

**City of Lake Stevens Mission Statement**



The City of Lake Stevens' mission is not only to preserve the natural beauty that attracted so many of its citizens, but to enhance and harmonize with the environment to accommodate new people who desire to live here. Through shared, active participation among Citizen, Mayor, Council, and City Staff, we commit ourselves to quality living for this and future generations.

Growth in our community is inevitable. The City will pursue an active plan on how, when, and where it shall occur to properly plan for needed services, ensure public safety, and maintain the unique ambience that is Lake Stevens.



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**CITY COUNCIL REGULAR MEETING AGENDA**  
**Lake Stevens School District Educational Service Center (Admin. Bldg.)**  
**12309 22<sup>nd</sup> Street NE, Lake Stevens**  
**Tuesday May 29, 2012 - 7:00 p.m.**

**NOTE:** **WORKSHOP ON VOUCHERS AT 6:45 P.M.**

**CALL TO ORDER:** 7:00 p.m.  
Pledge of Allegiance

**ROLL CALL:**

**GUEST BUSINESS:**

**CONSENT AGENDA:**

*A.	Approve May 2012 vouchers.	Barb
*B.	Approve minutes of May 14, 2012 regular Council meeting.	Norma
*C.	Authorize the Mayor to sign Music on the Lake contracts.	Barb

**ACTION ITEMS:**

*A.	Aquafest 2012 request to serve Beer & Wine in the VIP Booth.	Becky
*B.	Approve extension of Bill Trimm's Economic Development Professional Services Agreement.	Becky

**DISCUSSION ITEMS:**

*A	Garage sales.	Becky
*B.	Introduction of Subarea Design Guidelines and Regulations.	Becky

**COUNCIL PERSON'S BUSINESS:**

**MAYOR'S BUSINESS:**

**STAFF REPORTS:**

**INFORMATION ITEMS:**

**Lake Stevens City Council Meeting**

**May 29, 2012**

**EXECUTIVE SESSION:**           A.   Collective bargaining negotiations.  
  B.   Potential litigation.

**ADJOURN:**

* ITEMS ATTACHED	** ITEMS PREVIOUSLY DISTRIBUTED	# ITEMS TO BE DISTRIBUTED
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**THE PUBLIC IS INVITED TO ATTEND  
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, (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, (800) 833-6384, and ask the operator to dial the City of Lake Stevens City Hall number.*

**NOTICE:**

**All proceedings of this meeting are audio recorded, except Executive Sessions**

**BLANKET VOUCHER APPROVAL  
 2012**

We, the undersigned Council members of the City of Lake Stevens, Snohomish County, Washington, do hereby certify that the merchandise or services hereinafter specified have been received and that the following vouchers have been approved for payment:

Payroll Direct Deposits	<b>905760-905818</b>	<b>\$129,542.70</b>
Payroll Checks	<b>33425</b>	<b>\$2,403.15</b>
Claims	<b>33525-33579</b>	<b>\$58,357.18</b>
Electronic Funds Transfers	<b>458-461</b>	<b>\$5,615.39</b>
Void Checks		
Tax Deposit(s)	<b>5/15/2012</b>	<b>\$46,511.36</b>
<b>Total Vouchers Approved:</b>		<b>\$242,429.78</b>

**This 29th day of May 2012:**

\_\_\_\_\_

Mayor

\_\_\_\_\_

Councilmember

\_\_\_\_\_

Finance Director

\_\_\_\_\_

Councilmember

\_\_\_\_\_

Councilmember

\_\_\_\_\_

Councilmember



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**Direct Deposit Register**

10-May-2012

Wells Fargo - AP

**Lake Stevens**

**Direct Deposits to Accounts**

10-May-2012	<u>Vendor</u>	<u>Source</u>	<u>Amount</u>	<u>Draft#</u>	<u>Bank Name</u>	<u>Transit</u>	<u>Account</u>
9362	Department of Revenue	C	\$272.68	458	Wells Fargo	121000248	4159656917
<b>Total:</b>			\$272.68		<b>Count:</b>	1.00	

***Direct Deposit Summary***

<u>Type</u>	<u>Count</u>	<u>Total</u>
C	1	\$272.68

**Pre-Note Transactions**

**Direct Deposit Register**

11-May-2012

**Wells Fargo - AP**

**Lake Stevens**

**Direct Deposits to Accounts**

11-May-2012	<u>Vendor</u>	<u>Source</u>	<u>Amount</u>	<u>Draft#</u>	<u>Bank Name</u>	<u>Transit</u>	<u>Account</u>
9407	Department of Retirement (Pers	C	\$3,892.00	459	Wells Fargo	121000248	4159656917
9408	NATIONWIDE RETIREMENT SOL	C	\$1,048.25	460	Wells Fargo	121000248	4159656917
9405	Wash State Support Registry	C	\$402.46	461	Wells Fargo	121000248	4159656917
<b>Total:</b>			\$5,342.71		<b>Count:</b>	3.00	

***Direct Deposit Summary***

<i>Type</i>	<i>Count</i>	<i>Total</i>
C	3	\$5,342.71

**Pre-Note Transactions**

# Detail Check Register

11-May-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
<b>33525</b>	<b>11-May-12</b>	<b>13322</b>	<b>Snohomish County Cities</b>		<b>\$35.00</b>
05/17 mtg	5/17/12 meeting			\$35.00	\$0.00
001001511604300		Legislative - Travel & Mtgs		\$35.00	
<b>Total Of Checks:</b>					<b>\$35.00</b>

## Detail Check Register

11-May-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor			Check Amount
<b>33526</b>	<b>11-May-12</b>	<b>13322</b>	<b>Snohomish County Cities</b>			<b>\$35.00</b>
05/17/mtg Little	05/17 meeting Little			\$35.00	\$0.00	\$35.00
001003511104300		Executive - Travel & Mtgs		\$35.00		
<b>Total Of Checks:</b>						<b>\$35.00</b>

# Detail Check Register

24-May-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount		
<b>33527</b>	<b>29-May-12</b>	<b>13328</b>	<b>ACES</b>			<b>\$649.00</b>
8652			Safety inspection and training	\$649.00	\$0.00	\$649.00
			001003517620000 Admin. Safety program	\$153.16		
			101016517620000 safety program	\$288.16		
			410016517620000 safety program	\$207.68		
<b>33528</b>	<b>29-May-12</b>	<b>12540</b>	<b>ALLIED WASTE SERVICES #197</b>			<b>\$350.18</b>
0197-001461253			Dumpster services	\$350.18	\$0.00	\$350.18
			101016542003102 Street Fund Operating Costs	\$167.73		
			101016542004500 Street Fund - Rentals/Leases	\$7.37		
			410016542403102 Storm Water - Operating Costs	\$167.72		
			410016542404501 Storm Water - Equipment Rental	\$7.36		
<b>33529</b>	<b>29-May-12</b>	<b>12540</b>	<b>ALLIED WASTE SERVICES #197</b>			<b>\$251.88</b>
0197-001461026			Dumpster services	\$251.88	\$0.00	\$251.88
			001010576803103 Parks-Lundeen-Operating Costs	\$239.17		
			001010576804500 Parks - Equipment Rental	\$12.71		
<b>33530</b>	<b>29-May-12</b>	<b>12540</b>	<b>ALLIED WASTE SERVICES #197</b>			<b>\$107.08</b>
0197-001461701			Dumpster services	\$107.08	\$0.00	\$107.08
			001013519903100 General Government - Operating	\$94.13		
			001013519904500 General Government-Equip Renta	\$12.95		
<b>33531</b>	<b>29-May-12</b>	<b>179</b>	<b>Blumenthal Uniforms</b>			<b>\$106.27</b>
929624-01			Narc Tests for heroin	\$95.41	\$0.00	\$95.41
			001008521003104 Law Enforcement-Operating Cost	\$95.41		
937921			Cloth badges	\$10.86	\$0.00	\$10.86
			001008521002600 Law Enforcment Clothing	\$10.86		
<b>33532</b>	<b>29-May-12</b>	<b>969</b>	<b>Business Card</b>			<b>\$1,213.75</b>
05/12 1056			Travel	\$67.87	\$0.00	\$67.87
			001003513104300 Administration - Travel & Mtgs	\$67.87		
05/12 1324			Parking/postage	\$438.55	\$0.00	\$438.55
			001003511104300 Executive - Travel & Mtgs	\$80.00		
			001003513104300 Administration - Travel & Mtgs	\$80.00		
			001007558004400 Planning - Advertising	\$154.12		
			001007558604300 Planning Comm - Travel & Mtgs	\$124.43		
05/12 1411			Travel	\$16.18	\$0.00	\$16.18
			001008521004300 Law Enforce - Travel & Mtgs	\$16.18		
05/12 4949			Digital camera PT24	\$83.07	\$0.00	\$83.07

# Detail Check Register

24-May-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001008521003104			Law Enforcement-Operating Cost	\$83.07	
05/12 5242			Travel/web site fee/license	\$96.70	\$0.00 \$96.70
001001511604300			Legislative - Travel & Mtgs	\$50.00	
001013519904200			General Government - Communica	\$9.95	
101016542004900			Street Fund - Miscellaneous	\$36.75	
05/12 7750			ph sensor/Bank fee	\$211.38	\$0.00 \$211.38
101016542004800			Street Fund - Repair & Mainten	\$201.54	
101016542004900			Street Fund - Miscellaneous	\$9.84	
05/12 8109			Postage	\$300.00	\$0.00 \$300.00
001008521004200			Law Enforcement - Communicatio	\$300.00	
<b>33533</b>	<b>29-May-12</b>	<b>11952</b>	<b>Carquest Auto Parts Store</b>		<b>\$266.36</b>
2421-157744			Batteries, wire, terminals	\$41.03	\$0.00 \$41.03
101016542004800			Street Fund - Repair & Mainten	\$41.03	
2421-160736			Marine battery for lift	\$89.82	\$0.00 \$89.82
001008521004802			LE - Boating R&M	\$89.82	
2421-171850			Wiper blades	\$46.24	\$0.00 \$46.24
001008521004800			Law Enforcement - Repair & Mai	\$46.24	
2421-172851			Headlights	\$51.09	\$0.00 \$51.09
001008521004800			Law Enforcement - Repair & Mai	\$51.09	
2421-172888			Headlights	\$38.18	\$0.00 \$38.18
001008521004800			Law Enforcement - Repair & Mai	\$38.18	
<b>33534</b>	<b>29-May-12</b>	<b>13391</b>	<b>Cemex</b>		<b>\$5,973.57</b>
9423556362			Street Sweeping Debris	\$5,973.57	\$0.00 \$5,973.57
101016542004102			Street Fund-Sweeping	\$5,973.57	
<b>33535</b>	<b>29-May-12</b>	<b>13776</b>	<b>Chris L Griffen</b>		<b>\$172.50</b>
C9698L			Public Defender services	\$172.50	\$0.00 \$172.50
001013512800000			Court Appointed Attorney Fees	\$172.50	
<b>33536</b>	<b>29-May-12</b>	<b>12004</b>	<b>CITY OF MARYSVILLE</b>		<b>\$200.00</b>
POLIN11-0172			Prisoner Medical April 2012	\$200.00	\$0.00 \$200.00
001008523005100			Law Enforcement - Jail	\$200.00	
<b>33537</b>	<b>29-May-12</b>	<b>13361</b>	<b>Clover Island Inn</b>		<b>\$520.40</b>

# Detail Check Register

24-May-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor			Check Amount
203127		Barnes Rm422 5/6-5/11/12		\$520.40	\$0.00	\$520.40
001008521004301		Boating - Travel/Training		\$520.40		
<b>33538</b>	<b>29-May-12</b>	<b>13030</b>	<b>COMCAST</b>			<b>\$105.95</b>
05/12 0443150		Internet		\$105.95	\$0.00	\$105.95
001003513104200		Administration-Communications		\$2.12		
001003514104200		City Clerks-Communications		\$6.36		
001003516104200		Human Resources-Communications		\$2.12		
001003518104200		IT Dept-Communications		\$4.24		
001004514234200		Finance - Communications		\$4.24		
001007558004200		Planning - Communication		\$16.95		
001008521004200		Law Enforcement - Communicatio		\$61.45		
001010576804200		Parks - Communication		\$2.83		
101016542004200		Street Fund - Communications		\$2.82		
410016542404200		Storm Water - Communications		\$2.82		
<b>33539</b>	<b>29-May-12</b>	<b>13030</b>	<b>COMCAST</b>			<b>\$81.90</b>
04/12 0808840		Shop - internet		\$81.90	\$0.00	\$81.90
101016542004200		Street Fund - Communications		\$40.95		
410016542404200		Storm Water - Communications		\$40.95		
<b>33540</b>	<b>29-May-12</b>	<b>13757</b>	<b>Comdata Corporation</b>			<b>\$12,179.25</b>
20164522		Fuel		\$9,348.70	\$0.00	\$9,348.70
001008521003200		Law Enforcement - Fuel		\$9,348.70		
20164523		Fuel		\$2,830.55	\$0.00	\$2,830.55
001003518103200		IT - Fuel		\$111.18		
001007559003101		Building Department - Operatin		\$120.02		
101016542003200		Street Fund - Fuel		\$1,299.68		
410016542403200		Storm Water - Fuel		\$1,299.67		
<b>33541</b>	<b>29-May-12</b>	<b>91</b>	<b>Corporate Office Supply</b>			<b>\$141.43</b>
128471i		Pen Refills Mick & Hand Sanitizer		\$37.65	\$0.00	\$37.65
101016542003101		Street Fund Office Supplies		\$37.65		
128578i		Supplies		\$88.80	\$0.00	\$88.80
001003514103100		City Clerks-Office Supplies		\$11.50		
001004514233100		Finance - Office Supplies		\$45.95		
001013519903100		General Government - Operating		\$31.35		
128664i		Supplies		\$64.88	\$0.00	\$64.88
001004514233100		Finance - Office Supplies		\$37.84		
001013519903100		General Government - Operating		\$27.04		
128748		Calculator		(\$49.90)	\$0.00	(\$49.90)

# Detail Check Register

24-May-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001004514233100			Finance - Office Supplies		(\$49.90)
<b>33542</b>	<b>29-May-12</b>	<b>9386</b>	<b>Crystal and Sierra Springs</b>		<b>\$281.45</b>
5249844050112			Bottled water	\$281.45	\$0.00
					\$281.45
001007559003101			Building Department - Operatin	\$48.84	
001008521003104			Law Enforcement-Operating Cost	\$86.10	
001013519904900			General Government - Miscellan	\$48.84	
101016542003102			Street Fund Operating Costs	\$48.84	
410016542403102			Storm Water - Operating Costs	\$48.83	
<b>33543</b>	<b>29-May-12</b>	<b>13182</b>	<b>Dean Thomas</b>		<b>\$16.25</b>
05/16/12			Travel for Training	\$16.25	\$0.00
					\$16.25
001008521004300			Law Enforce - Travel & Mtgs	\$16.25	
<b>33544</b>	<b>29-May-12</b>	<b>13027</b>	<b>DEPARTMENT OF LICENSING</b>		<b>\$126.00</b>
2016-2025			Weapons permits	\$126.00	\$0.00
					\$126.00
633008586000000			Gun Permit - State Remittance	\$126.00	
<b>33545</b>	<b>29-May-12</b>	<b>13027</b>	<b>DEPARTMENT OF LICENSING</b>		<b>\$126.00</b>
52020-52032			Weapons permits	\$126.00	\$0.00
					\$126.00
633008586000000			Gun Permit - State Remittance	\$126.00	
<b>33546</b>	<b>29-May-12</b>	<b>13027</b>	<b>DEPARTMENT OF LICENSING</b>		<b>\$18.00</b>
2033-34			Weapons permits	\$18.00	\$0.00
					\$18.00
633008586000000			Gun Permit - State Remittance	\$18.00	
<b>33547</b>	<b>29-May-12</b>	<b>12800</b>	<b>DEPT OF CORRECTIONS</b>		<b>\$312.27</b>
MCC4591 0412			DOC Work crew	\$312.27	\$0.00
					\$312.27
101016542004800			Street Fund - Repair & Mainten	\$156.14	
410016542404800			Storm Water - Repairs & Maint.	\$156.13	
<b>33548</b>	<b>29-May-12</b>	<b>473</b>	<b>Electronic Business Machines</b>		<b>\$440.58</b>
075872			Copier maint	\$233.21	\$0.00
					\$233.21
001007558004800			Planning - Repairs & Maint.	\$116.61	
101016542004800			Street Fund - Repair & Mainten	\$58.30	
410016542404800			Storm Water - Repairs & Maint.	\$58.30	
075907			Copier maint	\$207.37	\$0.00
					\$207.37
001008521004800			Law Enforcement - Repair & Mai	\$207.37	
<b>33549</b>	<b>29-May-12</b>	<b>13935</b>	<b>Everett Steel</b>		<b>\$282.90</b>
506067			Flat steel stock	\$98.28	\$0.00
					\$98.28
101016542003102			Street Fund Operating Costs	\$98.28	

## Detail Check Register

24-May-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor			Check Amount
506270			Flat steel stock	\$97.74	\$0.00	\$97.74
101016542003102			Street Fund Operating Costs	\$97.74		
506550			Flat steel stock	\$86.88	\$0.00	\$86.88
101016542003102			Street Fund Operating Costs	\$86.88		
<b>33550</b>	<b>29-May-12</b>	<b>549</b>	<b>Foster Press</b>			<b>\$47.24</b>
29372			Flyers	\$47.24	\$0.00	\$47.24
410016517620000			safety program	\$47.24		
<b>33551</b>	<b>29-May-12</b>	<b>13764</b>	<b>Frontier</b>			<b>\$90.46</b>
05/12 42533408350116			Communications	\$90.46	\$0.00	\$90.46
001013519904200			General Government - Communica	\$30.15		
101016542004200			Street Fund - Communications	\$30.16		
410016542404200			Storm Water - Communications	\$30.15		
<b>33552</b>	<b>29-May-12</b>	<b>618</b>	<b>Granite Falls Towing</b>			<b>\$244.35</b>
39395			Search Warrant Impound/1200984	\$244.35	\$0.00	\$244.35
001008521003104			Law Enforcement-Operating Cost	\$244.35		
<b>33553</b>	<b>29-May-12</b>	<b>673</b>	<b>Home Depot</b>			<b>\$402.53</b>
5143071			forms	\$402.53	\$0.00	\$402.53
101016542004800			Street Fund - Repair & Mainten	\$402.53		
<b>33554</b>	<b>29-May-12</b>	<b>13509</b>	<b>Industrial Supply, Inc</b>			<b>\$401.87</b>
394459			Gutter broom	\$309.05	\$0.00	\$309.05
410016542404800			Storm Water - Repairs & Maint.	\$309.05		
496367			Pants, shirts	\$92.82	\$0.00	\$92.82
001010576802600			Parks - Clothing	\$92.82		
<b>33555</b>	<b>29-May-12</b>	<b>13232</b>	<b>Integra Telecom, Inc</b>			<b>\$885.10</b>
9664836			Communications	\$885.10	\$0.00	\$885.10

