0079, LAKE STEVENS MUNICIPAL CODE 14.112.080(d) CALCULATION OF STREET SYSTEM IMPACT FEES.

SUMMARY:

Last month, Council directed staff to prepare the appropriate documents for new business incentive programs (*Exhibit 2*). The potential programs include a Traffic Impact Reduction Program and a Permit Fee Waiver program for new business development. These programs initially would be tied to job creation, substantial retail, and multifamily developments. Ordinances and code amendments are currently required to be implemented and will need to go through public hearing processes. Council has the authority under RCW 82.02.060(2) to adjust impact fees where there is an identified public benefit. This code amendment clarifies that authority in the City's Street System Impact Fee Calculation. Specific programs will be adopted by the City Council.

PROPOSED CODE AMENDMENTS: The following code sections show the proposed code amendments using strikeouts for deletions and underlines for additions.

LSMC 14.112.080(d) Calculation of Street System Impact Fees.

The proposal is to add language to this section identifying the City Council's authority to adjust traffic impact fees for public benefits as allowed under RCW 82.02.060(2):

(d) The City Council shall have the authority to adjust the amount of the impact fees pursuant to RCW 82.02.060(2) to reflect other public benefits as determined by the City Council.

FINDINGS AND CONCLUSIONS:

1. Compliance with selected Transportation Goals of the Comprehensive Plan

- Transportation Goal 6.12 – Ensure new development pays proportionate share of traffic impact fees toward transportation capacity needs outside the boundaries of the new development that benefit the contributing development.

Compliance with Economic Development Goals of the Comprehensive Plan

- Economic Development Goal 9.5 – Improve the city’s economic condition for a healthy, vibrant and sustainable community.

Council has the authority to adjust fees to be competitive with other jurisdictions while ensuring new development pays appropriate impact fees when there is a public benefit. Bringing in new business will improve the city’s financial conditions overall and bring new ongoing revenues from property taxes and retail sale tax that can be put towards new infrastructure improvements.

Conclusions – The proposed code amendments are consistent with some Transportation and Economic Development Goals and Policies.

2. Compliance with the State Environmental Policy Act (SEPA)(Chapter 97-11 WAC and Title 16 LSMC)

- Staff prepared an environmental checklist for the proposed code revisions dated October 6, 2014 (**Exhibit 3**).
- The SEPA official issued a Determination of Nonsignificance on October 8, 2014 (**Exhibit 4**).
- The city has not received any appeals related to the SEPA determination.

Conclusions – The proposed code amendments have met local and state SEPA requirements.

3. Compliance with the Growth Management Act (RCW 36.70A.106)

- The city requested expedited review from the Department of Commerce on October 10, 2014 (**Exhibit 5**).
- The Department of Commerce sent a letter of acknowledgment on October 13, 2014 (**Exhibit 6**).
- Staff will file the final ordinance with the Department of Commerce within 10 days of City Council action.

Conclusions – The proposed code amendments have met Growth Management Act requirements.

4. Compliance with LSMC 14.16C.075 Land Use Code Amendment Decision Criteria

- The amendment is consistent with the adopted Lake Stevens Comprehensive Plan; *Proposal meets the City’s Comprehensive Plan goals and policies described in section 1 above.*

- The amendment is in compliance with the Growth Management Act; and
The Proposal is in compliance with the Growth Management Act as described in section 3 above.
- The amendment serves to advance the public health, safety and welfare.
The amendment serves the public health, safety and welfare by acknowledging the City Council's authority to adjust impact fees when there is a public benefit thereby supporting and promoting the public interest.

Conclusions – The proposed code amendments have met the decision criteria for code amendments.

5. Public Notice and Comments (Exhibit 7)

- The city posted a notice of SEPA determination on October 10, 2014 and published a notice of SEPA determination in the Everett Herald on October 16, 2014.
- The city posted a notice of Public Hearing on October 13, 2014 published a notice of Public Hearing in the Everett Herald on October 17, 2014.
- The city notified interested parties of the SEPA DNS and public hearing on October 10, 2014.

Conclusions – The City has met public notice requirements per Chapter 14.16B LSMC.

STAFF RECOMMENDATION:

The staff recommendation is for the Planning Commission to recommend the City Council approve the proposed code amendment related to Traffic Impact Fee Calculations.