# Detail Check Register

24-May-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001003513104200			Administration-Communications	\$6.64	
001003514104200			City Clerks-Communications	\$7.75	
001003516104200			Human Resources-Communications	\$7.19	
001003518104200			IT Dept-Communications	\$18.81	
001004514234200			Finance - Communications	\$14.94	
001007558004200			Planning - Communication	\$55.23	
001007559004200			Building Department - Communci	\$36.87	
001008521004200			Law Enforcement - Communicatio	\$141.78	
001010575304200			Historical - Communications	\$36.87	
001013519904200			General Government - Communica	\$279.28	
001013555504200			Commnity Center-Communication	\$36.87	
101016542004200			Street Fund - Communications	\$120.26	
410016542404200			Storm Water - Communications	\$122.61	
<b>33556</b>	<b>29-May-12</b>	<b>12648</b>	<b>IRON MOUNTAIN QUARRY LLC</b>		<b>\$108.29</b>
0203158			10 Tons Rock for ditches	\$108.29	\$0.00
101016542004800			Street Fund - Repair & Mainten	\$108.29	
<b>33557</b>	<b>29-May-12</b>	<b>13327</b>	<b>Jennifer Anderson</b>		<b>\$416.66</b>
May 2012			Dep Care May 2012	\$416.66	\$0.00
001000281000000			Payroll Liabilities	\$416.66	
<b>33558</b>	<b>29-May-12</b>	<b>13386</b>	<b>Jerad Wachtveitl</b>		<b>\$19.34</b>
01/09/12			Travel case 12-00040	\$4.00	\$0.00
001008521004300			Law Enforce - Travel & Mtgs	\$4.00	
05/16/12			Travel for training	\$15.34	\$0.00
001008521004300			Law Enforce - Travel & Mtgs	\$15.34	
<b>33559</b>	<b>29-May-12</b>	<b>13941</b>	<b>Jessie Knaak</b>		<b>\$47.00</b>
Refund			Refund of shelter rental	\$47.00	\$0.00
001000362004000			Facilities Rental	\$47.00	
<b>33560</b>	<b>29-May-12</b>	<b>13929</b>	<b>Kathleen Hudson</b>		<b>\$28.21</b>
05/16/12			Legal Paper	\$28.21	\$0.00
001008521003100			Law Enforcement - Office Suppl	\$28.21	
<b>33561</b>	<b>29-May-12</b>	<b>13724</b>	<b>Kerry Bernhard</b>		<b>\$138.00</b>
05/10/12			Kennewick Per diem	\$138.00	\$0.00
001008521004301			Boating - Travel/Training	\$138.00	
<b>33562</b>	<b>29-May-12</b>	<b>812</b>	<b>Kesselring Gun Shop</b>		<b>\$432.23</b>
32498			Gun Buyback/Officer Holmes	\$432.23	\$0.00

# Detail Check Register

24-May-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001008521003105			Operating-Staff Purchases	\$432.23	
<b>33563</b>	<b>29-May-12</b>	<b>12512</b>	<b>KEVIN WOMACK</b>		<b>\$61.00</b>
05/18/12			CDL endorsement	\$61.00	\$0.00
101016542004900			Street Fund - Miscellaneous	\$30.50	
410016542404900			Storm Water - Miscellaneous	\$30.50	
<b>33564</b>	<b>29-May-12</b>	<b>13885</b>	<b>Lake Industries LLC</b>		<b>\$30.00</b>
26109			ditch debris removal	\$30.00	\$0.00
410016542404800			Storm Water - Repairs & Maint.	\$30.00	
<b>33565</b>	<b>29-May-12</b>	<b>852</b>	<b>Lake Stevens Journal</b>		<b>\$42.00</b>
77288			Help Wanted Advertisement	\$42.00	\$0.00
001007558004400			Planning - Advertising	\$21.00	
101016542004400			Street Fund - Advertising	\$21.00	
<b>33566</b>	<b>29-May-12</b>	<b>12751</b>	<b>LAKE STEVENS POLICE GUILD</b>		<b>\$1,116.00</b>
05/15/12			Union dues	\$1,116.00	\$0.00
001000281000000			Payroll Liabilities	\$1,116.00	
<b>33567</b>	<b>29-May-12</b>	<b>12450</b>	<b>PITNEY BOWES</b>		<b>\$112.17</b>
9619164-MY12			Postage machine rental	\$112.17	\$0.00
001013519904500			General Government-Equip Renta	\$112.17	
<b>33568</b>	<b>29-May-12</b>	<b>11869</b>	<b>PUGET SOUND ENERGY</b>		<b>\$272.55</b>
05/12 1294748676			Utilites - gas	\$160.79	\$0.00
001010576804700			Parks - Utilities	\$53.60	
101016542004700			Street Fund - Utilities	\$53.60	
410016542404701			Storm Water Utilities	\$53.59	
05/12 8866053005			Utilites - gas	\$111.76	\$0.00
001010576804700			Parks - Utilities	\$37.25	
101016542004700			Street Fund - Utilities	\$37.25	
410016542404701			Storm Water Utilities	\$37.26	
<b>33569</b>	<b>29-May-12</b>	<b>12069</b>	<b>Seattle Pump</b>		<b>\$931.83</b>
12-1616			Vactor Truck Repair new pump/hos	\$931.83	\$0.00
410016542404800			Storm Water - Repairs & Maint.	\$931.83	
<b>33570</b>	<b>29-May-12</b>	<b>13715</b>	<b>Sno Co Sherrifs Office</b>		<b>\$6,070.03</b>
2012-1105			Prisoner Housing April 2012	\$6,070.03	\$0.00
001008523005100			Law Enforcement - Jail	\$6,070.03	
<b>33571</b>	<b>29-May-12</b>	<b>13715</b>	<b>Sno Co Sherrifs Office</b>		<b>\$1,061.08</b>

# Detail Check Register

24-May-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor		Check Amount
April Medical 001008523005100		Prisoner Medical April 2012		\$1,061.08	\$0.00 \$1,061.08
		Law Enforcement - Jail		\$1,061.08	
<b>33572</b>	<b>29-May-12</b>	<b>12961</b>	<b>SNOHOMISH COUNTY PUD</b>		<b>\$127.74</b>
140268073		Utilities - electric		\$127.74	\$0.00 \$127.74
101016542630000		Street Fund - Street Lighting		\$127.74	
<b>33573</b>	<b>29-May-12</b>	<b>13281</b>	<b>Sound Safety Products Co, Inc</b>		<b>\$213.94</b>
2465412-01		Center Pulley for confined space		\$213.94	\$0.00 \$213.94
101016542003102		Street Fund Operating Costs		\$213.94	
<b>33574</b>	<b>29-May-12</b>	<b>12579</b>	<b>SUMMIT LAW GROUP</b>		<b>\$2,262.00</b>
56721		Professional services		\$2,262.00	\$0.00 \$2,262.00
001005515204100		Legal - Professional Service		\$2,262.00	
<b>33575</b>	<b>29-May-12</b>	<b>13821</b>	<b>Terminix Commercial</b>		<b>\$59.73</b>
314441233		Pest Control		\$59.73	\$0.00 \$59.73
001010576803100		Parks - Operating Costs		\$59.73	
<b>33576</b>	<b>29-May-12</b>	<b>13045</b>	<b>UPS</b>		<b>\$36.77</b>
74Y42192		Evidence shipping		\$36.77	\$0.00 \$36.77
001008521004200		Law Enforcement - Communicatio		\$36.77	
<b>33577</b>	<b>29-May-12</b>	<b>12761</b>	<b>WASHINGTON STATE PATROL</b>		<b>\$406.00</b>
I12007736		Background checks		\$10.00	\$0.00 \$10.00
001013519904100		General Government - Professio		\$10.00	
I12008395		Background checks		\$396.00	\$0.00 \$396.00
633008589000006		Gun Permit - FBI Remittance		\$396.00	
<b>33578</b>	<b>29-May-12</b>	<b>13843</b>	<b>Weinman Consulting LLC</b>		<b>\$17,800.09</b>
No 11 LSC		Professional services		\$10,143.60	\$0.00 \$10,143.60
001007558804111		Planning-Economic Development		\$10,143.60	
No 12 LSC		Professional services		\$1,104.55	\$0.00 \$1,104.55
001007558804111		Planning-Economic Development		\$1,104.55	
No 13 20th St		Professional services		\$6,295.34	\$0.00 \$6,295.34
001007558804111		Planning-Economic Development		\$6,295.34	
No 13 LSC		Professional services		\$256.60	\$0.00 \$256.60

## Detail Check Register

24-May-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001007558804111			Planning-Economic Development	\$256.60	
<b>33579</b>	<b>29-May-12</b>	<b>13263</b>	<b>WSSO Advanced Training</b>		<b>\$500.00</b>
Barnes 7/30-8/2/2012			SRO Barnes/Advanced School Train	\$250.00	\$0.00
001008521004901			Law Enforcement - Staff Develo	\$250.00	
Guertin 7/30-8/2/2012			SRO Guertin/Advanced School Trai	\$250.00	\$0.00
001008521004901			Law Enforcement - Staff Develo	\$250.00	
<b>Total Of Checks:</b>					<b>\$58,287.18</b>



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**CITY OF LAKE STEVENS  
REGULAR CITY COUNCIL MEETING MINUTES**

Monday, May 14, 2012  
Lake Stevens School District Educational Service Center (Admin. Bldg.)  
12309 22<sup>nd</sup> Street N.E. Lake Stevens

CALL TO ORDER: 7:00 p.m. by Mayor Vern Little

COUNCILMEMBERS PRESENT: Todd Welch, Suzanne Quigley, Kathy Holder, Kim Daughtry, Neal Dooley, John Spencer, and Marcus Tageant

COUNCILMEMBERS ABSENT:

STAFF MEMBERS PRESENT: City Administrator Jan Berg, City Attorney Paul McMurray, Planning Director Becky Ableman, Finance Director/Treasurer Barb Lowe, Public Works Director Mick Monken, Human Resource Director Steve Edin, Senior Planner Russell Wright, Police Chief Randy Celori, and City Clerk/Admin. Asst. Norma Scott

OTHERS: Mark Wakefield, John Worley, Jesse Dill, Kim Demary

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**Guest Business.** Mark Wakefield, 121 95<sup>th</sup> Ave SE, Lake Stevens, commented that during the annexation process they were promised fourteen additional officers, only hired four and heard there may be layoffs. He is concerned about the nature of crimes, staffing level, and believes the Police budget should be 65% of the City budget. He is not opposed to raising taxes for the Police Department and is in the process of analyzing the City budget.

John Worley, 1519 E Lakeshore Drive, commented he has lived there for 13 years, has been helping out people, and letting people park in his yard for Aquafest. Donations go to an orphanage. He has people living in his basements because they have lost their homes and jobs. He did three garage sales last year to help raise funds. Now he cannot provide parking during Aquafest unless he is a part of the event. He is providing a safe environment for families to park. He requested two garage sales per month to help raise funds to donate to those in need.

Jesse Dill, 1415 120<sup>th</sup> Drive NE, mentioned she met Mr. Worley, provided donations for him and supports what he is doing.

Council will discuss this at the next meeting on May 29.

**Consent Agenda.** Councilmember Daughtry moved to approve the Consent Agenda (A. Approve May 2012 vouchers [Payroll Direct Deposits 905694-905759 for \$119,887.52; Payroll Checks 33423 for \$2,299.53; Claims 33424, 33426-33524 for \$422,739.75; Electronic Funds Transfers 452-457 for \$137,840.89; Tax Deposit 5.1.12 for \$41,174.91 for total vouchers approved of \$723,942.60]; B. Approve minutes of April 23, 2012 regular Council and special Council/Planning Commission meetings; C. Approve minutes of May 7, 2012 Council workshop; D. Approve contract increase with Rogers Machinery for aerator pump repair; and E. Award

contract to Precision Electric Group for electrical services at City Shop), seconded by Councilmember Tageant; motion carried unanimously. (7-0-0-0)

**Relay for Life proclamation.** Mayor Little noted the event is this weekend, read the proclamation in full and presented the certificate to Kim Demary.

**Resolution 2012-2, Lake Stevens Sewer District Annexation.** Senior Planner Wright commented the proposed resolution is for the City to acknowledge and consent to the proposed expansion of the Sewer District area within the City limits through annexation. This allows population in the area that is already in the City limits to be included in the Sewer District area. The Sewer District is the lead agency and will present to the County. The annexation is through the election method.

**MOTION:** Councilmember Spencer moved to approve Resolution No. 2012-2, Lake Stevens Sewer District Annexation, seconded by Councilmember Holder; motion carried unanimously. (7-0-0-0)

**First and final reading of Ordinance 873, Title 9 criminal code amendments.** Police Chief Celori reported he worked with the prosecutor's office and city attorney for the past year on this. The amendment adopts state code and amends automatically to conform to the State. The curfew portion of the ordinance is being stricken because it may be unconstitutional.

**MOTION:** Councilmember Tageant moved to approve first and final reading of Ordinance No. 873 amending portions of Title 9, Criminal Code, seconded by Councilmember Welch; motion carried unanimously. (7-0-0-0)

**Subarea plans.** Planning Director Ableman commented that at the last meeting, Council was leaning toward Alternative 2 on both subareas. Design guidelines, zoning maps and developments regulations will need to be developed and implemented. Flexibility is being built into the regulations. The next step is the consultants will prepare final EIS, plan itself, regulations, publish EIS, then Public Hearing before the Planning Commission. Air quality analysis is required on 20<sup>th</sup> Street only because of work on the state route.

**MOTION:** Councilmember Daughtry moved to select the second Alternate for 20<sup>th</sup> Street and Lake Stevens Center, seconded by Councilmember Quigley, motion carried unanimously. (7-0-0-0)

**Approve 2012 Aquafest Requests: event permit fee waiver and serve beer and wine in the VIP booth.** Planning Director Ableman reported the City could waive \$15 of the \$100, but it's up to the Fire District to waive the \$85.

Councilmember Quigley does not see the value to the VIP tent and is not a message she wants to send to the community.

Councilmember Dooley responded it is a reward for the sponsors.

**MOTION:** Councilmember Quigley moved to approve the Aquafest request to waive event permit fee, fireworks display fee, and Community Center rental, seconded by Councilmember Spencer; motion carried unanimously. (7-0-0-0)

Staff was directed to invite Aquafest to the next meeting to discuss the VIP Tent.

**Award contract for the pavement marking for the North Davies roundabout.** Public Work Director/Engineer Monken reported they solicited for nine bids and received two bids. The work is to be completed by June 15. The intent is to keep the street open at all times. The action is approval of contract for about \$10,600 and authorize contingency of \$3,000 for possible grinding or touchup.

**MOTION:** Councilmember Quigley moved to approve award of the North Davies Mini-roundabout – pavement marking project to Apply-A-Line for an amount of \$10,527.30 and authorize a contingency amount of \$3,000, seconded by Councilmember Spencer; motion carried unanimously. (7-0-0-0)

**First quarter financials.** Finance Director/Treasurer Lowe noted the summary of financial forecast is out to 2017, which ends up below our 10% reserve policy. Ms. Lowe reviewed the budget amendments that will occur in the future and revenue and expenditures for the General, Street, and Surface/Storm Water Funds.

**Draft Medical Cannabis Collective Gardens regulations.** Senior Planner Wright reported the moratoriums were enacted to see how the legislature would clarify the issue. Council has three options: 1) take no action which a lot of cities are doing because of inconsistencies between federal and state law; 2) adopt development regulations which most cities are doing by applying zoning controls to direct the development and location of collective gardens; and 3) prohibit outright.

City Attorney Paul McMurray noted that a number of jurisdictions are extending the moratorium for an additional 6 months. There is no statutory limitation on the number of moratoriums.

Councilmember Quigley commented that one more moratorium would get us through the election since there may be an initiative on the ballot. It was the consensus of Council to extend the moratorium.

Councilmember Spencer noted that the justification for extending the moratorium is on the basis there is an initiative to the public on recreational use of marijuana and question on Council's mind on how that may change the statutory framework and regulations and choose to wait for the outcome of the election and other regulations that might come forward.

**Council Person's Business.** Councilmembers reported on the following meetings: Tageant – Sewer Subcommittee today; Holder – Sewer Subcommittee; Dooley – Arts Commission, no Farmer's Market this year and Music on the Lake will happen; and Daughtry – SCCIT, Community Transit, and Relay for Life.

**Mayor's Business.** Mayor Little reported he attended the Sewer Subcommittee and Economic Development Council and Cities/Counties dinner is this week.

**Staff Reports.** City Administrator Berg – met with Arts Commission Chair Reimer – will work with them on Farmer's Market for next year, Senior Center Board meeting last week; Public Works Director/Engineer Monken – AquaTechnex coming out next week on milfoil, weir is not in place yet because of flood level, and heavy collection of algae blooms on the Lake; Police

Lake Stevens City Council Regular Meeting Minutes

May 14, 2012

Chief Celori - met with County Executive Reardon on the sales tax that is being considered; Human Resource Director Edin – attended AWC meeting, recruiting Seasonal Workers and Public Works/Planning Coordinator, and received Well City Award which reduces the City's insurance costs.

**Executive Session.** Mayor Little called for an executive session at 8:28 p.m. for potential litigation for 10 minutes with no action to follow. The executive session began at 8:33 p.m. and ended at 8:43 p.m.

**Adjourn.** Councilmember Daughtry moved to adjourn at 8:43 p.m., seconded by Councilmember Dooley; motion carried unanimously. (7-0-0-0)

\_\_\_\_\_  
Vern Little, Mayor

\_\_\_\_\_  
Norma J. Scott, City Clerk/Admin. Asst.

DRAFT



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** May 29, 2012

**Subject:** Music On the Lake 2012

**Contact Person/Department:** Barb Lowe/Finance      **Budget Impact:** N/A

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:**

Authorize the Mayor to sign performance agreements when received for the 2012 Music On the Lake concert series.

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**SUMMARY/BACKGROUND:**

The Arts commission hires various acts to perform at the Music On the Lake concert series in North Cove Park. The concert series this year include six Thursday night performances beginning on July 12<sup>th</sup> and concluding on August 23<sup>th</sup>. Each performance will cost \$500 with the exception of three which will be contracted for \$1.00. Performers will be paid through the City's Arts Commission budget which currently has an available balance of \$2,268. The following is a list of the performances, dates and the types of music they will perform:

1. July 12<sup>th</sup> "Last Leaf Productions" (Macbeth)
2. July 19<sup>th</sup> "North End Jazz" (Jazz)  
*July 26<sup>th</sup> – No Performance*
3. Aug. 2<sup>nd</sup> "A Well Known Stranger" (Celtic)
4. Aug. 9<sup>th</sup> "U.S. Navy Cover Band" (Popular Hits)
5. Aug. 16<sup>th</sup> "The Wire Tappers"
6. Aug. 23<sup>rd</sup> "The Wild Snohomians" (Americana/Roots Rock)

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**APPLICABLE CITY POLICIES:**

City Council authorizes the Mayor to sign performance contracts.

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**BUDGET IMPACT: The current budget includes expending the entire Arts Commission Budget. No amendment necessary.** (\$1,503 for the performances)

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**ATTACHMENTS:**





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LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** May 29, 2012

**Subject:** 2012 Aquafest Request - Serve Beer & Wine in VIP Booth Saturday July 28, 2012

**Contact Person:** Rebecca Ableman

**Budget:** 0

**Department:** Planning and Community Development Director

**Impact:**

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:**

Approve the Aquafest Committee's request to serve Beer and Wine in the VIP Booth during the 2012 Aquafest Celebration, Saturday, July 28th (**Attachment 1**).

---

**SUMMARY/BACKGROUND:** On May 2, 2012, the Aquafest Committee submitted the permit application, EVNT2012-5, to include serving Beer and Wine in the VIP Booth located in North Cove Park (**Attachment 1**).

The Aquafest Committee is proposing that Beer and Wine be served in the VIP Booth on Saturday, July 28<sup>th</sup> for invited guests only. This proposal will have to meet the Washington State Liquor Control Board guidelines and requirements for a Banquet Permit. If Council approves the request the applicant will be required to provide a Certificate of Liability Insurance and endorsement, specifically addressing the service of Wine and Beer and naming the City of Lake Stevens as an additional insured and a copy of the approved Washington State Liquor Control Board Banquet Permit.

An Aquafest representative will be available at the May 29<sup>th</sup> meeting to answer questions and address concerns expressed by Council at the May 14<sup>th</sup> meeting.