EXHIBITS:

- Exhibit 1: Proposed Code Amendment to LSMC 14.112.080
- Exhibit 2: Resolution 2014-7 Economic Development Policies and Development Incentives Handout
- Exhibit 3: Environmental Checklist dated October 6, 2014
- Exhibit 4: SEPA Determination dated October 10, 2014
- Exhibit 5: Department of Commerce Expedited Review Request dated October 10, 2014
- Exhibit 6: Department of Commerce Acknowledgement Letter dated October 13, 2014
- Exhibit 7: Public Hearing Notice dated October 13, 2014

Chapter 14.112
TRAFFIC IMPACT MITIGATION FEES

Sections:

- 14.112.010 Purpose
- 14.112.020 Authority
- 14.112.030 Applicability
- 14.112.040 Exemptions
- 14.112.050 Service Areas
- 14.112.060 Mitigation of Traffic Impacts Required
- 14.112.070 Relationship to the State Environmental Policy Act (SEPA)
- 14.112.080 Calculation of Impact Fee
- 14.112.090 Offsets
- 14.112.100 Collection of Impact Fees
- 14.112.110 Uses of Impact Fee Revenues
- 14.112.120 Expenditure Requirements for Impact Fees
- 14.112.130 Refund of Fees Paid

14.112.010 Purpose

The purpose of this chapter is to implement the capital facilities element of the Lake Stevens comprehensive plan and the Growth Management Act by:

- (a) Ensuring adequate public street system facilities are available to serve traffic from new development.
- (b) Ensuring adequate public streets are available to serve growth and maintain existing service levels for present businesses and residents.
- (c) Establishing procedures whereby new development pays its proportionate share of the costs of street system capacity improvements, reducing transaction costs for both the City and developers, ensuring new developments do not pay arbitrary or duplicative fees.

14.112.020 Authority.

This chapter is adopted under RCW 82.02.050 through .100, which authorizes cities planning under the Growth Management Act, Chapter 36.70A RCW, to assess, collect, and use impact fees to help finance public facilities needed to accommodate growth. Under the authority of RCW 36.70A.070(3) and RCW 82.02.050(4), the City is authorized to impose, collect, and use impact fees.

14.112.030 Applicability.

This chapter applies to all new development, except as may be exempted below.

14.112.040 Exemptions.

The exemptions for traffic impact fees are the same as for concurrency in LSMC 14.110.030 except for Planned Action Projects identified in Section 14.110.030(b)(10), which are not exempt under Chapter 14.112 LSMC.

14.112.050 Service Areas.

For the provision of public streets, implementation of the capital facilities and transportation elements of the comprehensive plan and administration of this chapter, three traffic impact zones (TIZ) are established. They consist of TIZ 1 – East Lake Stevens, TIZ 2 – West Lake Stevens, and TIZ 3 – South Lake Stevens. The precise boundaries of these service areas are shown in Figure 14.112-l.