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**APPLICABLE CITY POLICIES:**

- A. Title 10.03.150 states, *the City Council may permit the sale and consumption of alcoholic beverages within a confined licensed area pursuant to an event permit issued by the City and a permit issued by the Washington State Liquor Control Board. Any application to the City Council for such a permit shall include a site plan identifying the specific areas to be licensed. In granting such a permit, the Council may apply restrictions reasonably calculated to comply with the purpose of the Public/Semi-Public Zone as set forth in the Lake Stevens Land Use Ordinance.*

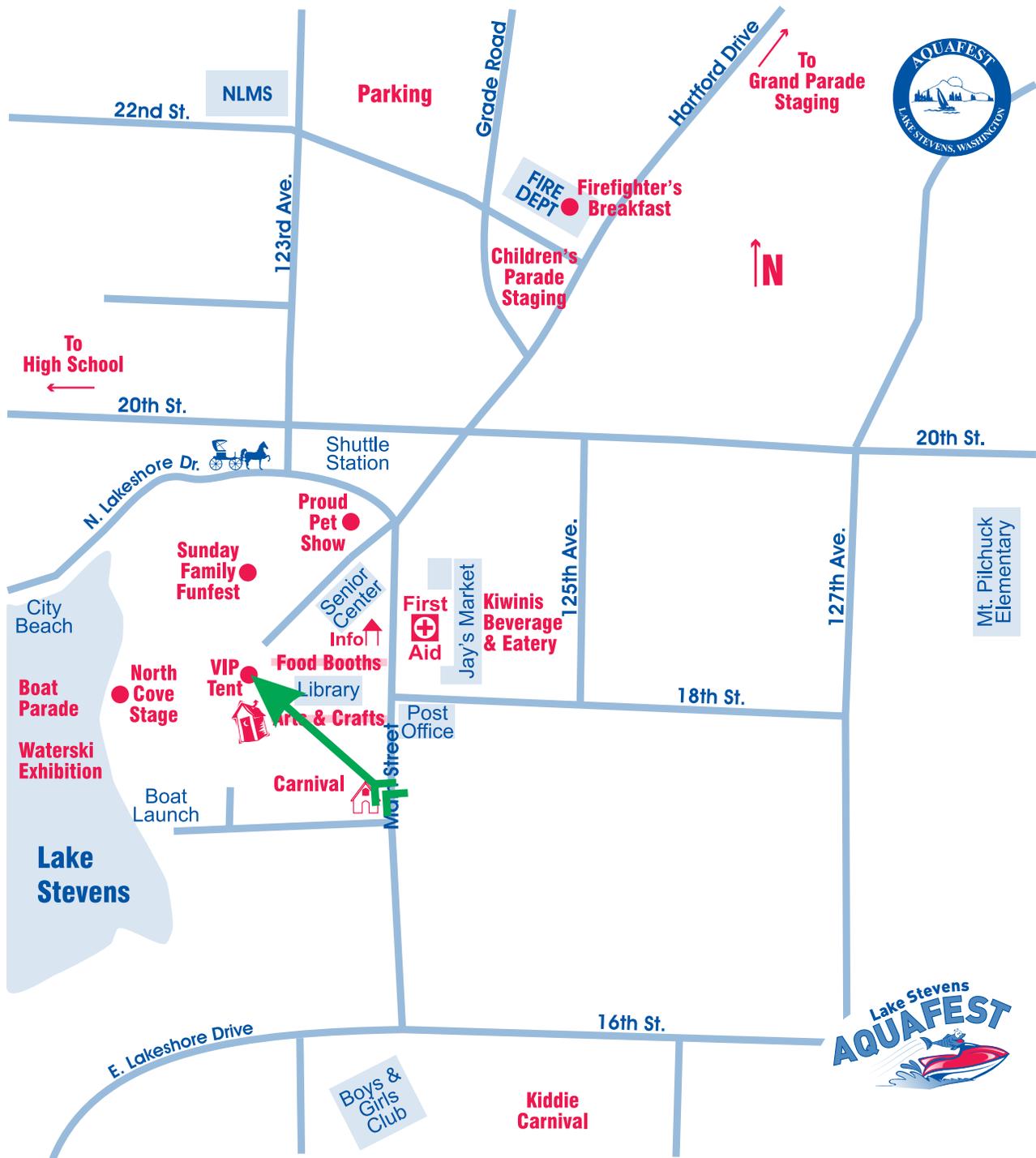
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**BUDGET IMPACT:** 0

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**ATTACHMENTS:**

- ▶ **Attachment 1:** Aquafest Permit – VIP Tent Serving Beer and Wine in North Cove Park site Map



**Map Exhibit 11**  
**VIP Tent Location**  
**North Cove Park**  
**Liquor license to be provided**



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** May 29, 2012

**Subject:** Economic Development  
Professional Services Agreement Supplemental No. 2 – Continued  
Business/Development Recruitment Services – William Trimm, FAICP

**Contact Person/** Rebecca Ableman  
**Department:** Planning and Community Development Director      **Budget** \$10,500  
**Impact:** \_\_\_\_\_

---

**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:**

The action requested of Council is to approve the Professional Services Agreement Supplement No. 2 with William (Bill) Trimm for continuing the Business/Development Recruitment Services (**Attachment 1**). The amendment is to continue to execute these activities particularly for the subarea planning areas of Lake Stevens Center and 20<sup>th</sup> Street SE Corridor.

---

**SUMMARY:**

In 2011, Council approved a contract (**Attachment 2**) with Mr. Trimm to provide Business/Development Recruitment Services for the City as an interim measure to the City's hiring of a dedicated Economic Development staff member. Mr. Trimm reported the efforts and activities that have taken place to date at the May 7 Council meeting. His report also recommended the additional tasks and work that would assist the City with Economic Development and are included in this Supplemental.

---

**BACKGROUND:**

Business recruitment/development services include facilitating public/private partnerships, working with private parties on land acquisition, intermediary communications, and general match up of business to community interests.

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**DISCUSSION:**

Mr. Trimm's contract will continue to provide the City with Business/Development Recruitment Services capacity in conjunction with the subarea planning and prior to the hiring of an economic development specialist. The amendment provides the continuity of effort by Mr. Trimm for through the end of the Subarea Planning processes and 2012. Mr. Trimm has been following the subarea planning efforts as well as made some initial property owner contacts and will continue to monitor this progress.

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**APPLICABLE CITY POLICIES:**

The proposal is consistent with and will further the Economic Development Strategy Goals.

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**BUDGET IMPACT:**

The budget impact total is \$10,500 which is 60 hours over 7 months at the current billable rate.

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**ATTACHMENTS:**

- 1- Professional Services Agreement Supplement No. 2 – Business/Development Recruitment Services – William Trimm, FAICP
- 2- Professional Services Agreement Business/Development Recruitment Services - William Trimm, FAICP dated May 31, 2011 including Supplemental No. 1 –dated September 2012

**PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF LAKE STEVENS  
AND WILLIAM TRIMM FOR CONSULTANT SERVICES**

THIS AGREEMENT is made and entered into in Snohomish County, Washington, by and between the **CITY OF LAKE STEVENS**, hereinafter called the "City," and **William Trimm**, a sole proprietor, licensed to do business in the State of Washington, hereinafter called the "Consultant."

WHEREAS, the Consultant has represented, and by entering into this Agreement now represents, that the firm and all employees assigned to work on any City project are in full compliance with the statutes of the State of Washington governing activities to be performed and that all personnel to be assigned to the work required under this Agreement are fully qualified and properly licensed to perform the work to which they will be assigned.

NOW, THEREFORE, in consideration of the terms, conditions, covenants and performances contained herein, the parties hereto agree as follows:

**ARTICLE I. PURPOSE**

The purpose of this Agreement is to provide the City with consulting services as described in Article II. The general terms and conditions of relationships between the City and the Consultant are specified in this Agreement.

**ARTICLE II. SCOPE OF WORK**

The Scope of Work for this Agreement is set forth in the attached Scope of Professional Services for the City of Lake Stevens, which is attached hereto as **Exhibit A** and is hereinafter referred to as the "Scope of Work". All services and materials necessary to accomplish the tasks outlined in **Exhibit A** shall be provided by the Consultant unless noted otherwise in the Scope of Work or this Agreement. All such services shall be provided in accordance with the standards of the Consultant's profession.

**ARTICLE III. OBLIGATIONS OF THE CONSULTANT**

**III. I MINOR CHANGES IN SCOPE.**

The Consultant shall accept minor changes, amendments, or revision in the detail of the work as may be required by the City, when such changes will not have any impact on the service costs or proposed delivery schedule. Extra work, if any, involving substantial changes and/or changes in cost or schedules will be addressed as follows:

**Extra Work.** The City may desire to have the Consultant perform work or render services in connection with each project in addition to or other than work provided for by the expressed intent of the scope of work in the Scope of Services. Such work will be considered as extra work. All extra work shall be conducted with

## ATTACHMENT 1

written authorization by the City representative authorized to approve extra work.

### III.2 WORK PRODUCT AND DOCUMENTS.

The work product and all documents produced under this Agreement shall be furnished by the Consultant to the City, and upon completion of the work shall become the property of the City, except that the Consultant may retain (but is not required to do so) one copy of the work product and documents for its records. The Consultant will be responsible for the accuracy of the work, even though the work has been accepted by the City.

In the event that the Consultant shall default on this Agreement or in the event that this Agreement shall be terminated prior to its completion as herein provided, all work product of the Consultant, along with a summary of work as of the date of default or termination, shall become the property of the City. Upon request, the Consultant shall tender the work product and summary to the City. Tender of said work product shall be a prerequisite to final payment under this Agreement. The summary of work done shall be prepared at no additional cost to the City.

The Consultant will not be held liable for reuse of documents produced under this Agreement or modifications thereof for any purpose other than those authorized under this Agreement without the written authorization of Consultant.

### III.3 TIME OF PERFORMANCE.

The Consultant shall be authorized to begin work under the terms of this Agreement upon signing of both the Scope of Work and this Agreement, and services shall be as set forth in the Scope of Work.

### III.4 NONASSIGNABLE.

The services to be provided by the Consultant shall not be assigned or subcontracted without the express written consent of the City. The City may not assign the consultants services to other entities without prior written authorization.

### III.5 EMPLOYMENT.

Any and all employees of the Consultant, while engaged in the performance of any work or services required by the Consultant under this Agreement, shall be considered employees of the Consultant only and not of the City, and any and all claims that mayor might arise under the Workman's Compensation Act on behalf of any said employees, and any and all claims made by any third party as a consequence of any negligent act or omission on the part of the Consultant or its employees, while so engaged in any of the work or services provided herein shall be the sole obligation of the Consultant.

### III.6 INDEMNITY INSURANCE.

a. The Consultant shall at all times indemnify and hold harmless and defend the City, its elected officials, officers, employees, agents and representatives, from and against any and all

**ATTACHMENT 1**

lawsuits, damages, costs, charges, expenses, judgments and liabilities, including attorney's fees (including attorney's fees in establishing indemnification), resulting from, arising out of, or related to one or more claims arising out of negligent acts, errors, or omissions of the Consultant in the performance of professional services under this Agreement. The term "claims" as used herein shall mean all claims, lawsuits, causes of action, and other legal actions and proceedings of whatsoever nature, involving bodily or personal injury or death of any person or damage to any property including, but not limited to, persons employed by the City, the Consultant or other person and all property owned or claimed by the City, the Consultant, or affiliate of the Consultant, or any other person.

b. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its members, officers, employees and agents, the Consultant's liability to the City, by way of indemnification, shall be only to the extent of the Consultant's negligence.

c. The provisions of this section shall survive the expiration or termination of this Agreement.

d. Consultant shall maintain automobile coverage in the minimum amounts of \$100,000 per person, and \$300,000 per accident/occurrence, and \$50,000 property damage. Such insurance shall be on such forms as city may from time to time require. Consultant shall provide City with a certificate of insurance demonstrating the required coverage.

e. Consultant shall maintain Consultant's Errors and Omissions Liability. In minimum amounts of \$500,000 per occurrence and as an annual aggregate. Consultant shall provide City with a certificate of insurance demonstrating the required coverage.

f. **Endorsement.** In the event that the Consultant receives notice (written, electronic or otherwise) that any of the above required insurance coverage is being cancelled and/or terminated, the Consultant shall immediately (within forty-eight (48) hours) provide written notification of such cancellation/termination to the City.

g. **Insurance shall be Primary.** The Consultant's insurance coverage shall be primary insurance as respect to the City. Any insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Consultant's insurance and shall not contribute with it.

h. **Limitation of Liability.** Consultant's liability hereunder shall be limited to the fee earned by Consultant under this Contract; provided however, in the event the liability is an insured liability (one for which insurance is available and applicable), then Consultant's liability shall be limited to the amount of insurance available to fund any settlement, award or verdict. In addition, Consultant's liability for damages provided under this Agreement shall be limited to liability for direct damages and shall in no event include liability for remote, punitive, special, incidental, consequential or indirect damages for lost profits, loss of use, lost opportunity, financing, interest expense, or any similar damages, regardless of whether the liability arises from a breach of contract, breach of warranty, tort (including negligence), strict liability, or otherwise.

## ATTACHMENT 1

### III.7 DISCRIMINATION PROHIBITED AND COMPLIANCE WITH EQUAL OPPORTUNITY LEGISLATION.

The Consultant agrees to comply with equal opportunity employment requirements and not to discriminate against clients, employees, or applicant for employment or for services, because of race, creed, color, religion, national origin, marital status, sex, age or handicap except for a bona fide occupational qualification with regard, but not limited, to the following: employment upgrading; demotion or transfer; recruitment or any recruitment advertising; layoff or terminations; rates of pay or other forms of compensation, selection for training, and rendition of services. The Consultant further agrees to maintain (as appropriate) notices, posted in conspicuous places, setting forth the provisions of this nondiscrimination clause. The Consultant understands and agrees that, if it violates this nondiscrimination provision, this Agreement may be terminated by the City, and further that the Consultant will be barred from performing any services for the City now or in the future, unless a showing is made satisfactory to the City that discriminatory practices have been terminated and that recurrence of such action is unlikely.

### III.8 UNFAIR EMPLOYMENT PRACTICES.

During the performance of this Agreement, the Consultant agrees to comply with RCW 49.60.180, prohibiting unfair employment practices.

### III. 9 LEGAL RELATIONS.

The Consultant shall comply with all federal, state and local laws and ordinances applicable to work to be done under this Agreement. This Agreement shall be interpreted and construed in accordance with the laws of Washington. Venue for any litigation commenced relating to this Agreement shall be in Snohomish County Superior Court.

### III. 10 INDEPENDENT CONTRACTOR.

The Consultant's relation to the City shall at all times be as an independent contractor. Neither the Consultant nor any employees or subcontractors/subconsultants of the Consultant shall be entitled to any benefits accorded to City employees by virtue of the services provided under this Agreement. The City shall not be responsible for withholding or otherwise deducting federal income tax or social security or for contributing to the state industrial insurance program, or otherwise assume the duties of an employer with respect to Consultant, or any employee or subcontractor/subconsultant of the Consultant.

### III. 11 CONFLICTS OF INTEREST.

The Consultant shall notify the City of any potential conflicts of interest in Consultant's client base and shall obtain written permission from the City prior to providing services to third parties where a potential conflict of interest is apparent. If the City determines in its sole discretions that a conflict of interest is irreconcilable, the City reserves the right to terminate this Agreement.

**III.12 CITY CONFIDENCES.**

The Consultant agrees to and will keep in strict confidence, and will not disclose, communicate or advertise to third parties without specific prior written consent from the City in each instance, the confidences of the City or any information regarding the City or services provided to the City.

**III .13 AMENDMENT.**

This Agreement may be amended by written agreement of the parties.

**ARTICLE IV. PAYMENT AND APPROVAL BY THE CITY**

**IV.I PAYMENT.**

The Consultant shall be paid by the City for completed work for services rendered under this Agreement and as detailed in the Scope of Work and as provided in this section. Such payment shall be full compensation for work performed or services rendered and for all labor, materials, supplies, equipment and incidentals necessary to complete the work. In the event the City elects to expand the Scope of Work from that set forth in Exhibit A, the City shall pay Consultant an additional amount on a time and expense basis in accordance with the Consultant's current schedule of hourly rates of \$175.00 not to exceed \$10,000.00.

a. Invoices shall be submitted by the Consultant to the City for payment pursuant to the terms of the Scope of Work. The invoice will state the time expended, the hourly rate, a detailed description of the work performed, and the expenses incurred during the preceding month. Invoices must be submitted by the first day of the month to be paid by the 15th day of the month.

b. The City will pay timely submitted and approved invoices within thirty (30) days of receipt.

**IV.2 CITY APPROVAL.**

Notwithstanding the Consultant's status as an independent contractor, results of the work performed pursuant to this Agreement must meet the approval of the City, which shall not be unreasonably withheld if work has been completed in compliance with the Scope of Work and this Agreement.

**ARTICLE V. GENERAL**

**V.I NOTICES.**

Notices to the City shall be sent to the following address:

CITY OF LAKE STEVENS  
Rebecca Ableman  
1812 Main Street  
PO Box 257  
Lake Stevens, WA 98258

Notices to the Consultant shall be sent to the following address:  
William Trimm, FAICP  
16811 Snohomish Ave.  
Snohomish, WA 98296

Receipt of any notice shall be deemed effective three (3) days after deposit of written notice in the U.S. mail with proper postage and address.

**V.2 TERMINATION.**

The right is reserved by the parties to terminate this Agreement in whole or in part at any time upon thirty (30) days' written notice to the other party.

If this Agreement is terminated in its entirety by the City for its convenience, a final payment shall be made to the Consultant which, when added to any payments previously made, shall total the Consultant's invoices for the work completed at the time of termination.

**V.3 DISPUTES.**

The parties agree that, following reasonable attempts at negotiation and compromise, any unresolved dispute arising under this Agreement may be resolved by a mutually agreed-upon alternative dispute resolution, which may consist of mediation and/or arbitration.

**V.4 NONWAIVER.**

Waiver by the City of any provision of this Agreement or any time limitation provided for in this Agreement shall not constitute a waiver of any other provision.

**V.5 AUTHORITY TO SIGN.**

The undersigned are authorized to execute this Agreement and bind their respective parties.

Dated: May 31, 2011

CITY OF LAKE STEVENS

By:   
Vern Little, Mayor

CONSULTANT

By:   
William G. Trimm

Approved as to form:

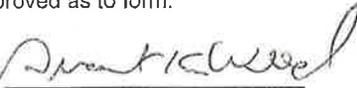
By:   
Grant K. Weed, City Attorney

EXHIBIT A

Scope of Services

The consultant shall provide the City with general economic development services to support the City's Economic Development Strategy and includes the following task to be completed by the Consultant:

Contact selected property owners in two economic development districts 20<sup>th</sup> Street Corridor and Frontier Village (Lake Stevens Center) during the subarea planning process and define individual property owner development/redevelopment expectations. Prepare a phased status report, corresponding to the subarea plan and planned action ordinance schedule, identifying key properties, issues, constraints, and timing of future development opportunities. Where appropriate, facilitate property owners contact with real estate development professionals to pursue, negotiate and entertain property transfers/development consistent with Subarea Comprehensive Plans and Planned Action Ordinances.

*Deliverables: Phased summary status report of selected property owner expectations and list of real estate professional contacts.*

*Timing: Completion of first phase report by December 31, 2011*

**SUPPLEMENTAL AGREEMENT NO. 1  
TO  
PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF LAKE STEVENS  
AND WILLIAM TRIMM FOR CONSULTANT SERVICES**

This Supplemental Agreement No1 is made and entered into on the 12th day of September, 2011, between the City of Lake Stevens, hereinafter called the "City" and William Trimm, FAICP, hereinafter called the "Consultant."

WITNESSETH THAT:

WHEREAS, the parties hereto have previously entered into an Agreement for Business/Development Recruitment, hereinafter called the "Project," said Agreement being dated May 31, 2011, and

WHEREAS, both parties desire to supplement said Agreement, by extending the end date to March 31, 2012 and that the concentration of activities will occur in 2012,

NOW THEREFORE, in consideration of the terms, conditions, covenants and performance contained herein or attached and incorporated, and made a part hereof, the parties hereto agree as follows:

Each and every provision of the Original Agreement for Professional Services dated May 31, 2011 shall remain in full force and effect, except as modified in the following sections:

Exhibit A, "Scope of Services" is hereby amended to read as follows:

**EXHIBIT A**

Scope of Services

The consultant shall provide the City with general economic development services to support the City's Economic Development Strategy and includes the following task to be completed by the Consultant:

Contact selected property owners in two economic development districts 20<sup>th</sup> Street Corridor and Frontier Village (Lake Stevens Center) during the subarea planning process and define individual property owner development/redevelopment expectations. Prepare a phased status report, corresponding to the subarea plan and planned action ordinance schedule, identifying key properties, issues, constraints, and timing of future development opportunities. Where appropriate, facilitate property owners contact with real estate development professionals to pursue, negotiate and entertain property transfers/development consistent with Subarea Comprehensive Plans and Planned Action Ordinances.

**Deliverables:** *Phased summary status report of selected property owner expectations and list of real estate professional contacts.*

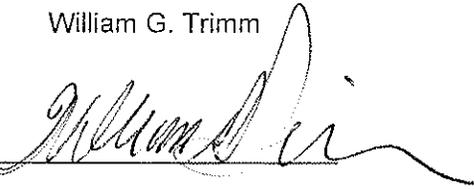
Timing: Primary concentration of recruitment work will begin January 2012 and completion of first phase report by March 31, 2012

IN WITNESS WHEREOF, the parties hereto have executed this SUPPLEMENTAL AGREEMENT NO. 1 as of the day and year first above written.