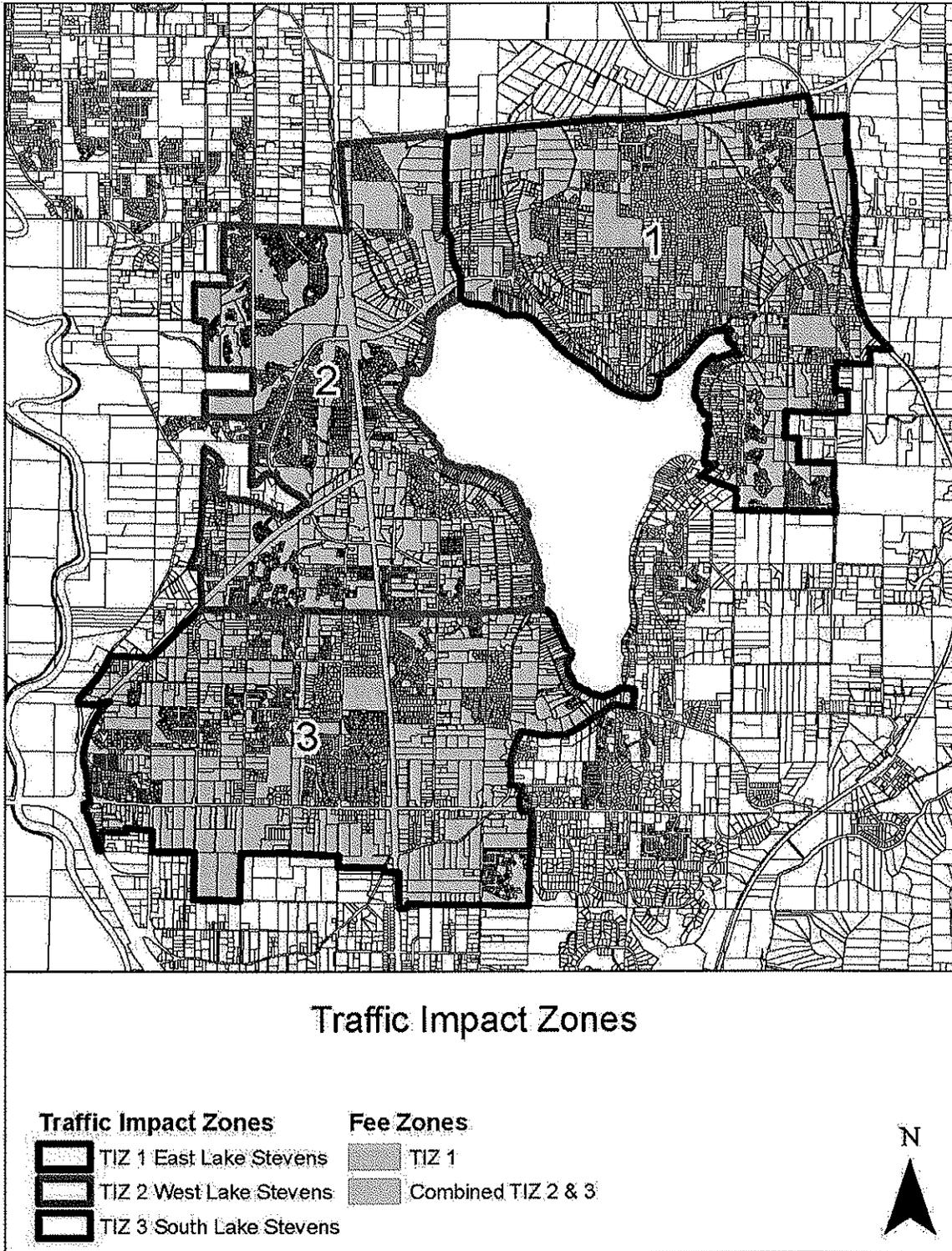


Figure 4.112-I Traffic Impact Zones

14.112.060 Mitigation of Traffic Impacts Required.

Any new development activity shall mitigate the development's impacts on the City's street system either by payment of an amount calculated pursuant to Section 14.112.080, or by dedication of land pursuant to Section 14.112.090, by construction of off-site street system capacity improvements pursuant to Section 14.112.090, or as otherwise provided in Section 14.112.070.

14.112.070 Relationship to the State Environmental Policy Act (SEPA).

This chapter establishes minimum impact fees, applied to all developments. These fees are presumed to mitigate traffic demand on the capacity of the city street system. However, each development shall be reviewed and be subject to the substantive authority of SEPA for potential adverse traffic impacts on the street system not mitigated by this fee.

14.112.080 Calculation of Street System Impact Fees.

(a) The traffic impact fees will be collected and spent for capacity improvements to the public street system identified in the City's capital facilities plan. In accordance with RCW 82.02.050(3), the impact fees shall only be imposed for system improvements reasonably related to development impacts and shall not exceed a proportionate share of the costs of the identified system improvements in the adopted capital facilities plan.

(b) The street system impact fee cost basis is established in the *Traffic Impact Fee Cost Basis for the City of Lake Stevens*, as amended, based on methodology consistent with the requirements of RCW 82.020.050 through .100 including, but not limited to the following:

(1) Street system capacity improvements identified in the City GMA capital facilities plan that are reasonably necessary to maintain adopted street system levels of service while accommodating the future development envisioned in the City's adopted GMA Comprehensive Plan.

(2) The costs of the needed street system capacity improvements estimated by the Public Works Director using generally-accepted engineering practices.

(3) The estimated costs adjusted (reduced) to account for portions of the identified street system improvements that will likely be constructed by new development as part of their required on-site public street improvements and/or frontage improvements.

(4) The estimated costs adjusted (reduced) to provide a credit for taxes (excluding impact fees paid under this section) paid by new development which help pay for the identified capacity improvements.

(5) The estimated costs adjusted (reduced) to account for any improvements needed to remedy any level of service deficiencies in the street system serving existing uses.

(6) The estimated costs adjusted (reduced) to reflect impacts on the capacity of the street system from new vehicle trips which have neither origin nor destination within the City of Lake Stevens (often referred to as "pass-through" trips).

(7) The final adjusted total costs of the identified improvements, as adjusted above, and aggregated for each traffic impact zone, are the cost basis of the impact fee.

(h) The number of weekday afternoon (PM) peak hour trips likely generated by existing land uses and future land uses (i.e., new development) are estimated based on current land use data and the adopted GMA Comprehensive Plan future land use map. The total existing and new trips are aggregated into the traffic impact zones.

(9) The maximum impact fee that can legally be charged to new development for each new weekday PM peak hour trip generated equals the cost basis of the impact fee divided by the new weekday PM peak hour trips for each traffic impact zone.

(10) The actual level of impact fees as established in *Traffic Impact Fee Cost Basis for the City of Lake Stevens*, as amended, shall not exceed the maximum as calculated above.

(c) A development shall mitigate its traffic impact upon the future capacity of the street system by paying an impact fee reasonably related to the impact of the development on public streets located in the same traffic impact zone as the development. A development's street system impact fee will equal the number of new average weekday afternoon (PM) peak-hour trips generated by the development, based on the latest edition of the Institute of Traffic Engineers (ITE) Trip Generation Report, times the per trip amount identified in the currently adopted Fees Resolution, for the type and location of the development, except that the following adjustments may be made:

(1) In accordance with RCW 82.02.060(5), the Public Works Director shall have the authority to adjust the amount of the impact fee to consider unusual circumstances in specific cases, based on analysis of specific trip generating characteristics of the development (e.g., mixed-use characteristics, ridesharing programs, transit availability, etc.), to ensure that impact fees are fairly imposed; and

(2) In accordance with RCW 82.02.060(5), the Public Works Director shall have the authority to adjust the amount of the impact fee to be imposed on a particular development to reflect local information when available, including studies and data submitted by the developer.

(d) The City Council shall have the authority to adjust the amount of the impact fees pursuant to RCW 82.02.060(2) to reflect other public benefits as determined by the City Council.

14.112.090 Offsets

(a) The required traffic impact fees shall be reduced by the amount of any payment for public street system improvements previously made for the development either as a condition of approval or under voluntary agreements with the City entered into after the effective date of the ordinance codified in this chapter.

(b) Whenever a development has agreed to, pursuant to the terms of a voluntary agreement with the City, or is granted approval subject to a condition that the developer provide right-of-way for or construct off-site street system capacity improvements that are identified in the *Traffic Impact Fee Cost Basis for the City of Lake Stevens*, as amended, as being part of the street system impact fee cost basis, the developer shall be entitled to an offset for up to the value of land or up to the actual cost of construction against the impact fee assessed under Section 14.112.060.

(c) The land value or cost of construction shall be estimated at the time of approval and shall be based on acceptable evidence and documentation provided by the developer. The evidence and documentation shall be reviewed and, if acceptable, approved by the Public Works Director or designee. When land is proposed for dedication, the person required to pay impact fees shall present either a Member of the Appraisal Institute (MAI) appraisal or evidence of the assessed value as determined by the county assessor's office. If construction costs are estimated, the documentation shall be confirmed after the construction is completed to assure that an accurate offset amount is provided. If the land value or construction cost is less than the calculated fee amount, the difference remaining shall be chargeable as an impact fee.

(d) The amount of the offset for a development activity shall not exceed the amount of the impact fee the development activity is required to pay.

(e) Any claim for offset should be made at least 30 days prior to application for a building permit so as to eliminate or minimize any delays in issuance of a permit.

14.112.100 Collection of Impact Fees.

Impact fees for each development shall be assessed and collected at the time of issuance of a building permit. Where no building permit will be associated with the development, such as a development requiring a conditional use permit, payment is required as a precondition to approval.

14.112.110 Uses of Traffic Impact Fee Revenues.

EXHIBIT 1

Draft Code Amendment 10-6-14

(a) Traffic impact fee revenue will be used for capital improvements on the public street system, not operating or maintenance expenses.

(b) Traffic impact fees shall be used for costs associated with city street system capacity improvements, including, but not limited to, planning, design, engineering, right-of-way acquisition, financing, project administration, construction, and/or construction engineering.

(c) In the event that bonds or similar debt instruments are issued for the advanced provision of system improvements, for which impact fees may be expended and where consistent with provisions of the bond covenants, impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that facilities or improvements provided are consistent with the requirements of this section.

(d) Traffic impact fees are collected and spent on street system improvements as opposed to project improvements, in accordance with RCW 82.02.090.

14.112.120 Expenditure Requirements for Impact Fees.

Traffic impact fee payments not expended within 10 years shall be refunded, pursuant to Section 14.112.130; unless the City Council makes written findings that there exists an extraordinary and compelling reason for fees to be held longer than 10 years. In order to verify these two requirements, impact fee revenues must be deposited into separate accounts of the City, and annual reports must describe revenue and expenditures

14.112.130 Refund of Fees Paid.

(a) Traffic impact fees collected pursuant to this chapter shall be deposited into an interest bearing account established for the City.

(b) If a development approval expires without commencement of construction, then the developer shall be entitled to a refund of impact fees paid, with interest, of the impact fee paid for that development. The developer must submit an application for such a refund to the Finance Director within 30 days prior to the expiration of the permit. By resolution, the City Council may adopt fees to offset administrative costs of collecting and refunding mitigation fees.

(c) Any funds not expended or encumbered by the end of 10 years from the date the fee was paid shall be returned to the developer/owner with interest; provided, that the developer/owner submits a request for a refund to the City of Lake Stevens within one year of the expiration of the 10-year period.

(d) Impact fees that are not expended or encumbered within these time limitations, and for which no application of a refund has been made in accordance with this section, shall be retained and expended on public street system facilities.

(e) Interest due upon the refund of impact fees shall be calculated according to the average rate received by the City on invested funds throughout the period during which the fees were retained.

**CITY OF LAKE STEVENS
LAKE STEVENS, WASHINGTON**

RESOLUTION No. 2014-7

**A RESOLUTION OF THE CITY OF LAKE STEVENS, AFFIRMING THE
CITY COUNCIL'S ECONOMIC DEVELOPMENT POLICIES AND THE
COUNCIL'S INTENT TO ADOPT INCENTIVE PROGRAMS TO
STIMULATE EMPLOYMENT AND RETAIL GROWTH IN THE CITY**

WHEREAS, the City of Lake Stevens, Washington is a City in Snohomish County, Washington, planning under the Growth Management Act; and

WHEREAS, the City of Lake Stevens adopted the following Economic Development Goals and Policies in the Comprehensive Plan;

GOAL 9.5: IMPROVE THE CITY'S ECONOMIC CONDITION FOR A HEALTHY, VIBRANT AND SUSTAINABLE COMMUNITY.