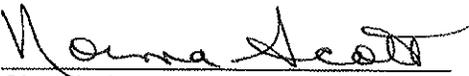
CITY OF LAKE STEVENS

William G. Trimm

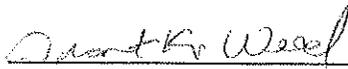
By:   
Mayor

By: 

ATTEST/AUTHENTICATED:

  
City Clerk

APPROVED AS TO FORM:

  
Lake Stevens City Attorney

**SUPPLEMENTAL AGREEMENT NO. 2  
TO  
PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF LAKE STEVENS  
AND WILLIAM TRIMM FOR CONSULTANT SERVICES**

This Supplemental Agreement No1 is made and entered into on the \_\_\_ day of \_\_\_\_\_, 2012, between the City of Lake Stevens, hereinafter called the "City" and William Trimm, FAICP, hereinafter called the "Consultant."

WITNESSETH THAT:

WHEREAS, the parties hereto have previously entered into an Agreement for Business/Development Recruitment, hereinafter called the "Project," said Agreement being dated May 31, 2011, and

WHEREAS, the parties entered in the Supplemental Agreement No. 1 on September 12, 2011; and

WHEREAS, both parties desire to further supplement said Agreements, by extending the end date to December 31, 2012,

NOW THEREFORE, in consideration of the terms, conditions, covenants and performance contained herein or attached and incorporated, and made a part hereof, the parties hereto agree as follows:

Each and every provision of the Original Agreement for Professional Services dated May 31, 2011 and Supplemental No. 1 dated September 12, 2011 shall remain in full force and effect, except as modified in the following sections:

1. Article II of the Original Agreement, "SCOPE OF SERVICES", shall be supplemented to include the following additional tasks:
  - A. Continued liaison with sub area property owners and follow-up with previously contacted owners to apprise them of current status of sub area plans.
  - B. Arrange meetings with and distribution of economic development materials to regional and national housing and commercial retail firms..
  - C. Inform staff of Puget Sound regional economic development organizations of the Lake Stevens development opportunities and expedited entitlement processing brought about by the sub area plans and planned action ordinances.
  - D. Assist Lake Stevens staff with review and evaluation of proposed development regulations to implement sub area plans and planned action ordinances to ensure effective and expedited processing of development applications.
  - E. Other economic development duties as assigned.

**Deliverable:** *Summary status report of economic development activities and*

outcomes.

2. Article IV of the Original Agreement, "OBLIGATIONS OF THE CITY", Paragraph 4.1 Payments, the third sentence is amended to include the additional Consultant fee of \$10,500 and shall read as follows: ".shall total payment under this agreement exceed \$20,500.00"

The Total Amount payable to the Consultant is summarized as follows:

Original Agreement	\$10,000.00
Supplemental Agreement No.2 (60 hours at the rate of \$175 per hour)	\$10,500.00
Grand Total	\$20,500.00

3. Article III, Section 3.3 of the Original Agreement, "TIME OF PERFORMANCE", is amended to provide that all work shall be completed by December 31, 2012.

IN WITNESS WHEREOF, the parties hereto have executed this SUPPLEMENTAL AGREEMENT NO. 2 as of the day and year first above written.

CITY OF LAKE STEVENS

William G. Trimm

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Lake Stevens City Attorney



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City of Lake Stevens City Council  
Staff Memorandum

**Date:** April 20, 2012 Updated May 29, 2012  
**Subject:** Yard/Garage Sale Code Provisions Inquiry  
**Staff/Department:** Rebecca Ableman, Planning and Community Development

This memorandum is in response to the recent inquiry regarding the City’s Yard/Garage Sale Code provisions.

**BACKGROUND:**

Currently, the City’s Municipal Code includes the following code sections to regulate garage sales:

TITLE 4 – BUSINESS LICENSE AND REGULATIONS

**4.04.040 Exemptions**

*(3) Casual sale of items of personal property where the person conducting such sale is not regularly engaged in the business of selling items of personal property (for example, garage sales, service agency bake sales); such sales shall not exceed four sales per year;*

TITLE 14 – LAND USE CODE

**14.40.050 Accessory Uses.**

...

*(c) Without limiting the generality of subsections (a) and (b) of this section, the following activities, so long as they satisfy the general criteria set forth above, are specifically regarded as accessory to residential principal uses:*

...

*(4) Yard sales or garage sales, so long as such sales are not conducted on the same lot for more than three days (whether consecutive or not) during any 30-day period.*

To compare the constraints of the Lake Stevens regulations against those of similar jurisdictions we have prepared the following chart:

<b>Municipality</b>	<b>Garage Sale Restrictions</b>
Edmonds	Not to exceed 12 days or 12 times per year.
Marysville	No more than 2 sales per year and no such sale shall continue more than 6 days within a 15-day period.
Mukilteo	No more than 3 consecutive days and no more than twice annually.
Snohomish	Not to exceed a total of not more than 4 days per year on no more than 4 separate occasions.

**Comparison of Proposed Use to Home Occupation Requirements**

Commercial activity is allowed in residential zone through the Home Occupation approval process. This approval allows a business to operate in a residential zone if they meet the requirements of LSMC

section 14.16C.070. Permitting the proposed use as a Home Occupation would also not be allowed under the previous and most recent requirements adopted by the Council in 2010 and includes the following related to sales:

*(3) No business activity may occur outside of any building on site, including displays of goods, stock in trade or other commodities.*

*(9) Sales shall be limited to:*

- (i) Products accessory to the home occupation (e.g., shampoo for beauty shop, ect)*
- (ii) Merchandise which is produced on the premises; and/or*
- (iii) Mail order, internet and telephone sales; and*
- (iv) With appointment for pick up or offsite delivery;*

*(14) No sales or services will be conducted on the premises which will generate more than 10 average daily round trips per day by customers except for day care.*

#### **DISCUSSION:**

The recent inquiry regarding garage sale provisions asked about Council granting a variance for this particular situation. Under LSMC 14.16C, a variance may be granted by the Hearing Examiner if the request meets the following decision criteria:

#### **14.16C.115 Variances.**

- (a) A variance is a mechanism by which the City may grant relief to a particular piece of property where practical difficulty renders compliance with the provisions of the land use code an unnecessary hardship, where the hardship is a result of the physical characteristics of the subject property and where the purpose of that code and of the Comprehensive Plan can be fulfilled.
- (b) Procedure. Applications for a variance shall follow the procedures for a Type III review pursuant to Chapter 14.16B. Decisions on variance applications are to be made by the Hearing Examiner following a public hearing.
- (c) Decision Criteria. A variance may be approved if findings are made that the strict enforcement of this title would result in practical difficulties or unnecessary hardships for the applicant and that, by granting the variance, the spirit of this title will be observed, public safety and welfare secured, and substantial justice done. The Hearing Examiner may reach these conclusions if he or she finds that:
  - (1) The requested use is permitted in the zone in which the property is located;
  - (2) If the applicant complies strictly with the provisions of this title, the applicant can make no reasonable use of his property;
  - (3) There are special circumstances applicable to the subject property or to the intended use, such as the size, shape, topography, location or surroundings, that do not apply generally to other properties or classes of use in the same vicinity and zone;
  - (4) The hardship relates to the applicant's land, rather than personal circumstances;
  - (5) The spirit of the standard from which a variance is requested is reasonably maintained, and the granting of a variance will not constitute a grant of special privilege or pose significant hazards or otherwise be detrimental to the surrounding properties; and
  - (6) The hardship is not the result of the applicant's or recent prior owner's own actions.

The underlined criteria sections would make it difficult for an applicant to obtain a variance in this circumstance.

**OPTIONS:**

The Council would need to change the City's Land Use Code through a code amendment process in order to allow the activity to continue in an ongoing basis. An option for a property owner seeking to assist community members could be to work with other social services or clubs in Lake Stevens to accomplish the goals of the sales in an area that allows this activity without the 4 per year limitation.



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## LAKE STEVENS CITY COUNCIL STAFF REPORT

Council Agenda Date: May 29, 2012

**Subject:** Subarea Plans Zoning Regulation / Design Guidelines Introduction

<b>Contact Person/ Department:</b>	<b>Russ Wright</b> , Senior Planner <b>Karen Watkins</b> , Principal Planner <b>Rebecca Ableman</b> , Planning & Community Development Director	<b>Budget Impact:</b>	<u>NA - current contract for consultant</u>
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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** Introduction to the draft subarea zoning regulations and design guidelines.

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### SUMMARY:

Staff has been developing draft zoning regulations and design guidelines for the subareas, attached for your information. The goal for providing these documents is to alert council members to the content of the draft regulations and guidelines that will implement the subarea plans. Tonight, staff's presentation will focus on the broad structure of the regulations and guidelines, rather than on specific content. Staff will provide the Planning Commission and Design Review Board with these documents over the next month for comment before returning to Council for a detailed discussion.

The next subarea plan tasks will be developing draft zoning maps for the two areas for public comment and Planning Commission / City Council review. Staff will also complete the final environmental impact statement for both areas. Finally, staff will schedule public hearings covering the various pieces mid-summer, leading to adoption this autumn.

---

**APPLICABLE CITY POLICIES:** Subarea plans related to the Comprehensive Plan pursuant to RCW 36.70A.080 (Growth Management Policy Act – Optional Elements) and Environmental Impact Statements pursuant to WAC 197-11, Part Four and Chapter 16.16 LSMC (State Environmental Policy Act - Environmental Impact Statements)

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**BUDGET IMPACT:** Current contract for consultant services

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### Attachments:

1. Draft zoning regulations
2. Draft zoning definitions
3. Draft design guidelines

Complete copies of the [Lake Stevens Center DEIS](#) and [20<sup>th</sup> Street SE Corridor DEIS](#) are available on the city's website.

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## Chapter 14.38 Subarea Plans

**14.38.010 Adoption** – The City of Lake Stevens has adopted the following subarea plans, as identified on the official zoning map and illustrated in Figure 14.38-I:

- (a) **Lake Stevens Center Subarea Plan** – located around the intersection of State Route 9 and State Route 204.
- (b) **20<sup>th</sup> Street SE Corridor Subarea Plan** – located along the southern border of the city along 20<sup>th</sup> Street SE.

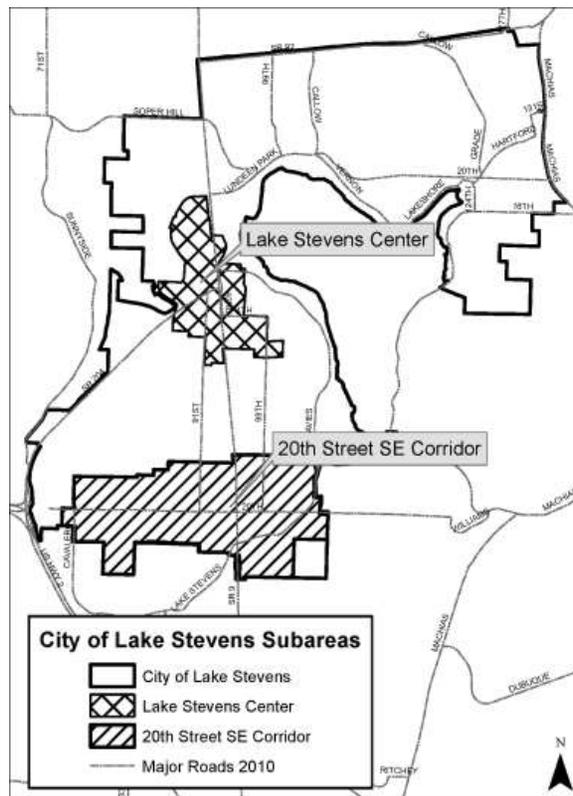


Figure 14.38-I Combined Subarea Locations

**14.38.015 Purpose** – This chapter provides detailed planning and zoning regulations for the subareas that supersede some sections of the Lake Stevens Municipal Code (LSMC). All development, within the subareas, is subject to the provisions of the LSMC, except when sections of this chapter modify the standard municipal code requirements or the section does not provide detailed provisions.

**14.38.020 Zoning Districts** – The following zoning districts implement the goals, policies and distribution of land uses set forth in the Subarea Plans.

(a) **Business District (BD)** – The purpose of this district is to promote community and regional employment and accommodate land uses such as corporate offices, general offices, research and development, medical clinics, technology, and light manufacturing and assembly. Secondary uses include warehousing, storage and distribution associated with a principal use and small-scale retail and services that support the principal uses and objectives of the district. This district should be located in areas with direct access to highways and arterials in addition to transit facilities, adequate public services and traffic capacity.

(1) Principal Uses

- (i) Educational services (colleges and or technical schools);
- (ii) Finance and insurance;
- (iii) Health care services;
- (iv) Light manufacturing and assembly;
- (v) Management of companies and enterprises;
- (vi) Professional, scientific, and technical services; and
- (vii) Transit-Oriented development (including transit facilities/stops).

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(2) Secondary Uses

- (i) Food services;
- (ii) Information services;
- (iii) Retail trade;
- (iv) Wholesale trade; and
- (v) Warehousing, storage and distribution.

(3) Special Regulations

- (i) Food services and personal services shall not exceed 3,000 gross square feet;
- (ii) Retail trade shall not exceed 5,000 gross square feet;
- (iii) Wholesale trade accessory to the principal use shall not exceed 15 percent of the gross floor area of individual structures;
- (iv) Warehousing, storage and distribution accessory to the principal use shall not exceed 25 percent of the gross floor area of individual structures;
- (v) Places of Worship over 10,000 gross square feet require a Conditional Use Permit per Section 14.16C.045; and
- (vi) Wireless and cellular communications facilities require an Administrative Conditional Use Permit per Section 14.16C.015.

(b) **Commercial District (CD)** – The purpose of this district is to accommodate the high-intensity retail needs of the community and regional market by attracting a mix of large to small format retail stores and restaurants to create a vibrant and unified regional shopping center. Transportation accessibility, exposure to highways and arterials with adequate public services and traffic capacity characterize this district.

(1) Principal Uses

- (i) Accommodation services;
- (ii) Arts and entertainment;
- (iii) Food services;
- (iv) Retail trade; and
- (v) Transit-Oriented Development (including transit facilities/stops).

(2) Secondary Uses

- (i) Amusement and Recreation Industries;
- (ii) Commercial parking structures/lots;
- (iii) Educational services (colleges and/or technical schools);
- (iv) Finance and insurance;
- (v) Health care services;
- (vi) Information services;
- (vii) Personal services;
- (viii) Professional, scientific, and technical services; and
- (ix) Public administration.

(3) Residential Uses

- (i) Mixed-use multifamily residential units including apartments, condominiums, and live/work units, where the majority of residential units are located above commercial uses.

(4) Special Regulations

- (i) Health care, professional, scientific, and technical services require a Conditional Use Permit per Section

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14.16C.045 when the structure’s footprint exceeds 10,000 gross square feet;

- (ii) Places of Worship over 10,000 gross square feet require a Conditional Use Permit per Section 14.16C.045;
- (iii) Wireless and cellular communications facilities require an Administrative Conditional Use Permit per Section 14.16C.015; and
- (iv) Outdoor retail sales of building materials, garden equipment and supplies, and vehicles are permitted.

(c) **Main Street District (MS)** – The purpose of this district is to provide pedestrian-oriented commercial uses that serve the community and region by attracting a variety of small (up to 10,000 gross square feet) to mid-sized (approximately 30,000 gross square feet) businesses along with high-density residential uses in proximity to other retail and residential areas. Building design and pedestrian-oriented features would support an active and pleasant streetscape. This district should include enhanced sidewalks, public spaces and amenities for pedestrians and cyclists that emphasize pedestrian movement over vehicular movement.

(1) Principal Uses

- (i) Arts and entertainment;
- (ii) Food services;
- (iii) Small to mid-size retail trade; and
- (iv) Transit facilities/stops.

(2) Secondary Uses

- (i) Amusement and Recreation Industries
- (ii) Commercial parking structures/lots;

- (iii) Finance and Insurance;
- (iv) Health care services;
- (v) Personal services;
- (vi) Professional, scientific, and technical services;
- (vii) Public administration; and

(3) Residential Uses

- (i) Mixed-use multifamily residential units including apartments, condominiums, and live/work units, where the majority of residential units are located above commercial uses.

(4) Special Regulations

- (i) Automotive, boat, and recreational vehicle sales and services are not allowed.
- (ii) Drive-through uses are not allowed between the building and right-of-way and are subject to screening requirements found in the applicable design guidelines.
- (iii) Theaters and performing arts venues are limited to a maximum size of 500 seats.
- (iv) The footprint of small to mid-size retail trade uses, in any single-use structure, may not exceed 30,000 gross square feet.
- (v) Health care, professional, scientific, or technical service services-structures’ footprints may not exceed 5,000 gross square feet.
- (vi) Wireless and cellular communications facilities require an Administrative Conditional Use Permit per Section 14.16C.015.

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(d) **Mixed-Use Neighborhood (MUN)** – The purpose of this district is to accommodate higher density residential development in proximity to employment and retail centers and provide basic convenience goods and services, in areas, with available public services and adequate traffic capacities. This district would have a minimum density of 15 dwelling units per acre. This district would create a transition between higher and lower intensity land uses.

(1) Principal uses

- (i) Multifamily apartments and condominiums;
- (ii) Townhomes and row houses; and
- (iii) Residential over retail/office including live/work units.

(2) Secondary uses

- (i) Neighborhood-oriented retail trade and personal services that meet the convenience shopping and services needs of the immediate and surrounding area.

(3) Special Regulations

- (i) Mixed-use building configurations may include a vertical or horizontal stratification.
  - Retail and service uses located in attached mixed-use buildings are limited to the ground level;
  - Sites with retail and service uses located in detached buildings are limited to a maximum floor area of 5,000 gross square feet; and
  - Commercial uses should be oriented toward the primary frontage, with residential uses behind.
- (ii) In the 20<sup>th</sup> Street SE Corridor, the district will allow innovative housing options per Chapter 14.46 LSMC.

- (iii) Automotive, boat, and recreational vehicle sales and services are not allowed.
- (iv) Drive-through uses are not allowed between the building and right-of-way and are subject to screening requirements found in the applicable design guidelines.
- (v) Wireless and cellular communications facilities require an Administrative Conditional Use Permit per Section 14.16C.015.

(e) **Neighborhood Business (NB)** – The purpose of this district is to provide convenience goods, services, and opportunities for smaller scale shopping centers near neighborhoods that cater to pedestrians and commuters. This district should be located in areas with available public services, transportation accessibility to arterials and adequate traffic capacities.

(1) Principal Uses

- (i) Arts and entertainment;
- (ii) Food services;
- (iii) Personal services;
- (iv) Small retail trade; and
- (v) Transit facilities/stops.

(2) Secondary Uses

- (i) Amusement and recreation industries;
- (ii) Finance and insurance;
- (iii) Professional, scientific, and technical services; and
- (iv) Public administration.

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(3) Special Regulations

- (i) Automotive, boat, and recreational vehicle sales are not allowed.
- (ii) Drive-through uses are subject to screening requirements found in the applicable design guidelines.
- (iii) The footprint of any single structure may not exceed 10,000 gross square feet.
- (iv) Wireless and cellular communications facilities require an Administrative Conditional Use Permit per Section 14.16C.015.

(f) **Other Zones** – The subareas may also contain the Urban Residential (UR), High Urban Residential (HUR), and Public / Semi-Public (PSP) zoning districts, as described in Chapter 14.36 LSMC or as modified below.

- (1) **High Urban Residential (HUR)** – Within the subareas, the purpose of the HUR district is to accommodate higher-density residential uses that may include multifamily condominiums, apartments, townhouses and row houses, as well as any small lot single-family residential units or innovative housing options per Chapter 14.46 LSMC in areas served by public water and sewer facilities.
- (2) **Public / Semi-Public (P/SP)** – Within the subareas, the purpose of P/SP district is to accommodate public and semi-public uses, such as schools, government facilities, public utilities, community facilities, parks, etc., as well as the other uses described in Table 14.40-I of Chapter 14.40 LSMC.

**14.38.030 Other Uses**

The intent of all of the subarea zoning districts is to encourage a wide range of uses, while restricting uses that do not support the primary purpose of the zoning district.

(a) Director’s Authority

The Director has the authority to determine if uses comply with the intent of the zoning district and support the principal uses and objectives of the district following the methodology described in Section 14.40.040(a).