Policies

- 9.5.1 Develop a comprehensive economic development strategy guiding land use planning resources that will:
 - A. Diversify sustainable revenue sources that weather swings in economic cycles.*
 - B. Promote job creation for its residents.*
 - C. Provides a strategy based on an up-to-date market analysis and forecasting.*
 - D. Identifies potential employment sectors that will flourish in the Lake Stevens environment given its location to Everett, US2, and the I-5 corridor.**
- 9.5.2 Coordinate with other appropriate regional agencies to help advance economic development goals and policies.*
- 9.5.3 Develop economic development recruitment strategies that take advantage of Lake Steven's community attributes and assets.*
- 9.5.4 Coordinate and balance the economic development strategies and techniques in growth centers that complement the existing growth centers for maximum economic benefit.;*

and

WHEREAS, in 2010, the City Council accepted a completed economic development strategy that supports measures intended to implement the Comprehensive Plan goals and policies; and

WHEREAS, the City's subarea plans support actions that promote the following objectives:

- *Promote economic development and a more positive balance of jobs and housing by providing a mixture of jobs, goods and services, housing with recreation/open space and protection of important environmental resources.*
- *Attract a variety of employers of varying sizes; and*

WHEREAS, the City is actively recruiting businesses to locate in Lake Stevens that further the goals, policies and objectives related to economic development, that support employment and retail growth and that promotes a sustainable financial condition for the City; and

WHEREAS, the City Council discussed potential development incentives for new business development on September 8, 2014; and

WHEREAS, the City Council desires to support and attract all businesses contemplating development in the City, and particularly businesses that create new jobs and employment opportunities and businesses which otherwise promote retail growth in the City; and

WHEREAS, the City recognizes that there is a competitive climate in other nearby jurisdictions to attract businesses; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE STEVENS AS FOLLOWS:

Section 1. Intention. The City Council recognizes the importance of attracting new business development for the overall economic sustainability of the City. As such, the Lake Stevens City Council hereby directs staff to prepare various incentive programs consistent with the Comprehensive Plan, the Subarea Plans, and the Economic Development Strategy as allowed by state law. The City Council intends to review and consider economic development incentives over the next few months including but not limited to a traffic impact fee discount program, a traffic impact fee deferral program; and a permit fee waiver or deferral program to encourage and stimulate new business development in Lake Stevens;

Section 2. Severability. If any section, sentence, clause or phrase of this Resolution should be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Resolution.

Section 3. Effective Date. This Resolution shall take effect immediately upon passage by the Lake Stevens City Council.

PASSED by the City Council of the City of Lake Stevens this 7th day of October, 2014.

Vern Little, Mayor

ATTEST:

APPROVED AS TO FORM:

Grant K. Weed, City Attorney



DEVELOPMENT PROJECT INCENTIVES

The City of Lake Stevens extends several special incentives to motivate and assist with establishing desired new businesses in the area. These incentives offer project predictability and can help reduce long and short term development costs.

COMPLETED Environmental Review Process

Environmental review is complete for the 20th St. SE Corridor and Lake Stevens Center. No traffic study needed by developer. Saves time and money.

Pending Traffic Impact Fee Reduction Program Ordinance

The City Council is expected to take action on a Traffic Impact Fee Reduction program within the next 30 days. Initial development cost savings. The current proposal will allow up to a 90% of traffic impact fee reduction.

Pending Permit Fee Waiver Program Ordinance

The City Council is considering a Permit Fee Waiver program within the next 30 days. Initial development cost savings.

Permit Rapid Response Team

The City deploys its Rapid Response Team to expedite the permit process for desired businesses to locate in Lake Stevens. Additionally, Department Directors will serve on these teams so decisions can be made quickly. Saves time and money.

Flexible Land Use Regulations

Regulations and design standards offer a menu of choices to meet the City development goals. Flexibility for developers.



Jan Berg
City Administrator
425.377.3230
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City of Lake Stevens
Planning and Community Development
1812 Main Street, PO Box 257
Lake Stevens, WA 98258

CITY OF LAKE STEVENS ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. BACKGROUND

1. Name of proposed project, if applicable:

Traffic Impact Fee Calculation Provisions Code Amendment 14.112.080(d)

2. Name of applicant:

City of Lake Stevens

3. Address and phone number of applicant and contact person:

Mick Monken, Public Works Director (425) 377-3237
City of Lake Stevens, PO Box 257, Lake Stevens, WA 98258

4. Date checklist prepared:

October 6, 2014

5. Agency requesting checklist:

City of Lake Stevens

6. Proposed timing or schedule (including phasing, if applicable):

SEP Determination – October 10, 2014
Public Hearing – October 22, 2014
Public Hearing – November 10, 2014
Final City Council Adoption – November 24, 2014

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Not at this time. This is a non-project action.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

None

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

This amendment will affect projects submitting applications after the effective date.

10. List any government approvals or permits that will be needed for your proposal, if known.
Department of Commerce Review, Planning Commission Recommendation, City Council Approval

10. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Code amendments to LSMC 14.112.080(d) identifying the City Council’s authority to adjust traffic impact fee for public benefits as allowed by RCW 82.02.060(2).

11. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The code amendment would be implemented citywide.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site
(circle one): Flat, rolling, hilly, steep slopes, mountainous,
other _____

The City of Lake Steven’s topography includes steep slopes, ravines, hilly and some flat land areas.

b. What is the steepest slope on the site (approximate percent slope)?

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

The city contains the following soil series:

- Tokul gravelly loam
- Mukilteo Muck
- Everett gravelly sandy loam
- Norma loam
- Urban Land
- Winston gravelly loam
- Bellingham silty clay loam
- McKenna gravelly silt loam
- Rober silt loam
- Pastik silt loam

- Distributed/Fill

- Terric Medisaprist

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. Yes.

The Land Capability Classification from the USDA Web Soil Survey shows soil types ranging from 2e to 7e. This index rates the suitability of soil for cultivation. This means some soil types in the city are potentially unstable depending on site conditions, such as soil depth, water content and may be susceptible to erosion without proper soil management. The Tokul, Winston, and Paskit series are most susceptible to erosion. The Bellingham, McKenna, and Pilchuck series may be unstable with excessive water.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- b. Proposed measures to reduce or control emissions or other impacts to air, if any:

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

3. Water

- a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

The city of Lake Stevens has several bodies of water including Lake Stevens, Catherine Creek, Stevens Creek, Lundeen Creek, Stitch Lake and associated wetland complexes. Catherine Creek flows into Little Pilchuck Creek.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Yes. The city of Lake Stevens has lands with Special Flood Hazard Area Zone A, depicted on the FIRMs for Lake Stevens, WA.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

- 2) NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- 3) Could waste materials enter ground or surface waters? If so, generally describe.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- 4) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

4. Plants

a. Check the types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- Orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

c. List threatened and endangered species known to be on or near the site.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

e. List all noxious weeds and invasive species known to be on or near the site.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

- birds: hawk, heron, eagle, songbirds, other:
- mammals: deer, bear, elk, beaver, other:
- fish: bass, salmon, trout, herring, shellfish, other _____

f. List any threatened and endangered species known to be on or near the site.

- Lake Stevens - Puget Sound Coho salmon (*O. kisutch*) – Federal Species of Concern, and State Priority Species
- Streams - Puget Sound Steelhead (*O. mykiss*) – Federal Threatened Species
- Streams - Bull Trout (*S. confluentus*) – Federal Threatened Species

g. Is the site part of a migration route? If so, explain.

Yes. Pacific flyway, salmonid migratory route.

h. Proposed measures to preserve or enhance wildlife, if any:

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

i. List any invasive animal species known to be on or near the site.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

b. Would your project affect the potential use of solar energy by adjacent properties?
If so, generally describe.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

c. What kinds of energy conservation features are included in the plans of this proposal?
List other proposed measures to reduce or control energy impacts, if any:

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

7. Environmental health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?
If so, describe.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- 1) Describe any known or possible contamination at the site from present or past uses.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project’s development or construction, or at any time during the operating life of the project.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- 4) Describe special emergency services that might be required.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)?
Indicate what hours noise would come from the site.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

3) Proposed measures to reduce or control noise impacts, if any:

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The city of Lake Stevens includes a variety of urban land uses including residential, commercial, office, industrial and public.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Some parcels within the city of Lake Stevens were likely used for agriculture in the past. Currently, some larger parcels include fruit trees and may still have farm animals.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- c. Describe any structures on the site.

There is a mix of residential, commercial and public buildings within the City.

- d. Will any structures be demolished? If so, what?

- e. NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- f. What is the current zoning classification of the site?

The city of Lake Stevens includes a variety of urban zones including residential, commercial, office, industrial and public.

- g. What is the current comprehensive plan designation of the site?

The city of Lake Stevens includes a variety of comprehensive plan designations including residential, commercial, office, industrial and public.

- h. If applicable, what is the current shoreline master program designation of the site?

The city's Shoreline Master Program lists the following Environment Designations: Aquatic, Natural, High Intensity, Urban Conservancy, and Shoreline Residential.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Yes, the city of Lake Stevens includes a variety of critical areas including streams, wetlands, fish and wildlife habitat conservation areas, flood hazard areas and geologically hazardous areas.

- i. Approximately how many people would reside or work in the completed project?

NA – this nonproject action updates the City's land use regulations pertaining to calculations and adjustments to traffic impact fees.