(b) Prohibited Uses within the subarea districts:

- (1) Adult entertainment;
- (2) Construction facilities;
- (3) Industrial uses ,except as allowed in Section 14.38.020;
- (4) Mining, quarrying, and oil and gas extraction;
- (5) Waste management and remediation services;
- (6) Uses involving outdoor sales and storage of inventory, equipment, vehicles, or materials, including towing, wrecking, and impound lots, except as allowed in Section 14.38.020(b); and
- (7) Warehousing, storage and distribution, except as allowed in Section 14.38.020(d).

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14.38.040 Dimensional Regulations

Table 14.38-I Dimensional Regulations						
Zone	Minimum Lot Size	Building Setback (from property line) (ft)		Min. Landscape Buffer (ft) <sup>7</sup>	Min. First Floor Height (ft)	Max. Height (ft) <sup>8,9</sup>
		Front	Side/Rear			
<b>Commercial Zones</b>						
BD	NA	5	10 <sup>4,5</sup>	5	12	50
CD	NA	5	10 <sup>4,5</sup>	5	15	55
NB	NA	5	10 <sup>4,5</sup>	5	15	35
<b>Mixed-Use Zones</b>						
MS	NA	5 <sup>1</sup>	0 <sup>4,5,6</sup>	5	15	55
MUN	NA	10 <sup>2,3</sup>	10 <sup>5,6</sup>	5	15	45
<b>Residential Zones</b>						
HUR	3,600 sq ft <sup>11</sup>	10 <sup>2,3</sup>	5 <sup>5</sup>	5	NA	45
UR <sup>10</sup>	7,500 sq ft <sup>11</sup>	20 <sup>3</sup>	5	NA	NA	35

Notes:

1. The minimum required setback is five feet and the maximum allowed setback is 10 feet in the MS District.
2. The minimum required setback is 10 feet and the maximum allowed setback is 20 feet in the MUN District.
3. Porches, covered entries, or pedestrian-oriented spaces may project up to 5 feet into front yard setbacks in residential districts.
4. Districts that allow commercial uses shall maintain a 10-foot, Type B screen when adjacent to residential zones, per Section 14.76.040(a).
5. Structures 35 feet or taller next to single-family districts must be stepped back five feet for every floor over 35 feet per Figure 14.38-II.

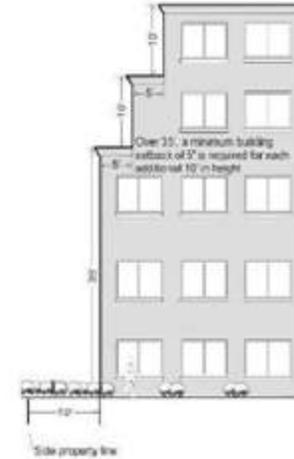


Figure 14.38-II illustrates stepping back the upper stories of a structure, adapted from the Everett Municipal Code.

6. Attached housing units or attached commercial structures built on separate lots can be built to the common property line. The outside setback for attached structures abutting a right-of-way, separate detached structures, or a different zone shall be 10 feet.
7. Landscape buffers will be comprised of a Type C screen per Section 14.76.040(a) along property lines; however, the City may waive the landscape buffer when adjacent properties share parking, access, or other common features that make intensive landscaping impractical. The front landscaping buffer does not apply in the MS District.
8. If a project includes a parking structure or affordable housing FAR bonus, as described in Section 14.38.050(b), the City will also allow an overall height increase of 10-feet above maximum height.
9. The City will consider an increase in maximum height up to 80 feet with a Conditional Use Permit per Section 14.16C.045.
10. Maximum impervious surface for parcels in the HUR District is 65 percent.
11. When developed as a Planned Residential Development (Section 14.44.020) the per unit lot size may be reduced to 3,000 square feet

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for HUR District and 6,000 square feet for the UR District in return for the dedication of additional open space at the ratio of 400 square feet per dwelling unit.

**14.38.050 Development Intensity**

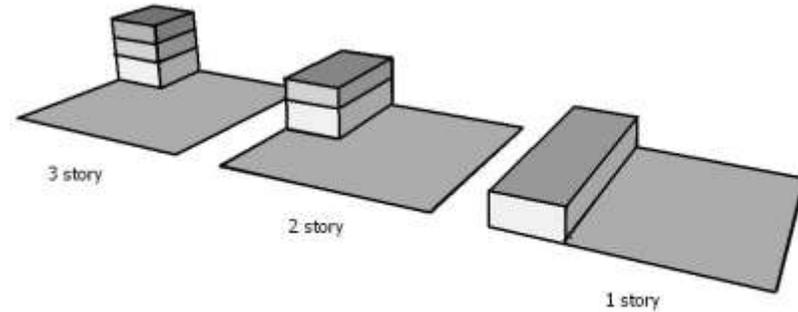
- (a) Floor Area Ratios – FAR expresses the relationship between lot area and a building’s total floor area. To determine FAR, multiply the lot area by the FAR percentage, for the district, listed in Table 14.38-II. For example in the NC district, a 10,000 square foot lot would allow a basic 3,000 square foot building with an FAR of .30 (10,000 x 30% = 3,000) as illustrated in Figure 14.38-III.

Table 14.38-II Floor Area Ratios				
District	Basic Allowable		Maximum Allowable with Bonuses	
	Non-Residential	Residential	Non-Residential	Residential
BD	0.5	NA	1.0	NA
CD	0.5	0.3	0.8	0.5
MS	0.5	1.0	1.5	2.0
MUN	0.2	0.4	0.6	1.2
NB	0.3	NA	0.6	NA

Notes:

- 1. Surface, tuck-under at grade or below grade parking shall be excluded from FAR calculations.
- 2. Allowable FAR for residential and non-residential uses occupying the same building footprint area may be added together for a combined total.

- 3. Hotel and other lodging shall be considered residential for purposes of this chart.



Possible building configurations for 0.30 FAR on a 10,000 square foot lot  
 Lot x FAR % = total buildable area

Figure 14.38-III Floor Area Ratio Example

- (b) Eligible Floor Area Ratio Bonus Features

Including any of the following elements in the subject development project will qualify for an increase in the basic allowable FAR set out in Table 14.38-II by 0.3, up to the maximum allowable.

- (1) Public Plaza – This is an outdoor space not less than 500 square feet in size, or less than 20 feet in dimension, provided at the ratio of 1.5 square foot of plaza per 100 square feet of building area beyond any other required plaza area.
  - (i) The Public Plaza must contain substantial design features, defined in the applicable design guidelines.
  - (ii) For larger development sites, the total percentage of area used as a Public Plaza use may be allocated among multiple spaces, so long as each Public Plaza

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- area complies with the criteria in subsection 14.38.050(b)(1)(i).
- (iii) Outdoor seating for restaurants adjacent to the plaza may occupy up to 20 percent of the total area.
  - (iv) The Public Plaza shall be open to the public during business hours.
- (2) Public Art
- (i) The value of the artwork must equal at least one percent of the value of the total project construction.
  - (ii) The artwork must be displayed in a prominent outdoor location (such as a plaza, sidewalk, wall, entry) for public viewing.
  - (iii) The City must approve the form and content of the proposed artwork.
- (3) Public Use – Any use normally provided by government, involving general public access that may include a post office, library, city offices, community center, museum, interpretive center, meeting rooms, visitor information centers, etc. Purely administrative space, storage or maintenance operations do not qualify.
- (4) Public Restroom – A single unisex restroom or two gender-specific restrooms open to the public during normal business hours with signs posted in prominent locations that inform the public of its availability and location.
- (5) Parking Facilities – In order to qualify for this bonus feature, a minimum of 60 percent of the parking for the development, must be contained within the principal structure and/or in an adjacent detached structure.
- (6) Sustainable Development Feature – New construction or significant alterations are encouraged to use “green” building methods and incorporate low-impact development techniques, be highly energy efficient, and/or or seek varying levels of Leadership in Energy & Environmental Design (LEED) certification. To qualify for this bonus, the development must include at least one of the following:
- (i) Achieve LEED Certification (Silver, Gold, Platinum Rating); and/or
  - (ii) Employ low impact development techniques that may include a combination of the use of high-efficiency building materials, “green-roofs,” porous paving, tree retention, rain gardens, or other methods, as defined in the *Low Impact Development Technical Guidance Manual for Puget Sound*; and/or
  - (iii) Provide incentives for alternative or high-efficiency transportation modes that may include a combination of priority HOV spaces, bicycle parking, and/or electrical hookups for electric vehicles.
- (7) Affordable Housing – Provide at least 15 percent of any housing units, contained within the development, as affordable housing to diverse households.
- (i) The maximum housing costs for rental units including basic utilities shall not exceed thirty percent of the average median income limit for a comparable housing unit within Snohomish County.
  - (ii) The maximum sales price for any housing unit shall not exceed eighty percent of the average median sales price for a comparable market rate home within Snohomish County. All affordable units developed under this chapter shall remain affordable, as defined in this section, for a period of not less than thirty years, or the minimum period required under applicable state law.

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- (iii) Prior to issuance of a certificate of occupancy, the proponent shall record a binding covenant, with the Snohomish County Auditor’s Office, that specifies the terms and conditions of the affordable units to assure that the units remain affordable as required under this section, in a form approved by the City.
  - (iv) Affordable units shall be dispersed throughout the housing development with market rate units; constructed concurrently with market rate units; and provided in a range of sizes, with comparable interior and exterior appearance and a similar number of bedrooms, to market rate units in the housing development.
  - (v) In the case of developments constructed solely to provide affordable housing, whether owner-occupied or rental, the development shall provide housing units comparable to market rate units, as defined in subsection 14.38.050(b)(7)(iv), available to other residents within Lake Stevens.
- (8) Contribution to Off-Site Public Space – To qualify for this bonus, the developer shall contribute monetarily to the construction of a public trail, park or plaza located within the subarea. The contribution shall not be less than two percent of the construction cost of the development and separate from any park mitigation fees assessed under Chapter 14.120 LSMC or other credits for fees in lieu related to development. The City shall maintain any contributed funds in a dedicated account for the public space(s).

**14.38.060 Parking Regulations**

- (a) Purpose and Application – Ensure that parking requirements are adequate to different land uses and that the parking lot configurations contribute to an inviting and safe development. Developments within the subareas are subject to the parking regulations found in Chapter 14.72 LSMC, except when this chapter modifies the standard municipal code requirements.
- (b) Parking Ratio – Table 14.38-III establishes the specific parking requirements for the subareas.

<b>Table 14.38-III Parking Standards<sup>1,2</sup></b>		
<b>Land Use</b>	<b>Minimum</b>	<b>Maximum</b>
<b>Commerce &amp; Industry (per gross floor area)</b>		
Health Care	2.5 stalls per 1000 gfa	5 stalls per 1000 gfa
Office & Business Services	2 stalls per 1000 gfa	4 stalls per 1000 gfa
Food Services	10 stalls per 1000 gfa	20 stalls per 1000 gfa
Retail Trade & Personal Services	2 stalls per 1000 gfa	4 stalls per 1000 gfa
Wholesale Trade	1 stall per 1000 gfa	2 stalls per 1000 gfa
<b>Residential (per residential unit or room)</b>		
Group, Convalescent & Nursing Homes	1 per room	1.5 per room
Multi-family Residential <sup>3</sup>	1.25 stall per unit <sup>4</sup>	2.5 stalls per unit <sup>5</sup>
Senior Housing	0.5 stalls per unit	1 stall per unit
Single-family Residential	2 per unit	NA

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Notes:

1. Parking requirements for uses not listed shall be per Table 14.72-1: Table of Parking Requirements in Section 14.72.010.
  2. Off-street parking shall include the sum of the requirements for the various uses as listed in the required parking table or consistent with Section 14.38.060(b). For example, if a site has office and residential uses, the parking area would need to include the required number of parking spaces for both uses.
  3. Includes mixed-use developments.
  4. 1.25 spaces minimum to a maximum of 2 spaces for units with one or less bedrooms.
  5. 2.25 spaces minimum to 2.5 maximum for units with two or more bedrooms.
- (b) Modifications – the Director or designee may approve a modification (increase or decrease) of up to 25 percent of the required off-street parking spaces.
- (1) Parking may be located off-site in satellite parking lots, subject to Section 14.72.080, if the satellite parking lot is within 400 feet of the property and connected to the property by a lighted sidewalk or pathway.
  - (2) In cases where there are compatible uses within 400 feet of each other, operated or used at entirely different times of the day or week, the uses may share the parking facilities, subject to Section 14.72.070 and by execution of a parking agreement, approved by the city, between the owners or responsible officials of the compatible uses.
  - (3) Increases above the maximum allowed parking standard will be allowed when a traffic/parking study, conducted for a similar use and circumstances, documents that a particular use consistently requires a higher parking standard for the use than allowed.
- (4) For zones that contain on-street parking spaces along improved frontages, adjacent uses may reduce their off-street parking requirements by a maximum 25 percent based upon a parking study demonstrating adequate on-street parking availability.
- (c) Configuration – Parking lots shall be configured as follows:
- (1) Parking lots that front on designated access streets may not have more than 60 feet fronting on such street.
  - (2) Parking lots that contain 50 or more parking spaces must be divided into smaller individual lots of no more than 50 spaces per lot;
  - (3) Individual lots must be separated with one of the following elements that are elevated approximately six-inches above the adjacent parking lot:
    - (i) A minimum 10-foot wide Type C landscape screen per Section 14.76.040(3) within a planter bed; or
    - (ii) A minimum five-foot wide pedestrian pathway flanked on each side with a two-foot wide Type C landscape screen per Section 14.76.040(3) within a planter bed.
  - (4) Parking areas shall be divided into bays of not more than 10 contiguous parking spaces in a row;
  - (5) At the end of each parking bay, there shall be a curbed planter with a minimum width of five feet measured from the outside of the curb.
  - (6) All parking spaces adjacent to landscape beds must provide a setback for all trees and shrubs where vehicle overhang extends into landscape areas by:
    - (i) Increasing planting bed to seven feet in width; or

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- (ii) Installing wheel stops set back two feet from the end of planting bed.

#### 14.38.070 Landscaping, Screening, & Natural Vegetation

- (a) Purpose and Application – Ensure that landscaping compliments the architecture of the development and creates an inviting environment. Developments within the subareas are subject to the landscaping, screening, tree retention, and vegetation regulations found in Chapter 14.76 LSMC except when this chapter modifies the standard municipal code requirements.
- (b) Planting requirements – Each planter shall contain at a minimum:
  - (1) One shade tree (minimum two-inch caliper) per parking area planting bed or one tree per 30 feet along paths, perimeters, or other linear planting areas;
  - (2) One 2-gallon shrub for every 10 square feet of landscape area; and
  - (3) Mulch to a depth of three inches.
- (c) Irrigation – All landscaped areas shall provide underground irrigation, unless the landscape area is planted entirely with drought resistant native or naturalized plants.
- (d) Maintenance of Landscaping –
  - (1) The property owner or responsible lessee shall maintain all landscaped areas in a healthy and safe manner; ensure landscaped areas remain free of weeds and debris; and replace dead or diseased plants with in-kind plants.
  - (2) The property owner or responsible lessee shall provide eye level visibility between the street, sidewalks, buildings, and parking areas:

- (i) The property owner or responsible lessee shall prune shrubs and other low plantings to a height of three feet or less above the ground; and
- (ii) The property owner or responsible lessee shall prune lower branches of mature trees to approximately eight feet above the ground.

#### 14.38.080 Lighting

- (a) Lighting design must comply with the *Illuminating Engineering Society of North America's Lighting Handbook or Recommended Practices and Design Guidelines*, latest editions, for each applicable lighting type.
- (b) Lighting levels and shielding
  - (1) Exterior lighting fixtures shall include timers, dimmers, sensors, or controllers that turn the lights off during daylight hours.
  - (2) Exterior lighting fixtures shall avoid harsh contrasts in lighting levels, prevent glare from normal viewing angles, and shield adjacent properties from light sources.
    - (i) Light fixtures shall not have bulbs or reflectors that project below the bottom rim of the fixture unless shielded by a softening diffuser.
    - (ii) Parking lot lighting fixtures should create adequate visibility at night and provide uniform lighting coverage to increase security.
    - (iii) Lighting levels shall be a maximum of two-tenths foot candles, measured five feet or beyond from an exterior property line.
  - (3) Lighting fixtures used to accent architectural features, materials, colors, style of buildings, or art shall be directed only to highlight those features.

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(c) Height Standards

- (1) Lighting fixtures used in parking lots shall not exceed a maximum height of 30 feet.
- (2) Lighting fixtures over 16 feet in height shall be fitted with a full cut-off shield.
- (3) Lighting fixtures along sidewalks and paths shall not exceed a maximum height of 16 feet.

(d) Maintenance

- (1) Lighting fixtures used for safety and security shall be maintained in good working order.
- (2) Vegetation and landscaping shall be maintained in a manner that does not obstruct lighting fixtures.

**14.38.090 Street Standards**

- (a) Purpose and Application – Provide a street network unique to the subareas that emphasizes multimodal travel and grid connectivity. Street design, within the subareas, is subject to the street and sidewalk standards found in Chapter 14.56 LSMC, except when this chapter modifies the standard municipal code requirements.
- (b) Street classifications shall be per the applicable subarea plan’s Layered Street Network, but follow individual construction standards found in the current City’s Engineering Design and Development Standards
- (c) Block lengths should not exceed 400 feet in length; shopping districts should provide mid-block crosswalks to allow additional crossing opportunities.
- (d) Vehicular driveways for ingress and egress are encouraged to be located off arterials, whenever possible to minimize the number of driveways and curb cuts onto public streets.

- (e) Adjacent developments should share driveways, for ingress and egress, to the greatest extent possible (cross-over agreements between properties strongly encouraged).
- (f) The sidewalk pattern and material shall continue across the driveways and curb cuts.

**14.38.100 Signs**

- (a) Purpose and Application – Ensure that signage provides effective advertising and identification with appropriate design, scale, and placement. Developments within the subareas are subject to the sign regulations found in Chapter 14.68 LSMC and applicable design guidelines, except when this chapter modifies the standard municipal code requirements.
- (b) Allowed Signs
  - (1) Changeable text signs per Section 14.68.084
  - (2) Freestanding signs
  - (3) Informational/directional signs
  - (4) Projecting /Suspended signs
  - (5) Residential signs per Section 14.68.090
  - (6) Signs excluded from regulation per Section 14.68.020
  - (7) Temporary signs per Section 14.68.030
  - (8) Wall signs
  - (9) Window signs
- (c) Prohibited signs
  - (1) Animated or flashing signs, except as allowed in Section 14.68.120
  - (2) Off-site signs, except as allowed by Section 14.68.030

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- (3) Portable signs
  - (4) Roof signs
  - (5) Signs which are located on or extend over public rights-of-way
  - (6) Temporary signs except as allowed by Section 14.68.030
- (d) Projecting/Suspended Signs, Wall Signs, and Window Signs
- (1) Table 14.38-IV establishes the dimensional and quantitative requirements for projecting/suspended signs, wall signs, and window signs.
  - (2) Projecting /Suspended signs:
    - (i) Projecting signs shall not extend more than five feet from a building facade;
    - (ii) Suspended signs are limited to approximately two inches in thickness and may not extend beyond the structure to which it is attached;
    - (iii) Projecting /Suspended signs must provide a minimum of eight feet of clearance from the ground to the bottom of the sign; and
    - (iv) A minimum spacing of 20 feet between signs must separate projecting /suspended signs.
  - (3) Wall Signs:
    - (i) Wall signs shall be generally located in the storefront area above the main entrance along primary facades and beneath the roofline or cornices on secondary facades;
    - (ii) Second story signs shall be generally located directly above or below windows, but not higher than the belt course between the next story or below the roof-line or cornices, as illustrated in Figure 14.38-IV ;
    - (iii) Wall signs shall be generally centered between defined architectural elements and may not extend beyond defined architectural features;
    - (iv) Wall signs may be located on building focal points, if the sign does not extend beyond defined architectural features;
    - (v) Wall signs shall not project more than ten inches from the building.
    - (vi) Wall signage may be located on awnings and marquees or similar structures only when the design of the building facade prohibits wall signs on the storefront facade and the signage does not extend beyond defined architectural features; and
    - (vii) The wall sign area calculation is defined in Table 14.38-IV and the maximum area will be based on the size of the associated gross business area, as follows:
      - 5,000 gross square feet or less - 32 square feet;
      - 5,001 – 15,000 gross square feet - 96 square feet; and
      - over 15,001 gross square feet - 192 square feet.
    - (viii) Sign area is not transferable.

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Table 14.38-IV Sign Standards						
Sign Type <sup>1</sup>		BD	CD <sup>2</sup>	NB	MS <sup>2</sup>	MUN <sup>2</sup>
Projecting/ Suspended	Sign Area	NA	10 sq ft max. & no more than 5 ft in width		6 sq ft max. & no more than 3 ft in width	
	Maximum Number	NA	1 projecting or suspended sign per main facade or leasable frontage			
Wall <sup>3</sup>	Sign Area	Main: 10% of building facade Secondary: 5% of building facade	Main: 15% of building facade Secondary: 10% of building facade		Main: 10% of building facade Secondary: 5% of building facade	
	Maximum Number	1 per facade 2 facades may have signs	1 per facade <sup>4</sup> 3 facades may have signs		1 per facade 2 facades may have signs	
Window <sup>5</sup>	Sign Area	10% percent of window area	20% percent of window area		10% percent of window area	

Notes:

- Each leased space or building frontage may have one projecting sign or one suspended sign, but not both.
- Residential signage shall conform to Section 14.68.090.
- Wall Sign calculation: the facade area (first 12 feet of the building height) multiplied by the total facade length or leasable frontage for multi-tenant buildings (example [12 x 30 = 360] [360 x 15% = 54 sq ft]). The sign calculation for second story signage would be the leasable frontage multiplied by the height of the story (example [12 x 20 = 240] [240 x 15% = 36 sq ft]).
- Building over 15,000 gross square feet, with a primary facade length over 100 linear feet, may have two signs along the primary facade for the primary businesses and one sign per enclosed secondary business. Sign area for all signs will be included in the maximum sign area.
- Commercial signage for businesses on third stories and above would be limited to window signs.



Figure 14.38-IV Signage Placement Diagram  
 from Mill Creek Town Center Design Guidelines

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(e) Freestanding Signs

- (1) Table 14.38-V establishes the dimensional and quantitative requirements for freestanding signs including monument and pole/ pylon signs.
- (2) Freestanding signs shall be located no closer than five feet to public rights-of-way or access easements measured from the face of the sign to the back of the ROW or easement.
- (3) No signs shall obstruct sight distance at street intersections or driveways per Section 14.68.120(d).
- (4) The height of freestanding signs shall be measured from the average ground level at the sign’s base.
- (5) Freestanding signs must provide an architectural base, with a minimum height of twelve inches.
- (6) Each freestanding sign shall provide a landscaped area around the base of the sign per the following:
  - (i) 1.25 square feet of landscaping per 1 square foot of sign area with a minimum area of 50 square feet and a minimum width of five feet measured from the outside of the curb or the edge of the landscape bed;
  - (ii) The landscape area and sign base shall be protected from vehicles by a six-inch curb, if adjacent to drive aisles or parking areas;
  - (iii) The landscape area must include a mix of shrubs, perennials and/or annual flowers, and other standard landscape material; and
  - (iv) The landscape area may include other materials and components such as brick or concrete bases, planter boxes, pole covers, or decorative framing, and accent lighting.

(7) The City will allow pole or pylon sign when:

- (i) It is necessary to identify a use that is oriented toward and primarily intended to serve highway motorists on commercially zoned properties contiguous to state highways and the main building is more than 100 feet from the right-of-way;
- (ii) The sign is a multi-tenant sign and is not out of scale or character with allowed signs for nearby uses; and
- (iii) The sign employs distinct architectural features associated with the primary building or complex.

Table 14.38-V Freestanding Sign Standards						
Sign Type		CD	NC	BD	MS	MUN
Monument	Sign Area <sup>1</sup> (sq ft)	75	50	50	50	25
	Sign Height	15 ft	10 ft	10 ft	5 ft	5 ft
	Number <sup>2,3,4</sup>	1	1	1	1	1
Pole / Pylon	Sign Area <sup>1</sup> (sq ft)	100	NA	NA	NA	NA
	Sign Height	20 ft				
	Number	1				

Notes:

1. For freestanding signs with multiple faces, only the sign area of a single face is calculated per Section 14.68.040.
2. Each site with commercial uses may install one freestanding identification sign or multi-tenant identification sign per site.

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3. Commercial centers with more than one frontage may install two identification and/or multi-tenant identification signs with one freestanding sign along the primary frontage and a second sign along the secondary frontage, with a minimum separation of one hundred feet between the signs. Freestanding signs located along secondary frontages must be reduced by 25 percent in sign area and height.
4. Any detached structure greater than 5,000 square feet in gross area, occupied by a single business, located on a defined building pad, within a commercial center over five acres may have an additional freestanding sign not exceeding 25 square feet in area and having a maximum height of five feet.
- (f) Informational/Directional signs mean signs within a commercial or business park development that convey information; indicate the name of a particular use, such as “pharmacy” or “lumber”; and provide direction to specific uses such as “drive-through” or “exit,” but do not contain specific advertising, except for building directories.
  - (i) Attached signs are limited to a maximum of two percent of the building facade or leased storefront area.
  - (ii) Freestanding signs are limited to a maximum of four square feet, except restaurant menu signs, which are limited to a maximum of 12 square feet.
  - (iii) Building directories are limited to a maximum of 10 square feet for the purpose of identifying upper floor tenants or first floor tenants that do not have outside building frontage adjacent to the entrance for such businesses.
- (g) Sign Modifications – To provide flexibility, the city will consider modifications to the sign regulations for signs that display outstanding design elements per the requirements of Section 14.68.124.
- (h) Legal nonconforming signs

- (1) All legally existing signs at the time of the adoption of this ordinance that are not in compliance with the requirements of this chapter are nonconforming signs. The burden of establishing a sign’s legal status, under this chapter, is the responsibility of the sign or business owner.
- (2) All nonconforming signs shall be brought into compliance with current regulations when:
  - (i) The sign is expanded, moved or replaced;
  - (ii) A sign requires repairs beyond normal maintenance, which includes cleaning, painting, or light bulb replacement, and similar activities that do not modify the height, size, or shape of the sign or structurally alter the sign;
  - (iii) When a business or activity alters the value of a building by fifty percent or more of the existing value of real property improvements; or
  - (iv) When a business or activity is required to receive a Change of Use Permit, per Section 14.16C.030.
- (3) Violations. Any violation of this chapter shall terminate immediately the right to maintain a legal nonconforming sign.

**14.38.110 Design Standards and Guidelines** – All development within the subarea districts shall comply with the adopted *Subarea Design Guidelines*.

#### **14.38.120 Planned Action and Mitigation**

- (a) Purpose – the purpose of this chapter is to:
  - (1) Designate areas and land uses that qualify as a planned action for purposes of environmental review of subsequent

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implementing projects pursuant to the State Environmental Policy Act (SEPA), Chapter 43.21C RCW;

- (2) Establish criteria and procedures to determine whether projects qualify as planned actions;
- (3) Streamline and expedite the land use review and approval process by relying on the environmental impact statement (EIS) completed for the planned action, including Draft and Final EIS; and
- (4) Apply the City’s development regulations together with the mitigation measures described in the EIS, planned action ordinance and this chapter to address the impacts of future development contemplated by the planned action.

(b) Planned action procedures

- (1) Planned Action Area – The planned action designation shall apply to those areas, identified on the official zoning map, and according to the individual adopting ordinances. Each area has specific development thresholds that will be reviewed and documented for the appropriate area:
  - (i) The Lake Stevens Center Subarea; and
  - (ii) The 20<sup>th</sup> Street SE Corridor Subarea.
- (2) Environmental Document – A planned action determination for a qualifying project shall be based on the environmental analysis contained in the applicable planned action, EIS as published or hereafter revised, for the areas identified in Section 14.38.120(b)(1)(i) and (ii).
- (3) Planned Action Designated – Land uses and activities described in the applicable planned action EIS, subject to the thresholds described in Section 14.38.120(c) and the mitigation measures contained in Section 14.38.120(d), are

designated planned actions or planned action projects pursuant to Chapter 43.21C RCW.

- (4) Pre-Application Conference – Applications for a Planned Action Certification requires a pre-application conference with City staff pursuant to Section 14.16A.220(d).
- (5) Public Notice – Public notice requirements for qualifying projects are considered Type II permits pursuant to Section 14.16b.225(c)(1). Notice shall be mailed or otherwise verifiably provided to:
  - (i) All affected federally recognized tribal governments and
  - (ii) Agencies with jurisdiction over the future development anticipated for the planned action.

The notice shall state that the project has qualified as a planned action. Other notice may be required for the underlying permit.

(c) Development Thresholds

<b>Table 134.38-VI Planned Action Development Thresholds</b>		
	<b>Lake Stevens Center</b>	<b>20<sup>th</sup> Street SE Corridor</b>
<b>Land Use</b>		
Commercial (gross sq ft)		
Employment (gross sq ft)		
Residential (dwelling units)		
<b>Transportation</b>		
Total Trips (PM peak hour)		

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- (d) Mitigation measures
  - (1) Transportation
  - (2) Sewer
  - (3) Water
  - (4) Other
- (e) Planned Action Review Criteria.
  - (1) The SEPA Responsible Official will designate applications that meet the following criteria as qualifying projects, pursuant to Chapter 43.21C, WAC 197-11-164, and this chapter when the project meets the following criteria:
    - (i) The proposal is located within the planned action area as identified on the official zoning map;
    - (ii) The proposal is consistent with the City of Lake Stevens Comprehensive Plan and the applicable subarea plan;
    - (iii) The proposed uses and activities are consistent with those described in the planned action EIS and zoning requirements of Section 14.38.020;
    - (iv) The proposal is consistent with the cumulative planned action thresholds identified in Section 14.38.120(c);
    - (v) The proposal’s significant adverse environmental impacts have been identified in the planned action EIS;
    - (vi) The proposal’s significant impacts have been mitigated by application of the measures identified in Section 14.38.120(d), and other applicable City regulations, together with any modifications or variances or special permits that may be required;
    - (vii) The proposal complies with all applicable local, state and/or federal laws and regulations; and
    - (viii) The proposal is not an essential public facility as defined by RCW 36.70A.200(1) and Section 14.16C.060, except as permitted by Chapter 43.21C RCW.
  - (2) The City shall base its decision on review of a SEPA checklist, or an alternative form, adopted pursuant to Chapter 43.21C RCW, and review of the application and supporting documentation.
- (f) Effect of Planned Action.
  - (1) Upon determination by the SEPA Responsible Official that the proposal qualifies as a planned action, in accordance with this chapter, the proposal shall not require a SEPA threshold determination or be subject to further environmental review pursuant to SEPA.
    - (i) Following this determination, the City will provide the applicant with a “certification letter” notifying the applicant that their project qualifies as a planned action and that it is subject to the final conditions of project approval.
  - (2) Projects that create a substantial change in the type or degree of impacts analyzed in the planned action EIS would not qualify as a planned action.
  - (3) Should environmental conditions change significantly from those analyzed in the planned action EIS, the SEPA Responsible Official may determine that the planned action designation is not applicable until:
    - (i) The applicant provides supplemental environmental review limited to those issues and environmental impacts not previously addressed or that are inconsistent with the planned action EIS; or

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(ii) The applicant undergoes a separate SEPA review consistent with the City’s SEPA regulations and the requirements of state law.

(g) Monitoring and Review.

- (1) The City will monitor development progress in the designated planned action area to ensure it is consistent with the applicable planned action EIS regarding the type and amount of development and associated impacts, and with the mitigation measures and improvements planned for the individual subareas.
- (2) The SEPA Responsible Official shall review the planned action ordinance no later than five years from its effective date to determine the continuing relevance of its assumptions and findings with respect to environmental conditions in the planned action areas, the probable impacts of development, and required mitigation measures. Based on this review, the City may amend, addend, or supplement the planned action ordinance and/or EIS.
- (3) If during monitoring, a project proposal, within the planned action area, is nearing the development thresholds or full build-out capacity identified in the planned action EIS, the SEPA Responsible Official shall determine if the planned action ordinance and/or EIS warrant amendments, addenda, or supplemental analysis.

## DEFINITIONS Chapter 14.08 LSMC

*Amusement and Recreation.* Enterprises that operate facilities or provide services that enable patrons to participate in recreational activities or pursue amusement, hobby, and leisure-time interests that may include specific uses , such as amusement parks, arcades, golf courses, and bowling centers.

*Arts and Entertainment.* Enterprises involved in producing or promoting performances, events, exhibits, or spectator sports intended for public viewing; and enterprises that exhibit objects of historical, cultural, and educational interest or animals, such as art galleries, museums and zoos.

*Commercial Parking Structures/Lots.* Facilities that provide motor vehicle parking spaces on an hourly, daily, or monthly basis and/or valet parking services.

*Construction Facilities.* Establishments designed primarily to store construction equipment and materials for the construction of buildings or engineering projects.

*Educational Services.* Facilities that provide instruction and training in a wide variety of subjects by specialized enterprises, such as schools, colleges, universities, and training centers.

*Finance and Insurance.* Enterprises engaged in financial transactions and/or in facilitating financial transactions including banking, insurance and annuities, specialized services facilitating or supporting financial intermediation, insurance, and employee benefit programs.

*Food Services.* Enterprises that prepare meals, snacks, and beverages for on-premises and off-premises consumption including full service restaurants, cafes, fast food restaurants, coffee shops, and taverns.

*Floor Area Ratio.* The ratio of the floor area of a building to the area of the lot on which the building is located.

*Health Care Services.* Facilities that provide health care and social assistance for individuals, such as physicians, dentists, mental health and social health care specialists, nursing facilities, and clinics.

*Information Services.* Enterprises that produce and distribute information and cultural products; provide the means to transmit or distribute these products as well as data or communications, and process data including publishing (software, traditional media, and internet); recording industries; broadcasting industries; and telecommunications industries.

*Light Manufacturing and Assembly.* Enterprises engaged in the mechanical, physical, or chemical transformation of materials, substances, or assemblage of components into new products. This category typically includes electronics production and assembly, machine shops, medical supplies, clothing manufacturing and similar industries, but does not include smelting, pulp mills, fertilizer production, refineries, animal products, and similar intensive industries that require large footprints and land area.

*A Live/Work Unit.* A structure or portion of a structure combining a commercial/office activity and a residential unit, where the owner of the business or the owner's employee and that person's household occupy the residential space.

*Management of Companies and Enterprises.* Enterprises that administer, oversee, and manage the operation of companies, corporations, or enterprises.

*Mining, Quarrying, and Oil and Gas Extraction.* Enterprises that extract naturally occurring mineral solids (e.g., coal and ores); liquid minerals (e.g., petroleum); and gases (e.g., natural gas), processing of these materials (e.g., crushing, screening, washing, and flotation), and other preparation customarily performed at the mine site, or as a part of mining activity or mining support activities

*Mixed-Use.* A building or site with two or more different land uses, such as residential, office, manufacturing, retail, public or entertainment.

*Personal Services.* Enterprises that provide personal benefits to individuals, such as repairs shops, laundry services, personal care services, death care services, pet care services, etc.

*Places of Worship.* A church, synagogue, temple, or other place of religious worship.

*Professional, Scientific, and Technical Services.* Enterprises that perform professional, scientific, and technical activities for others that require a high degree of expertise and training. Activities performed may include legal services; accounting, bookkeeping, and payroll services; architectural, engineering, and specialized design services; computer services; consulting services; research services; advertising services; veterinary services; and other professional, scientific, and technical services.

*Public Administration.* Federal, state, and local government agencies that administer, oversee, and manage public programs and have emergency, executive, legislative, or judicial authority within a given area.

*Retail Trade.* Enterprises, such as department stores, electronic stores and hardware stores engaged in direct retail sales of goods and merchandise to the public.

*Sign, Informational/Directional.* a small sign of a noncommercial nature intended primarily for the convenience of the public. Included are signs designating restrooms, address numbers, hours of operation, entrances to buildings, directions, help wanted, public telephone, parking directions, etc.

*Sign, Portable.* A sign not permanently attached to a building or the ground that includes A-frame, sandwich boards, and signs with mobile bases, etc, but does not include real estate, open house, or political signs.

*Sign, Projecting.* A sign that extends out from the face of a building supported by a frame or arm attached to the structure.

*Sign, Monument.* A ground-mounted, freestanding sign with a wide, solid, and decorative base attached to the ground.

*Sign, Suspended.* a sign hanging down from a marquee, awning, canopy or similar structure.

*Residence, Multi-Family-TownhousesTownhomes and Row Houses.* A multi-family resident use in which each dwelling unit shares a common wall (including without limitation the wall of an attached garage or porch) with at least one other dwelling unit and in which each dwelling unit has living space on the

~~ground floor and a separate, ground floor entrance.~~ A multistory structure containing a group of three or more attached dwelling units, in which each dwelling unit shares a common wall (including without limitation the wall of an attached garage or porch) with at least one other dwelling unit; has a separate, ground floor entrance; and each dwelling unit has open space on at least two sides.

*Transit-Oriented Development.* Developments that emphasize access to public transportation and often incorporate features that encourage pedestrian activity and transit ridership.

*Travel Accommodation Services.* Facilities that provide lodging or short-term accommodations for travelers, vacationers, and others that include bed and breakfasts, hotels, inns, and motels.

*Waste Management and Remediation Services.* Enterprises engaged in the collection, treatment, and disposal of waste materials, including hauling waste materials; operating materials recovery facilities; remediation services and facilities (i.e., those that provide for the cleanup of contaminated buildings, mine sites, soil, or groundwater); and septic pumping and other miscellaneous waste management services.

*Warehousing, Storage and Distribution.* Enterprises that provide facilities to store general merchandise, refrigerated goods, and other warehouse products. These establishments generally handle goods in containers, such as boxes, barrels, and/or drums, using equipment, such as forklifts, pallets, and racks

*Wholesale Trade.* Enterprises that sell or arrange the purchase of goods for resale (i.e., goods sold to other wholesalers or retailers), nonconsumer goods, and raw and intermediate materials and supplies used in production that are normally operated from a warehouse or office, characterized by having little or no display of merchandise.

# SUBAREA DESIGN GUIDELINES

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- I. EXPLANATION OF DESIGN STANDARDS & GUIDELINES*
- II. SITE ORIENTATION AND DESIGN*
- III. BUILDING DESIGN*
- IV. MULTIFAMILY NEIGHBORHOOD DESIGN GUIDELINES*
- V. GLOSSARY & DEFINITION*

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## I. EXPLANATION OF DESIGN GUIDELINES

### A. What are Design Guidelines?

Design guidelines encapsulate a jurisdiction’s vision for the appearance of land uses or special areas by defining specific design criteria and augmenting development regulations. As envisioned, these guidelines will direct the physical attributes of the subareas ensuring that sites and structures express unique, high-quality design while limiting “strip-like” and corporate architecture. In addition, the proposed design guidelines will help bridge development and natural amenities within the individual subareas – existing and anticipated – leading to a cohesive distinct subarea identity that reflect its location and function.

### B. Where do the Design Guidelines Apply?

The City shall apply design guidelines to new construction and substantial alterations within the Lake Stevens Center and 20<sup>th</sup> Street SE Corridor subareas to reinforce the desired identity of the area and encourage the efficient use of developable land. The application of cohesive design guidelines will promote a consistent quality of development and support the goals and policies of the subarea plan.

All proposed development must follow the prescriptive requirements identified in the *Lake Stevens Municipal Code* (LSMC) and *Engineering Design and Development Standards* (EDDS), unless superseded by specific design standards or guidelines. The design guidelines apply to new construction and substantial alterations. Following LSCM 14.16C.020, the Design Review Board will review projects when the construction value is greater than \$100,000; otherwise, the city will conduct an administrative design review.

## C. Structure of Design Guidelines

The guidelines provide common design elements (e.g., site planning, building materials, storefronts, etc.) and best practices throughout the subareas and additional guidance for particular uses such as multifamily residential. Each design element includes an intent statement, followed by detailed descriptions of elements that provide the design review criteria for decision makers. Each section may include conceptual examples and illustrations that identify the City’s design expectations for site development and building construction.

## D. Application of Design Guidelines

The guidelines identify required elements and options for inclusion with each proposal. The City may consider alternative methods to achieve design compatibility, provided the applicant or project designer can demonstrate the following:

1. How the physical characteristics of the site or existing structure make strict compliance to the established design standard(s) and guideline(s) impractical;
2. How the proposed design modification equals or exceeds the established design standard(s) and guideline(s); and/or
3. How the proposed design is exceptional in the quality of detail, appearance or materials, and creates a positive relationship to other structures, views or open spaces in a manner that equals or exceeds the established design standard(s).