- j. Approximately how many people would the completed project displace?

NA – this nonproject action updates the City's land use regulations pertaining to calculations and adjustments to traffic impact fees.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

NA – this nonproject action updates the City's land use regulations pertaining to calculations and adjustments to traffic impact fees.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

NA – this nonproject action updates the City's land use regulations pertaining to calculations and adjustments to traffic impact fees.

- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

NA – this nonproject action updates the City's land use regulations pertaining to calculations and adjustments to traffic impact fees.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

NA – this nonproject action updates the City's land use regulations pertaining to calculations and adjustments to traffic impact fees.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

NA – this nonproject action updates the City's land use regulations pertaining to calculations and adjustments to traffic impact fees.

- c. Proposed measures to reduce or control housing impacts, if any:

NA – this nonproject action updates the City's land use regulations pertaining to calculations and adjustments to traffic impact fees.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- b. What views in the immediate vicinity would be altered or obstructed?

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- c. What existing off-site sources of light or glare may affect your proposal?

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- d. Proposed measures to reduce or control light and glare impacts, if any: [help]

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

The city of Lake Stevens includes a variety of recreational facilities including the lake, city and county parks, schools, athletic fields, and the Centennial Trail.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

The WA Dept. of Archaeology and Historic Preservation database shows two historical properties adjacent to Lake Stevens including the Grimm House a nationally registered historic place.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

The city of Lake Stevens includes several major roads including highways SR-9, SR-92, and SR-204. Major roads through the city include Vernon, Lundeen Parkways, 20th Street NE and 20th Street SE.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Yes.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

h. Proposed measures to reduce or control transportation impacts, if any:

This nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees. Traffic impacts are mitigation through traffic impact fees as allowed under RCW 82.02.

15. Public services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

b. Proposed measures to reduce or control direct impacts on public services, if any.

NA – this nonproject action updates the City’s land use regulations pertaining to calculations and adjustments to traffic impact fees.

16. Utilities

a. Circle utilities currently available at the site:

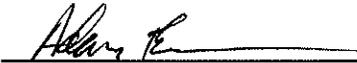
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

NA - this nonproject action updates the City’s land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:  FOR MICK MONKEN

Name of signee: Mick Monken, Public Works Director

Position and Agency/Organization: Public Works Director, City of Lake Stevens

Date Submitted: October 6, 2014

Proposed measures to protect such resources or to avoid or reduce impacts are:
Critical areas would still apply to specific projects including mitigation in accordance with LSMC 14.88 Critical Areas or the SEPA pursuant to LSMC 16. Cultural resources shall be protected in accordance with all applicable state and federal laws on a project specific basis.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposal would not likely affect land and shoreline use.

Proposed measures to avoid or reduce shoreline and land use impacts are:
Future development would fall under LSMC 14.88 Critical Areas that adequately protects land and shoreline uses including avoidance and mitigation measures that will apply to specific project.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

It is not likely the proposal will increase demands on transportation or public services and utilities.

Proposed measures to reduce or respond to such demand(s) are:

The proposed code revision is only changing the City Council's authority to make adjustments to impact fees as allowed under RCW 82.02.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal creates no known conflicts with local and state law. It is consistent with the *City of Lake Stevens Comprehensive Plan*, the Growth Management Act (Chapter 36.70A RCW) and Chapter 314-55 WAC.

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal is not likely to increase discharge to water discharge; air emissions; production, storage, or release of toxic or hazardous substances, or production of noise.

Proposed measures to avoid or reduce such increases are:

The proposal would likely have no affect on discharge to water; emissions to the air; production, storage, or release of toxic or hazardous substances; or production of noise.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal is not likely to affect plants, animals, fish, or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Impacts to plants, animals, fish or marine life would remain unchanged as a result of the increase in allowable warehouse space within a proposed building. Critical area regulations will still apply and any adverse impact to critical areas must be avoided or adequately mitigated on a project specific basis.

3. How would the proposal be likely to deplete energy or natural resources?

The proposal would not be likely to deplete energy resources. All new development would be subject to the International Energy Code and all municipal code requirements.

Proposed measures to protect or conserve energy and natural resources are:

The proposal would remain unchanged as the regulations only affect how a building is used and does not waive requirements to protect or conserve energy and natural resources.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposal would have no additional impacts to environmentally sensitive areas or areas designated for governmental protection as critical area regulations would apply to any specific project.



DETERMINATION OF NONSIGNIFICANCE

Issuance Date: October 10, 2014

Project Name (No.): Traffic Impact Fee Calculation Provisions Code Amendment
14.112.080(d)

Proponent: City of Lake Stevens

Applicants: City of Lake Stevens

Description of Proposal: The proposal is to amend LSMC 14.112.080(d) identifying the City Council's authority to adjust traffic impact fee for public benefits as allowed by RCW 82.02.060(2).