The guidelines use imperative words to describe the implementation of design goals. The terms “shall” or “must” indicate that the requirement is mandatory; while, the terms “should” or “may” signify that there is flexibility in application. Regardless of which term is used, applicants must address the design goal in their project design. The structure of the guidelines enumerates design elements sequentially for ease of reference. Applicants should not interpret individual design elements as hierarchical; rather, each element is an option within a “menu” of options that will lead to design consistency.

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## II. SITE ORIENTATION AND DESIGN

### A. Pedestrian Orientation & Streetscape

**Intent – Ensure that buildings contribute to the liveliness of streets and enhance the community character and pedestrian environment**

**1. Pedestrian oriented zone** – Commercial buildings shall be set as close as possible to the sidewalk, subject to LSMC 14.38.040, but provide enough space for pedestrian uses. Structures with a defined street orientation must provide a pedestrian area behind the sidewalk and edge of the building that includes at least two of the following elements to compliment the intended use:

- a. Accent lighting to accentuate key landscape and architectural features;
- b. Public artwork;
- c. Special paving, such as colored/stained concrete, brick, or other unit paver;
- d. Site furnishings, such as seating, benches, tables, or low seating walls, etc.; and
- e. Outdoor dining areas.

**2. Street landscaping** – all developments must provide landscaping along the street appropriate to the applicable street network identified in the *Subarea Plan* and according to the City's *Engineering Design and Development Standards (EDDS)*.

- a. Street trees must be planted in a tree wells approximately every thirty feet on center, in the public amenity area, between the sidewalk and street in commercial areas and along arterial and collectors.
  - i. Street tree wells must include either decorative pervious pavers or ornamental grating level with the sidewalk.

- b. Full planter strips are allowed along residential streets.



Figure II.1 and Figure II.2 pedestrian zones and pedestrian amenities



Figure II.3 sidewalk zones

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### 3. Setbacks

- a. Commercial buildings shall be set as close as possible to the sidewalk, but provide enough space for pedestrian uses and amenities, as described in Section II.A, subject to the following:
  - i. Distinctive entries or covered courtyards, located along a pedestrian-oriented facade, may touch the sidewalk for design purposes; and
  - ii. Buildings at the corners of intersections should be set back from the corner property lines to incorporate pedestrian amenities.

### 4. Site Landscaping – all developments are encouraged to provide distinctive landscape elements, comprised primarily of hardy, attractive, and easily maintained native Northwest plants, within pedestrian-oriented areas that may include a mix of the following elements:

- a. Planter beds that integrate standard planted materials along with perennials and/or annuals to provide seasonal color;
- b. Planters or large pots with small shrubs and seasonal flowers;
- c. Hanging baskets; and/or
- d. Special features such as rock walls, hardscape, boulders, water features.

### 5. Drive-through uses

- a. Drive-through lanes shall be located along secondary and rear facades, but cannot be located between the building and the public right-of-way, unless another intervening building(s) exists between the drive-through and public right-of-way and adequately screens the drive through;
- b. No more than one drive through lane shall be permitted for

the specific business being served by the drive through lane;

- c. Access to the drive-through shall be provided only from an associated parking area; direct access to a drive-through from a project entry drive aisle or from a public or private road shall not be allowed; and
- d. One of the methods identified in Section II.G.I.b must screen drive-through uses.



Figure II.4 illustrates street orientation and site landscaping



Figure II.5 shows preference for location of drive-through uses

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## B. Architectural Landmarks & Gateways

**Intent – Promote a distinctive and cohesive civic identity through landmark structures on key intersections of commercial areas**

**1. Structure** – developments situated at the intersection of two arterial streets or an arterial street and a collector street shall include an enhanced structure on the corner to mark that location as an architectural landmark. To achieve this effect, the structure’s vertical dimension shall be at least 25 feet. The structure may incorporate functional space, but may be merely decorative. Landmark structures should include at least two of the following features:

- a. A tower;
- b. A distinctive roof form;
- c. A pergola, trellis or arcade;
- d. Public art with a valuation of at least 0.5% of the total construction cost;
- e. Over-sized windows; and/or
- f. One of the landscape elements from II.A.3.



Figure II.6 (left), Figure II.7 (above) and Figure II.8 (below) illustrate distinctive gateway treatments



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### C. Plazas, Courtyards, & Seating Areas

***Intent – Provide a friendly pedestrian environment by creating a variety of usable and interesting open spaces within private development***

1. New or renovated buildings shall provide plazas, courtyards, or other pedestrian spaces at or near their main entrances.
2. Pedestrian spaces should be a minimum of 1 square foot of plaza per 100 square feet of building area.
3. Plazas, courtyards and other pedestrian spaces should include at least one of the landscape elements from II.A.3.
4. Plaza or courtyard should include public seating, such as benches, tables, or low seating walls. When public seating is provided, the area must contain at least three feet of seating or one individual seat per 100 square feet of the plaza or courtyard.



*Figure II.9 mixed-use building with plaza space at the corner*



*Figure II.10 pedestrian open space within a private development*

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## D. Lighting

***Intent – Ensure that lighting throughout the subarea enforces the design concept and contributes to the character of the streetscape and does not disturb adjacent developments and residences***

### 1. Street Lights

- a. Pedestrian-scaled lighting, generally below 16 feet, is required along streets and in plazas and courts.
- b. Use city-approved street light fixtures along street frontages.
- c. Provide complementary lighting fixtures throughout the subarea, that enhance the area’s architecture and character, including but not limited to pathway, accent, bollards, parking lot, and wall mounted light fixtures.



*Figures II.11 (left) and 11.12 (right) examples of lighting fixtures*

### 2. Site Lighting

- a. Accent lighting may be incorporated in design to draw attention to special building and/or landscape features.
- b. Up-lighting on trees and provisions for seasonal lighting are encouraged.
- c. Exterior lighting fixtures shall be high quality, incorporate architectural detail, and maintain a pedestrian-scale that enhances the site’s architecture and character.



*Figure II.13 pedestrian scaled lighting*

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## E. Curb Cuts, Crosswalks

***Intent – Enhance pedestrian safety by consolidating driveways, while providing for adequate vehicular and service access***

### 1. Curb Cuts

### 2. Crosswalks & intersection treatments

- a. Major intersections where two arterial streets or an arterial street and a collector street intersect shall use different materials and textures from the adjacent street paving (e.g., stamped or stained concrete, decorative pervious pavers, etc.) to demarcate crosswalks.
- b. To increase area wide aesthetic appeal, intersection control features, such as raised islands, dividers, etc. must be treated in the following manner:
  - i. When the feature is paved, it must be paved in a different material and texture than the adjacent street paving (e.g., stamped or stained concrete, decorative pervious pavers, etc.); or
  - ii. When the feature is not paved, it must provide special landscaping that may integrate planters with perennials and/or annuals, rock walls, boulders, water features, and/or accent lighting with standard planted materials.



*Figure II.14 pedestrian friendly driveway*



*Figure II.15 well-designed crosswalk treatment*

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## F. Pedestrian Connections

**Intent – Create a network of safe and attractive linkages for pedestrians that connects buildings, pedestrian spaces, and parking areas**

### 1. Pedestrian pathways

- a. Provide clearly defined and convenient pedestrian pathways not less than five feet wide in the following locations:
  - i. Between public rights-of-way and building entrances;
  - ii. Between parking lots and building entrances;
  - iii. Between adjacent developments;
  - iv. Where a transit stop abuts a site include a pedestrian walkway from the main entrance to the transit stop; and
  - v. On sites abutting vacant or underdeveloped land, provide connections for future pathways and sidewalks.
- b. Pedestrian connections should be clearly defined in a combination of at least two of the following ways:
  - i. Six-inch vertical curb;
  - ii. Trellis;
  - iii. Special railing;
  - iv. Bollards;
  - v. Special paving;
  - vi. Low seat wall and/or other architectural features;
  - vii. Pedestrian scale lighting, bollard lighting, accent lighting, or combination thereof; and/or
  - viii. Continuous landscape area (minimum three foot width) on at least one side of the walkway, except where the walkway crosses vehicular travel lanes.



Figure II.16 (above) and Figure II.17 (below) examples of well-connected pedestrian pathways



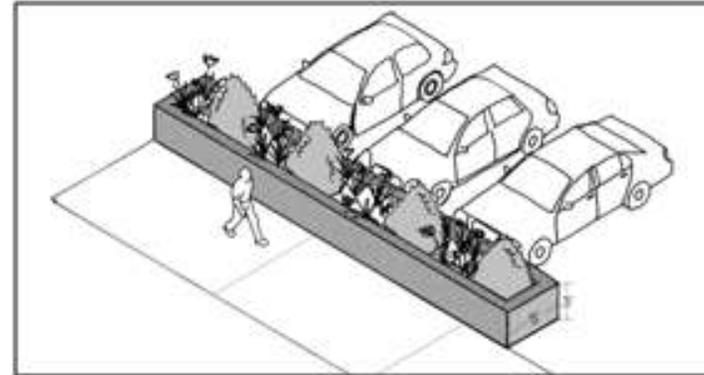
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## G. Parking Lots

**Intent – Reduce the visual impact of parking lots through the use of landscaping and/or architectural feature, while maintaining pedestrian visibility and security; and encourage the use of parking structures**

### 1. Parking Lot Configuration & Screening

- a. Locate parking lots behind buildings, when possible.
- b. Where parking lots are allowed to remain in front of or beside buildings, parking lots shall be screened adjacent to the right-of-way with one of the following treatments:
  - i. Low walls made of concrete, masonry, or similar material not to exceed a total height of three feet, within a minimum five-foot landscape bed that contains a mix of trees and shrubs per Section 14.38.070 LSMC; and
  - ii. Raised planters made of concrete, masonry, or similar material not to exceed a total height of three feet including planter and landscape material that contains a mix of trees and shrubs per Section 14.38.070; and
  - iii. A minimum 10-foot wide landscape buffer per Section 14.38.070.



*Figure II.18 (top right) low wall with landscaping along street edge;  
Figure II.19 (middle right) raised planter along street edge; and  
Figure II.20 (bottom right) enhanced landscaping along street edge*

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- c. Fencing around parking lots shall be allowed if the following conditions are met:
  - i. The fence does not exceed a maximum height of six feet and any portion higher than three feet must be 75% transparent;
  - ii. The fence compliments the material or architectural style used in the development; and
  - iii. Chain link fencing, coated or uncoated, shall not be used on any street frontage, adjacent public sidewalk or adjacent to a residential or pedestrian area, but may be allowed in service areas not visible to the public.

## 2. Parking Lot Landscaping

- a. Provide landscaping within all parking areas to reinforce circulation patterns, especially at entrances, the ends of drive aisles, and along pedestrian walkways and streetscape.
- b. Provide a mix of evergreen and deciduous trees and shrubs, annuals and perennials, and groundcover to provide multi-seasonal interest, color, and texture as a unifying design element to frame human-made elements with a natural backdrop.
- c. Encourage the use of hardy, attractive, and easily maintained native Northwest plant material to conserve water.
- d. As feasible, it is strongly encouraged that all developments consider using required landscape areas to augment the developments stormwater system with Low Impact Development techniques, such as rain gardens as seen in the city's EDDS document.



*Figure 11.21 (above) Figure 11.22 (below) show desirable parking lot landscaping and pedestrian paths*



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Figure II.23 (above) and Figure 11.24 (below) show multipurpose use of landscape areas for screening and stormwater control



- ii. Provide a minimum five-foot wide landscape area along the length of the parking structure that includes the elements of Section 14.38.070 LSMC.
- iii. Wrap the front of structured parking areas with active building spaces, such as retail storefronts to blend in with other buildings; and
- iv. Excavate structured parking areas, so that living or retail space above is brought closer to ground level.



Figure II.25 structured parking along street edge

### 3. Parking Structures

- a. Ground level parking structures shall complement the architecture the building and cannot dominate the ground level of street frontages or primary facades and must be screened from view by at least one of the following:
  - i. Screen exterior walls with architectural details, such as banding, a frieze, cornice, trellis, reveal, decorative metal artwork, or similar;

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## H. Screening of Trash & Service Areas

*Intent: Screen trash, service, utility, and mechanical areas from public view in pedestrian or residential areas*

### Standards

#### 1. Service Areas

- a. Locate service areas away from primary pedestrian areas, such as near the rear of a building or off an alley, when possible.
- b. Loading and service areas shall not face any residential district, public street or plaza space; unless no other location is possible.
- c. Consolidate garbage/recycling dumpsters.
- d. Screen all visible service, loading and trash collection areas by a combination of plantings and architectural treatments.
- e. Acceptable screening methods include:
  - i. A masonry or wood enclosure that reflects the primary building's architecture, including but not limited to consideration of proportion, color, texture, and materials (chain link fencing with complementary colored slats are acceptable on gates);
  - ii. Five-foot wide landscape screen per 14.76.040(a)(2); or
  - iii. Other treatment approved by the City.

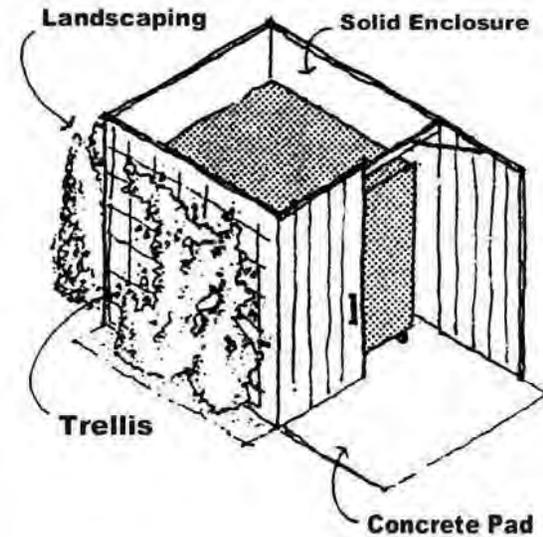


Figure II.26 screening of trash area



Figure II.27 consolidated meters screened by landscaping

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### III. BUILDING DESIGN

#### A. Primary Orientation

- a. Orient windows, main entrances, and other principal building elements toward the street<sup>1</sup> to strengthen the pedestrian-oriented environment and street front pattern.
- b. Storefronts, windows, merchandise, and other aspects of business activity should be visible to people traveling along streets or along primary facades inside shopping centers.
- c. Buildings, landscaping, and other public amenities (e.g., accent lighting, outdoor dining areas, drinking fountains, distinctive paving, public art and/or water features, etc.) should be the predominant site features, rather than parking lots.
- d. Buildings/businesses facing a public street on one side and a parking lot, pedestrian pathway, and/or street on other sides, are strongly encouraged to provide a secondary entry from the parking lot, pedestrian pathway, or alley.



*Figure III.1 (left), Figure III.2 (above), and Figure III.3 (below) show commercial buildings oriented toward pedestrian oriented spaces*



<sup>1</sup> Private lanes or principal drive aisles inside shopping centers shall be considered streets for frontage, setback, and design purposes

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## B. Ground Level Details

***Intent – Enhance building facades and entrances to increase the visual ground-level appeal; Ensure that entrances and primary facades are easily identifiable, protected, and accessible from streets, sidewalks, and parking areas; and Provide a visual connection between activities inside and outside of buildings***

### 1. Entrances

- a. Principal building entrances shall be visible from the street or primary façade and marked by at least one of the following elements:
  - i. Large entry doors;
  - ii. Recessed entrance;
  - iii. Protruding entrance; or
  - iv. Portico, arcade, or like
- b. Principal building entrances should be further enhanced with a change in material, color, or texture.

### 2. Weather Protection

- a. Principal building entrances and primary facades shall incorporate weather protection with a minimum depth of five feet) such as awnings, canopies, pergolas, etc. that meet the following requirements:
  - i. The weather protection features shall extend along a minimum of 75% of the ground floor façade;
  - ii. The vertical dimension between the underside of a canopy and the sidewalk or entry pathway shall be at least eight feet and no more than 12 feet; and
  - iii. Plastic or similar low-quality materials are not allowed for weather protection features.



Figure III.4 (above) shows a large covered entrance, while Figure III.5 (below) shows ground level weather protection features.



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### 3. Facade Details

- a. Principal building entrances and primary facades of commercial and mixed-use buildings shall project a pedestrian-friendly design by including at least three of the following elements:
  - i. Kickplates and transoms for storefront windows;
  - ii. Projecting window sills;
  - iii. Pedestrian scale signs;
  - iv. Plinths, pedestals, or similar features;
  - v. Seasonal hanging baskets supported by ornamental brackets;
  - vi. Pedestrian-oriented lighting; and
  - vii. Architectural details that may include ornamental tilework medallions, or similar.
- b. Storefront windows shall cover approximately 75 percent of the façade between two feet and eight feet above grade.
- c. When a building has a public secondary façade, the secondary façade shall include the following elements:
  - i. Visible and easily accessible entries, architecturally related to the main entry;
  - ii. Weather protection over entries;
  - iii. Storefront windows, between two feet and eight feet above grade, covering approximately 50% of the portion of the façade at entries; and
  - iv. At least two of the elements in section III.3.a.



Figure III.5 illustrates different desirable ground level details



Figure III.6 storefront window transparency along the street



Figure III.7 secondary façade elements

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#### 4. Blank Wall Treatments

- a. Blank walls longer than 30 feet facing streets or visible from pedestrian or residential areas shall incorporate at least two of the following:
  - i. Substantial landscaping that may include trees, shrubs, ground cover and/or planters or trellises with vines or similar vegetation adjacent to the wall;
  - ii. Architectural detailing, reveals, contrasting materials or other special visual interest;
  - iii. Integrated artwork, such as bas-relief or sculpture;
  - iv. Display windows; and
  - v. Other treatment approved by the City.

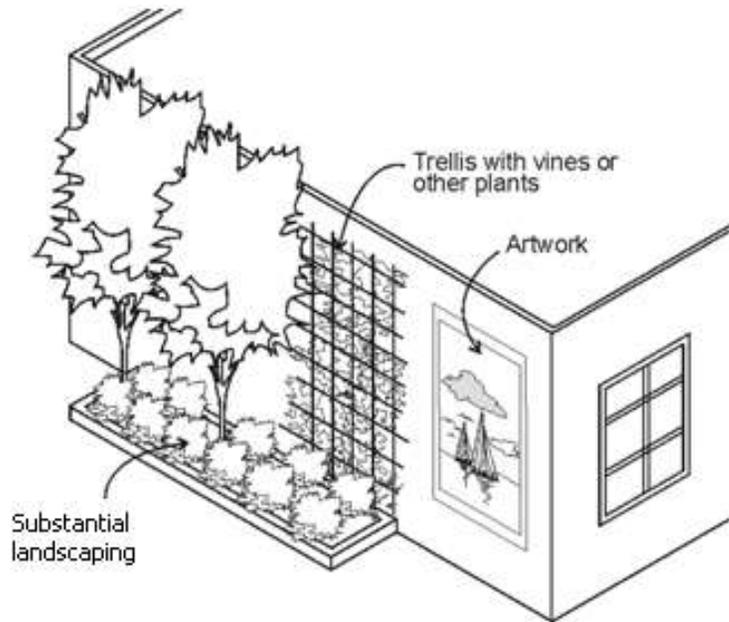


Figure III.8 (left), Figure III.9 (above) and Figure III.10 (below) show different blank wall treatments



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## C. Massing & Articulation

**Intent – Reduce the apparent bulk of buildings and facades and maintain human scale architecture**

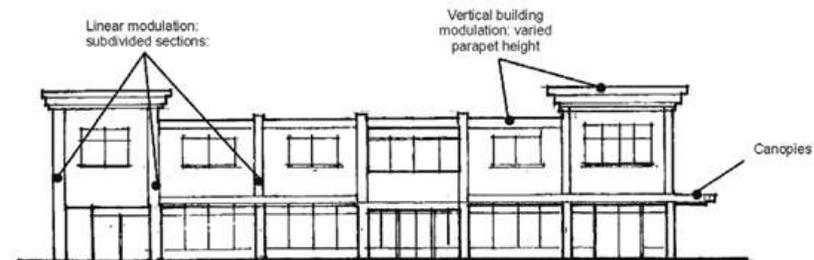
### 1. Massing

- a. Buildings above 30 feet in height must provide a defined building top, middle, and base.
  - i. The base will include distinct architectural features, masonry, and colors.
  - ii. The middle of the building will include a change in materials or color, or inclusion of distinct windows, balconies, stepbacks and signage.
  - iii. The top of the building will emphasize a distinct profile or outline with elements such as a projecting parapet, cornice, upper level setback or pitched roofline.

### 2. Articulation

- a. Horizontal building façades shall include articulation, at least every 30 feet, along façades that face streets and/or where the primary entrance is oriented to a parking lot to visually divide the façade with at least three of the following methods:
  - i. Varied building heights, roof forms, and orientation;
  - ii. Changes in building material;
  - iii. Changes in building color;
  - iv. Different window types, including bay windows; and/or
  - v. Project, recess, and/or offset portions of the façade to a minimum depth 18 inches with a width of four feet.

*Figures III.11 (top), III.12 (middle), and III.13 (bottom) illustrate building scale reducing elements through vertical and horizontal articulation*



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## D. Architectural Character

**Intent – Provide well-designed, detailed buildings that use high-quality materials that highlight subtle and refined design elements; present a distinct profile and appearance; and enhance the character of the district**

### 1. Design Concept

- a. Establish vibrant contemporary urban districts that use high quality, modern building materials and methods to create a visual identity that is distinct from historic architectural styles.
- b. Create a varied, non-homogenous set of buildings within each neighborhood and throughout the district.
- c. Architectural design for commercial and mixed-use buildings should minimize corporate architecture.
  - For example, some fast food franchises have specific architectural features that reinforce their identity.
  - Buildings that function as signs are discouraged because they are difficult to adapt to other future uses.



Figure III.14 (left – commercial) and III.15 (left – office / mixed-use) show desirable subarea amenities



Figure III.16 (above – mixed-use) and III.17 (below –office) typify desirable subarea design for different uses



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## 2. Building Materials

- a. Construct buildings with high-quality materials that enhance the character of the area:
  - i. Building façades should be composed predominantly of durable materials such as decorative masonry (but not flat concrete block) wood siding, and/or quality materials resembling wood, stone or masonry siding;
  - ii. Incorporate metal cladding, concrete, glass, tile as well as natural materials as secondary materials to increase aesthetic appeal; and
  - iii. Change finish materials, colors, or textures on building elements to provide further articulation, add variety, and define building details or even functions;
  - iv. Limit the use of low-quality materials with high life-cycle costs, such as plywood sheathing, “T-111” like siding, and other sheet wood products for exterior cladding.



*Figures III.18 (above) and III.19(below) demonstrate use of materials and windows to enrich the quality of the building*

## 3. Windows

- a. Consider multi-paned window fenestration (windows with several panes separated by mullions).
- b. When windows are not part of a multi-paned window, the window should be rectangular.
- c. Consider incorporating window trim that differs in material, provides a contrasting color to the building and/or incorporates projecting window sills.



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#### 4. Rooflines

- a. Include a variety of roof slopes, details, materials, and configurations.
  - i. Provide dormers, stepped roofs, gables, or other elements to reinforce the modulation or articulation for storefront development or to break up larger buildings.
  - ii. Buildings with pitched or sloping roofs shall have a minimum slope of 4:12 and a maximum slope of 12:12.
- b. Commercial buildings with flat roofs shall be architecturally treated or articulated with a parapet wall, combined with ornamental molding, entablature, frieze, cornice or other architectural detail to create a prominent edge when viewed against the sky.
- a. Cornices shall be made of a different material and color than the predominate siding of the building.



Figure III.20 varied roof pattern along the street

#### 5. Screening rooftop equipment

- a. Use low profile or recessed mechanical units on rooftops.
- b. Screen rooftop mechanical and communications equipment from the ground level of nearby streets.
- c. Screen mechanical and communications equipment with architectural features, such as an extended parapet wall or other integrated elements.
- d. Integrate mechanical and communication equipment into the design of the roofs and buildings.

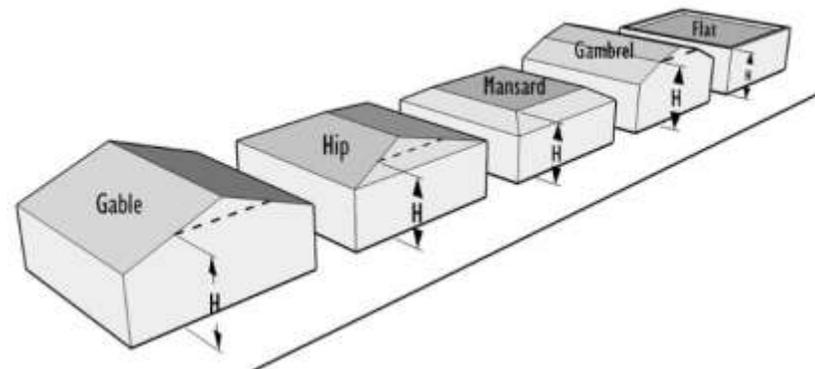


Figure III.21 different roof forms

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## E. Signs

*Intent – Encourage creative and unique sign design to ensure signs complement and strengthen the pedestrian realm and are not principally oriented to automobile traffic*

### 1. Creativity and Quality Design

- a. Signs should be highly graphic in form, expressive and individualized.
- b. Signage must be of a high quality of design and materials, consistent with the design of the architecture of the building.
- c. Signs should use clear, bold graphic symbols and logos.
- d. Signs should convey the product or service offered by the business in a bold, graphic form.
- e. Projecting signs or suspended signs, supported by ornamental brackets, oriented toward pedestrians are strongly encouraged where allowed.
- f. Signs shall not be roof mounted or extend higher than the roof edge, parapet, or exterior wall.
- g. Signs fabricated out of mixed-media, including metal reverse-illuminated letters, illuminated individual letters, signs etched or cutout of solid material, such as wood or brass and illuminated from behind are preferred.
- h. Cabinet and plastic sheet type signs are discouraged and subject to design approval.



Figure III.22 (above) and III.23 (below) shows creative pedestrian oriented signage along the street



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## 2. Freestanding Signs

- a. All freestanding signs are subject to the following restrictions:
  - i. Freestanding signs that are low and generally horizontal in form are preferred;
  - ii. All freestanding signs must sit on a substantial base constructed out of brick, rock, masonry, aggregate, treated concrete or similar material that extends a minimum of 12-inches out of the ground;
  - iii. Freestanding signs are strongly encouraged to include architectural detail and elements that may include color, shape, material that are harmonious with the character of the primary structure.
  - iv. Freestanding signs must be surrounded by low shrubs, ground cover and/or seasonal flowers to create visual interest and seasonal color; and
  - v. Monument signs in commercial areas can be internally illuminated or externally lighted, but in other areas, particularly residential, external illumination is required.



Figures III.24 through III.26 illustrate different desirable freestanding sign elements



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### 3. Pedestrian-Oriented and Wall Signs

- a. All pedestrian-oriented and wall signs are subject to the following restrictions:
  - i. Pedestrian-oriented signs should be smaller in scale than those oriented to passing traffic;
  - ii. Signs projecting from facades or are suspended over walkways or sidewalks are preferred in mixed-use districts;
  - iii. Signs shall not cover architectural features such as building trim, or ornamentation including areas between vertical piers or columns, blank areas on a gabled roof, or upper reaches of a false-fronted building
- b. Wall signs must be integrated into the building's architecture and tenant layout by at least one of the following means:
  - i. Wall signs must be centered above the business' entrance;
  - ii. Wall signs must fit within the architectural features of the building, such as being centered on a recessed panel or area specifically designed for signage;
  - iii. Sign aligned within a major building element such as centered under a roof gable or special corner feature; and
  - iv. Other measures acceptable to the City that meets the intent of these guidelines.



Figures III.27 (above) and III.28 (below) examples of high quality wall signs and pedestrian-oriented signs



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## IV. MULTIFAMILY NEIGHBORHOOD DESIGN GUIDELINES

*Intent – Reinforce the residential character of multifamily developments through the creation of pedestrian friendly and usable areas such as plazas, courtyards, and other outdoor spaces with robust landscaping.*

### A. Site Design (applicable to High Urban Residential and Mixed-Use Neighborhood districts)

#### 1. Orientation

- a. Orient building entrances to public streets, within the confines of the site characteristics, to enhance the character of the street that include the following:
  - i. Direct entries and access to the sidewalk on exterior buildings including to the public sidewalk;
  - ii. Pedestrian walkways or paths to every unit constructed out of colored/stained concrete, brick, or other unit paver;
  - iii. A minimum of five-foot front landscaping that may include a mix of lawn, trees, shrubs, and seasonal flowers subject to LSMC 14.38.070 between the building and sidewalk; and
  - iv. Decorative features, such as trellises, benches, special lighting, boulders, etc are encouraged between the building and sidewalk.
- b. Provide a frontage character compatible with existing neighborhoods, as appropriate.

#### 2. Landscaping

- a. Use landscaping to unify the overall site design and to reduce the visual impact of multifamily developments and provide usable outdoor space for residents.



Figure IV.1 (above) shows appropriate interior landscaping, while Figure IV.2 (below) shows enhanced perimeter landscaping



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- i. Provide internal landscaping, in areas of the site not otherwise developed or comprised of native plants, with a mix of lawn, planting beds, trees and shrubs, annual and perennials, rock features, water features, and/or accent lighting.
- ii. Retain existing native or desirable mature vegetation
- b. Encourage the use of hardy, attractive, and easily maintained native Northwest plant material to provide multi-seasonal interest, color, and texture.
- c. Integrate stormwater features into the landscape as attractive site amenities, not merely, as a utilitarian features.

### 3. Outdoor Spaces

- a. Provide a combination of both private and common outdoor spaces visible and accessible to residents large enough to provide functional leisure or recreational activity.
  - i. Common outdoor spaces shall be a minimum of 30 percent of the site with a minimum width of 20 feet. To maximize usability, multifamily developments should combine common open spaces into larger areas.
  - ii. Common outdoor spaces used to meet these guidelines shall not be located within required buffer areas.
  - iii. Do not locate outdoor spaces adjacent to dumpster enclosures, loading/service areas or other incompatible service areas.
  - iv. Open spaces should be oriented to receive sunlight, when possible.
  - v. Taller mixed-use structures may provide roof top outdoor spaces.
  - vi. Provide lighting within outdoor spaces to provide visual interest as well as an additional security function.

- b. Common outdoor spaces shall provide at least three of the following amenities to accommodate a variety of ages and activities:
  - i. Site furnishings (benches, tables, bike racks);
  - ii. Picnic areas;
  - iii. Patios, plazas, atriums, or courtyards;
  - iv. Tot lots and play fields;
  - v. Gardens;
  - vi. Open lawn; and/or
  - vii. Sports courts, such as tennis or basketball courts.



*Figure IV.3 shows an inviting outdoor area*

- c. Each dwelling unit should provide a private outdoor space that may include balconies, yards, decks, terraces, and patios not less than 50 square feet with no dimension less than five feet.

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- d. Ground level open spaces are subject to the following standards:
  - i. Screen private open spaces with berms, low walls, fences, hedges, and/or landscaping;
  - ii. Limits walls, hedges, and fences to a maximum height of 42 inches that is no more than 60% opaque; and
  - iii. Walls or fences must integrate with the architecture of the building and add visual interest in detail, materials, or color of the feature.

### C. Parking and Access

***Intent – Reduce the impact of parking facilities on the streetscape and neighboring properties***

- 1. Limit shared ingress and egress lanes to one lane for every 300 linear feet of street frontage or one lane per lot if the frontage is less than 300 feet.
- 2. Preferred Parking:
  - i. Side, rear, or internal for stacked apartments or condominiums using surface lots or structures or providing carports or garages;
  - ii. Surface lots must follow the elements of Section II.F; or
  - iii. First level from streets for townhomes. Front yard parking aprons or pullouts are allowed if no alternative exists.
- 3. Carports and detached garages shall incorporate pitched roofs of a design similar to the principal structure; minimize blank garage doors; and provide architectural details on the garage door or structure.
- 4. Attached carports and garages shall incorporate pitched roofs of a design similar to the principal structure or recess garage doors

from structures, minimize blank garage doors; and provide architectural details on the garage door or structure.

- 5. Ground level parking structures should be screened from view by the following methods:
  - i. Screen exterior walls with architectural details, such as banding, a frieze, cornice, trellis, decorative metal artwork, or similar; and
  - ii. Provide a minimum five-foot wide landscape area along the length of the parking structure that includes the elements of LSMC 14.38.070.



Figure IV.4 screened ground level parking structure

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## B. Building Design

*Intent – Maintain the residential scale and character of neighborhoods and project an image of quality*

### 1. Pitched Roof Forms

- a. Residential structures are encouraged to use gabled roofs to emphasize vertical proportions and create modulation.
- b. Incorporate pitched roof forms having slopes between 4:12 and 12:12.
- c. Alternate dormers and rooflines to reinforce roofline modulation.

### 2. Design to Increase Privacy:

- a. Design windows and balconies to maximize privacy for adjacent yards and residences.
  - i. Locate windows high on walls & stagger placement of windows on adjacent buildings to avoid overlook problems.
  - ii. Use sight-obscuring glass, if it is not practical to locate windows in ways that minimize privacy impacts.
  - iii. Set balconies back at least 10 feet from side or rear property lines.
  - iv. Fences used to separate private and public spaces shall not exceed 42-inches in height.



*Figure IV.6 varying pitched roof forms*



*Figure IV.6 fence along street edge*

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### 3. Architectural Character & Scale

- a. Use lines and rhythms to create a human scale streetscape by including a mix of vertical and horizontal elements as expressed by bays, belt lines, doors and windows.
- b. Modulate building facades along the public street at least every 30 feet by projecting or recessing portions of the façade at least four feet.
- c. Residential structures shall emphasize single-story massing elements using architectural features such as porches and bays, dormers, etc. as seen from the street.
- d. Residential structures are encouraged to change materials, colors, and/or textures on different elements to provide further articulation and additional variety and character.



*Figure IV.8 interior articulation and modulation with private open spaces shown*



*Figure IV.7 articulation and modulation along street*

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## V GLOSSARY & DEFINITIONS

**Arcade** – Arcade means an arched covered passageway along a building facade open to the street frontage.

**Articulation** – Articulation means a design emphasis placed on particular architectural details, materials, changes in building plane (recessed or extended from building surface), contrast in materials, or decorative artwork.

**Awning** – Awning means a roof-like cover extending over or in front of a structure (as over the deck or in front of a door or window) as a shelter.

**Balcony** – Balcony means an outdoor space built as an above-ground platform projecting from the wall of a building and enclosed by a parapet or railing.

**Bay Window** – Bay window means typically a multi-paned window protruding from the main exterior wall.

**Belt Course** – A course of masonry that extends the length of a façade and visually stands out from the rest of the wall by color, texture, pattern, projection or recess.

**Blank Walls** – Any wall or portion of a wall over four feet in height at ground level that is longer than 30 feet and has a surface area of 400 square feet of vertical surface without a window, door, or building modulation or other architectural feature

**Bollard** – A low post made of stone, concrete, or metal or other material that delineates a pedestrian area or walkway.

**Column** – a supporting pillar that typically consists of a round shaft, a capital, and a base

**Cornice** – Cornice means in classical architecture, the top, projecting section of an architrave, also any projecting ornamental molding along the top of a building, wall, arch, etc., finishing or crowning it.

**Courtyard** – Courtyard means a partially enclosed landscaped space.

**Cupola** – Cupola means a small dome or other shaped roof projection crowning a roof or turret.

**Deck** – Deck means an outdoor space built as an above-ground platform projecting from the wall of a building or above an occupied building floor.

**Decorative Paving** – Decorative paving means any paving surface that includes colored, textured, or stamped cement concrete, in addition to decorative unit pavers, bricks, tiles, or pavers, but does not include colored or stamped asphalt.

**Eaves** – Eaves mean the under-part of a sloping roof overhanging a wall.

**Entablature** – Entablature means the upper part of an order, consisting of architrave, frieze, and cornice.

**Façade** – Façade means the principal face, front elevation, or vertical surface of a building, which is set along a frontage.

**Fenestration** – The design, proportioning, and disposition of windows and other exterior openings of a building.

**Frieze** – Frieze means the middle division of an architrave, between the architrave and cornice; usually decorated but may be plain.

**Frontage** – Frontage means the portion of a parcel typically abutting a public street.

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**Gateway building** – developments situated at the intersection of two arterial streets or an arterial street and a collector street shall include an enhanced structure on the corner to mark that location as an architectural landmark

**Ground Level Transparency** – Windows made of clear glass.

**Landscaping** – Landscaping means an area that is planted with vegetation in the form of trees, shrubs, grass, annuals, perennials, and groundcover that may include accent elements such as sculpture, fountains or pools, accent lighting, benches, or other outdoor furnishings; or decorative pavers.

**Low-Impact Development** – Low-impact development (LID) means a variety of building techniques and systems designed to lessen the environmental impact of construction activities including but not limited to bio-retention cells, engineered landscapes, green/vegetated roofs, pervious/porous pavement, drought-tolerant landscapes, tree retention, etc.

**Main Entrance** – Main entrance means that entrance of the building, which is most architecturally prominent and contains operable doors.

**Modulation** – Modulation means stepping back or projecting portions of a building face within specified intervals of building width and depth, as a means of breaking up the apparent bulk of a structure's exterior walls.

**Mullion** – Solid vertical strip or other upright that divides parts of a window.

**Native Landscaping** – Native landscaping means landscaping that exclusively uses any mix of trees, shrubs, ground cover, and flowers indigenous to the Pacific Northwest.

**Parapet** – Low wall or railing designed to protect or enhance the edge of a roof or balcony architecturally.

**Pergola** – Pergola means a covered walk in a garden, or along a commercial frontage, usually formed by a double row of posts or pillars with beams above and covered with climbing plants.

**Pilaster** – Pilaster means a rectangular or round column or shallow pier attached to a wall constructed to coordinate with the style of the building.

**Portico** – A covered entrance of a building especially in classical architecture.

**Plinth** – A continuous, horizontal portion of a wall that is closest to the ground or an adjacent walkway typically made of different material than the wall above it that extends out slightly from the wall above it.

**Projecting Sill** – A window sill that extends at least 3 inches out from the wall in order to create a shadow line below the window.

**Public Art** – Public art means an element or feature whose primary purpose is to express, enhance, or illustrate aesthetic quality, feeling, physical entity, idea, local condition, historical or mythical happening, or cultural or social value visible to the public. Examples of artwork include sculpture, bas-relief sculpture, mural, or unique specially crafted lighting, furniture, pavement, landscaping, or architectural treatment.

**Reveal** – A long, narrow, vertical or horizontal recess in a wall intended to create a shadow line and/or diminish the scale of the wall.

**Scale, Architectural** – Architectural scale means the perceived relative height and bulk of a building relative to that of neighboring buildings.

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**Scale, Human** – Human scale means the perceived size of a building relative to a human being. A building is considered to have “good human scale” if there is an expression of human activity or use that indicates the building’s size. For example, traditionally sized doors, windows, and balconies are elements that respond to the size of the human body, and therefore are elements in a building that indicate a building’s overall size.

**Site Furnishings** – Elements intended to be used by pedestrians, such as benches, bollards, waste receptacles, drinking fountains, chairs, tables, and telephone booths.

**Special Landscape Treatment** – Landscaping provided that is in addition to any planting that is required by code that typically includes elements such as seasonal flowers, unique specimen trees, artistically designed retaining walls, accent lighting, and/or sculpture.

**Street Right-of-Way** – A parcel of land legally dedicated to City ownership and intended to allow for unrestricted vehicular and pedestrian movement.

**Streetscape** – Streetscape means the visual character of a street as determined by various elements such as structures, greenery, open space, views, etc.

**Transom** – Transom means a horizontal glass plane, typically encased in a wood or metal frame that separates the storefront from the upper facade.

**Trellis** – A frame supporting open latticework used as a screen or a support for growing vines or plants.

**Trim** – Trim means the framing or edging of openings and other features on a facade or indoors. It is usually of a color and material different from that of the adjacent wall surface.

**Turret** – Turret means a very small and slender tower.

**Vertical Articulation** – Vertical articulation means the visual division of a building’s facade into distinct sections or elements to reduce the apparent horizontal length of the facade.

**Visually Permeable** – Allows for views through the element or feature, although such views may be partially obstructed or obscured.