Project Location (including street address, if any): Within City Limits of Lake Stevens

Contact Person: Mick Monken, Public Works Director

Phone: (425) 377-3237

Threshold Determination: The City of Lake Stevens, acting as lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date of issuance.

SEPA Responsible Official:


Rebecca Ableman, Planning Director, City of Lake Stevens

Comments on the Threshold Determination: If you would like to comment on this Threshold Determination, your written comments should be sent to the address below by October 23, 2014. The Responsible Official may incorporate any substantial comments into the DNS. If the DNS is substantially modified, it will be reissued for further public review.

Appeals: You may appeal this determination of non-significance by submitting an appeal to the address below no later than 5:00 PM, October 23, 2014. The appeal must be in written form, contain a concise statement of the matter being appealed and the basic rationale for the appeal. A fee is required per the City's Fee Resolution. Please note that failure to file a timely and complete appeal shall constitute a waiver of all rights to an administrative appeal under City code. All comments or appeals are to be directed to City Hall, Attn: Mick Monken, P.O. Box 257, Lake Stevens, WA, 98258.



Department of Commerce

Innovation is in our nature.

Notice of Proposed Amendment Request for Expedited Review

Pursuant to RCW 36.70A.106(3)(b), the following jurisdiction provides notice of a proposed development regulation amendment and requests expedited state agency review under the Growth Management Act.

****Under statute, proposed amendments to comprehensive plans are not eligible for expedited review. The expedited review period is 10 business days (14 calendar days).**

(If needed, you may expand this form and the fields below, but please try to keep the entire form under two pages in length.)

Jurisdiction:	City of Lake Stevens
Mailing Address:	1812 Main St. PO Box 257 Lake Stevens, WA 98258
Date:	10-10-14

Contact Name:	Rebecca Ableman
Title/Position:	Planning and Community Development Director
Phone Number:	(425) 377-3229
E-mail Address:	Bableman@lakestevenswa.gov

Brief Description of the Proposed/Draft Development Regulations Amendment: <i>(40 words or less)</i>	<i>Example:</i> Proposed amendment to _____ Code amendments to LSMC 14.112.080(d) identifying the City Council's authority to adjust traffic impact fee for public benefits as allowed by RCW 82.02.060(2).
Public Hearing Date:	Planning Board/Commission: October 22, 2014 Council/County Commission: November 10, 2014
Proposed Adoption Date:	November 24, 2014

REQUIRED: Attach or include a copy the proposed amendment text.



STATE OF WASHINGTON

DEPARTMENT OF COMMERCE

1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

October 13, 2014

Rebecca Ableman
Planning Director
City of Lake Stevens
Post Office Box 257
Lake Stevens, Washington 98258

Dear Ms. Ableman:

Thank you for sending the Washington State Department of Commerce (Commerce) the following materials as required under RCW 36.70A.106. Please keep this letter as documentation that you have met this procedural requirement.

City of Lake Stevens - Proposed code amendments to LSMC 14.112.080(d) identifying the City Council's authority to adjust traffic impact fee for public benefits as allowed by RCW 82.02.060(2). These materials were received on October 10, 2014 and processed with the material ID # 20699. Expedited Review is requested under RCW 36.70A.106(3)(b).

If this submitted material is an adopted amendment, then please keep this letter as documentation that you have met the procedural requirement under RCW 36.70A.106.

If you have submitted this material as a draft amendment requesting expedited review, then we have forwarded a copy of this notice to other state agencies for expedited review and comment. If one or more state agencies indicate that they will be commenting, then Commerce will deny expedited review and the standard 60-day review period (from date received) will apply. Commerce will notify you by e-mail regarding of approval or denial of your expedited review request. If approved for expedited review, then final adoption may occur no earlier than fifteen calendar days after the original date of receipt by Commerce. Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Dave Andersen (509) 434-4491 or Paul Johnson (360) 725-3048.

Sincerely,

Review Team
Growth Management Services



AMENDED 10-17-14 NOTICE OF PUBLIC HEARING Lake Stevens Planning Commission

Traffic Impact Fee Calculation Provisions Code Amendment Lake Stevens Municipal Code Section 14.112.080(d)

The Lake Stevens Planning Commission is scheduled to conduct a public hearing on Wednesday, October 22, 2014 at 7:00 PM in the Lake Stevens School District Educational Services Center (Admin Building) 12309 22nd Street NE, Lake Stevens to consider code amendments Traffic Impact Fee Calculation Provisions Code Amendment Lake Stevens Municipal Code Section 14.112.080(d).

The code amendments are available for review at the Permit Center at 1812 Main Street, Lake Stevens or by requesting from the contact below. ADA information may be found at www.lakestevenswa.gov.

Comments regarding the proposed code amendments may be submitted orally during the hearing or in writing any time prior to the hearing by sending them to City Hall, attn: Rebecca Ableman, PO Box 257, Lake Stevens, WA 98258 or by email at bableman@lakestevenswa.gov. For questions, contact Rebecca Ableman at 425-377-3229.